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ACTS

OF

THE GENERAL ASSEMBLY

OF

HER MAJESTY'S PROVINCE

OF

NEW BRUNSWICK,

PASSED IN THE YEAR

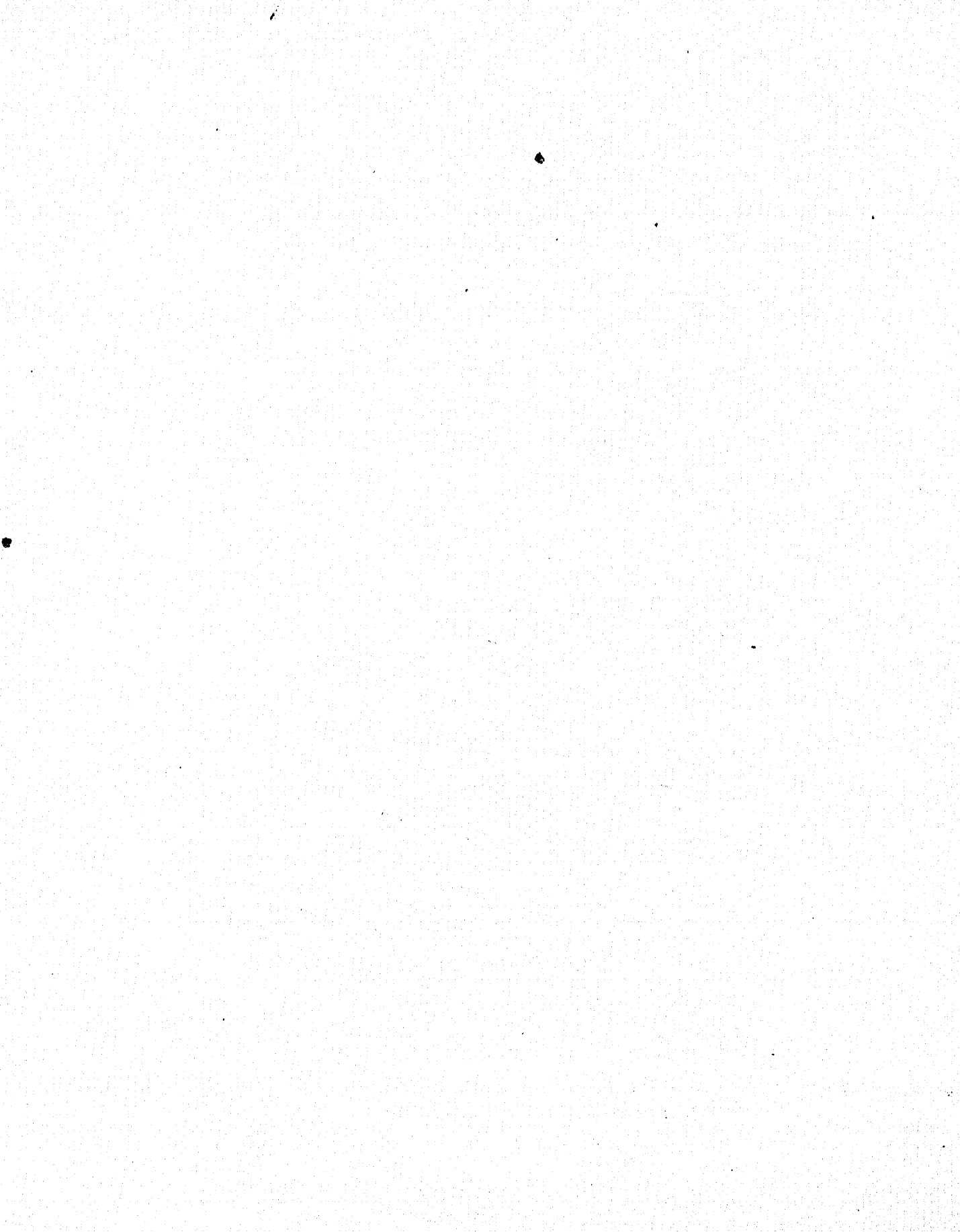
1845.



FREDERICTON:

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

MDCCCXLV.



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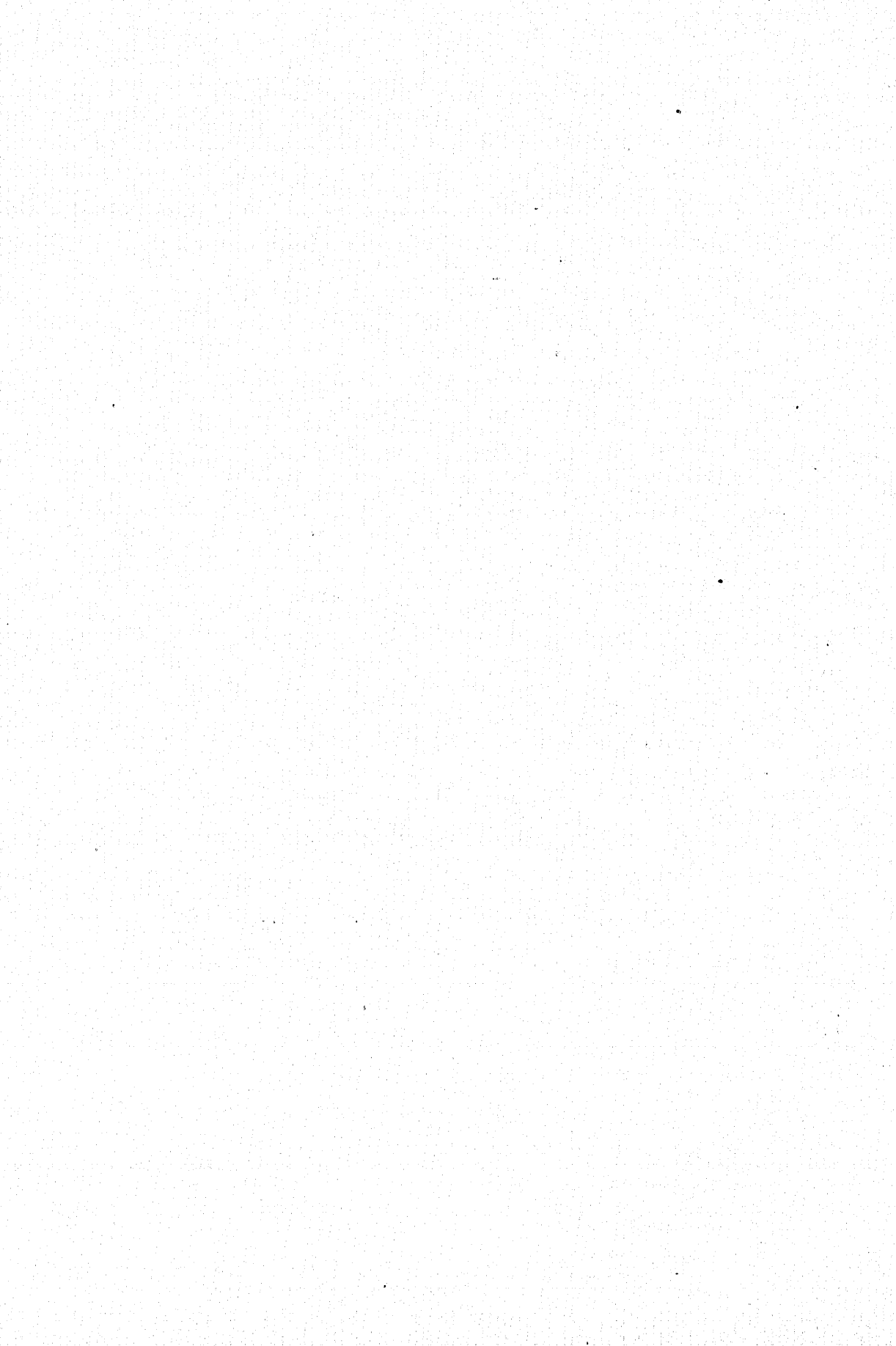
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Anno Regni VICTORIÆ Britanniarum Reginæ Octavo.

AT the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Thirty first Day of January, *Anno Domini* One thousand eight hundred and forty three, in the Sixth 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, and from thence continued by several Prorogations to the Twenty ninth Day of January One thousand eight hundred and forty five; being the Third Session of the Thirteenth General Assembly convened in the said Province.



THE
ACTS
OF
THE GENERAL ASSEMBLY, &c.

CAP. I.

An Act relating to certain Lands belonging to Her Majesty, and for vesting the Title to the same in the Principal Officers of Her Majesty's Ordnance Department.

Passed 11th February 1845.

WHEREAS divers Messuages, Lands, Tenements, Estates and other Hereditaments in this Province, have, at various times, been set apart from the Crown Reserves and Estates, and placed under the charge of the Officers of the Department of Her Majesty's Ordnance, or of the Governor or Lieutenant Governor respectively for the time being, for Military Defence: And whereas divers other Messuages, Lands, Tenements, Estates and other Hereditaments in this Province, have, at various times, been purchased for the use of the Department of Her Majesty's Ordnance, or for Military Defence, and have been conveyed to, or to several different persons in trust for, Her Majesty and Her Royal Predecessors, and Her and Their Heirs and Successors, and the same have been placed under the charge of the said Department, or of the Governor, Lieutenant Governor or Commander of Her Majesty's Forces in this Province: And whereas it may be expedient that such parts of the said Messuages, Lands, Tenements, Estates and other Hereditaments as may not be wanted for the service of the said Department, or for Military Defence, should from time to time be sold and disposed of: And whereas for effecting such Sales it is necessary that all and every the said Messuages, Lands, Tenements, Estates and other Hereditaments so already set apart, or placed under charge, or purchased, or used and occupied, by or for the service of the said Ordnance Department, and all other Messuages, Lands, Tenements, Estates and other Hereditaments that may be hereafter purchased, or set apart, or in any manner used and occupied by or for the service of the said Department, should be vested in the Principal Officers of Her Majesty's Ordnance for the time being;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That immediately from and after the passing of this Act, all Messuages, Lands, Tenements, Estates and other Hereditaments which have been heretofore set apart from the Crown Reserves and Estates, and placed under the charge of the Officers of the said Ordnance Department, or of the Governor, or Lieutenant Governor, or Commander of Her Majesty's Forces respectively for the time being, for Military Defence, or which have been heretofore taken or purchased by, or in the name of, or by any person or persons in trust for, Her Majesty,

Lands, &c. heretofore acquired for Military Defence or the Ordnance Department vested in the Principal Officers of the Ordnance in Great Britain for Public purposes.

Majesty or Her Royal Predecessors, and Her or Their Heirs and Successors, for the uses or service of the Ordnance Department, or for Military Defence, or which have been used or occupied for those services (by whatever mode of conveyance the same shall have been so purchased or taken) either in fee or for any life or lives, or any term or terms of years, or any other or lesser interest, and all erections and buildings which now are or which shall or may be hereafter erected and built thereon, together with the rights, members, easements and appurtenances to the same respectively belonging, shall be and become and remain and continue vested in the Principal Officers of Her Majesty's Ordnance in Great Britain, for the time being, and their Successors in the said Office, according to the respective nature and quality of the said Messuages, Lands, Tenements, Estates and other Hereditaments, and the several Estates and Interests of and in the same Hereditaments respectively, in trust for Her Majesty, Her Heirs and Successors, for the service of the said Ordnance Department, or for such other Public Service or Services as to the said Principal Officers, or their Successors in the said Office, shall from time to time order and direct.

Also Lands, &c. to be acquired.

II. And be it enacted, That from and after the purchase and conveyance, grant or demise, or taking thereof, all other Messuages, Lands, Tenements, Estates and other Hereditaments which shall at any time or times hereafter be purchased, or by any other mode obtained by the Principal Officers of Her Majesty's Ordnance for the time being, or by any other person or persons by their order, or be placed under their charge for the service of the said Ordnance Department, and all erections and buildings which shall then or which may be hereafter erected and built thereon, with the rights, members, easements and appurtenances to the same respectively belonging, by whatever mode of conveyance, either unto, or in the name of, or in trust for, Her Majesty, Her Heirs and Successors, or howsoever otherwise the same shall be purchased or taken, shall in like manner be, and become, and remain, and continue vested in the said Principal Officers of Her Majesty's Ordnance for the time being, by the style and title of the Principal Officers of Her Majesty's Ordnance in Great Britain, and their Successors in Office, according to the nature and qualities of the said Messuages, Lands, Tenements, Estates and other Hereditaments, and the several and respective Estates and Interests of and in the same respectively, in trust as aforesaid.

Titles may be received, conveyances made, and actions brought by the style and title of 'The Principal Officers of Her Majesty's Ordnance in Great Britain.'

III. And be it enacted, That the said Principal Officers of Her Majesty's Ordnance in Great Britain, for the time being, by the style and title of the Principal Officers of Her Majesty's Ordnance in Great Britain, shall be able and capable to accept, receive and obtain Title to any Lands that may hereafter be granted or otherwise conveyed to them for the purposes aforesaid, and again in the same style and title to convey the same as they may find necessary for the purposes aforesaid, and also in the same style and title to bring and maintain any action of trespass or ejectment or other action at Law or in Equity, for, of or concerning any the Messuages, Lands, Tenements, Estates and other Hereditaments hereby vested or hereafter to become vested in them, under and by virtue of the provisions of this Act.

Act not to confer a greater title than remained in the Crown at the time of passing this Act.

IV. Provided always, and be it enacted, That nothing herein contained shall be held or be construed to confer upon, or vest in, the said Principal Officers, by the title aforesaid, any greater or better Estate or Interest in any Lands in this Province than was vested in and remained in the Crown, or in any person or persons in trust for the Crown, at the time of the passing of this Act.

CAP. II.

An Act imposing Duties for raising a Revenue.

Passed 27th March 1845.

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 resolved to give and grant to the Queen's Most Excellent Majesty, the several Rates and Duties in the Schedule 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 forty five, 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 described and set forth in the Table of Duties hereinafter contained, denominated *Table of Colonial Duties and Exemptions from Duties*, opposite to and against the respective Articles in the said Table or Schedule mentioned, described and enumerated, and according to the value, number or quantity of such Articles therein specified, whether imported or brought into this Province either by Sea, 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 Wreck, or stranded Ship or Vessel.

Duties granted for the use of the Province and the support of the Government.

II. And be it enacted, That the several Duties hereinbefore imposed, and in the said Table or Schedule mentioned, shall be paid by the importer or importers of such Articles respectively, and shall be held and taken to be in addition to and over and above any Duties which are or may be imposed and collected by any Act or Acts of the Imperial Parliament, now or hereafter to be in force, and also over and above any Duties which are or may be otherwise imposed and collected by any other Act or Acts of the General Assembly of this Province, passed or to be passed, or now or hereafter to be in force, and shall be collected and secured by means of 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 this Province.

To be in addition to any Duties imposed by Acts of Parliament.

III. And be it enacted, That all Goods which shall 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, and shall be paid at the time of taking such Goods and Merchandize out of the Warehouse.

Warehoused Goods on which Duties have not been secured to be liable to Duties imposed by this Act.

IV. And be it enacted, That when any articles that shall have been warehoused, or on which Duties shall have been paid under this or any other 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 uses aforesaid.

Duties to be repaid or Warehouse Bond cancelled as to Goods exported for the Deep Sea Fisheries.

V. And be it enacted, That all the Duties by this Act imposed shall be collected, paid and received according to the weights and measures now in use in this Province ; and that in all cases where the said Colonial Duties are in this Act imposed

Duties to be paid according to weights and measures in use.

imposed according to any specific quantity, or any specific value or number, the same shall be deemed to apply in the same proportions to any greater or less quantity, value or number.

Bounty granted for seizures.

VI. And be it enacted, That one half of the Duties that may be paid upon any articles seized by the Officers of Her Majesty's Customs, shall be paid by the Treasurer to the person or persons making such seizure as a Bounty for such seizure.

Act may be amended during present Session.

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

Limitation.

VIII. 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 six.

TABLE OF COLONIAL DUTIES AND EXEMPTIONS FROM DUTIES.

ARTICLES SUBJECT TO DUTY :

Specific

Articles liable to and exempted from Duty.

Apples, per bushel,.....	£0 0 6
Brandy, per gallon,.....	0 2 0
All other Spirits and Cordials, per gallon,.....	0 1 4
Candles of all kinds, except Sperm and Wax, per pound,.....	0 0 1
Sperm and Wax, per pound,.....	0 0 2
Cattle, Oxen and all other Cattle over one year old, (Cows excepted,) each,.....	1 0 0
Clocks or Clock Cases of all kinds, each,.....	0 10 0
Coffee, per pound,.....	0 0 0½
Fruit, dried, per hundred weight,.....	0 5 0
Horses, Mares and Geldings, each,.....	2 0 0
Leather,	
Calf and Morocco Skins, tanned or dressed, per dozen,.....	0 5 0
Harness and Belt, per pound,.....	0 0 2
Sheep Skins, tanned or dressed, per dozen,.....	0 2 6
Sole, per pound,.....	0 0 1½
Upper, per pound,.....	0 0 3
Malt Liquors of every description, not being <i>aqua vitæ</i> , otherwise charged with Duty, whether in Bottle or otherwise, per gallon,	0 0 3
Sugar, refined, in Loaves, per pound,.....	0 0 1
Refined, crushed, per hundred weight,.....	0 5 0
Of all kinds, except refined and crushed, per hundred weight,	0 2 6
Tea, per pound,.....	0 0 1
Tobacco, manufactured, except Snuff and Cigars, per pound,.....	0 0 0½
Wines, per gallon,.....	0 2 3

Ad-Valorem

On the following Articles, for every one hundred pounds of the true and real value thereof, videlicet :—

Boots, Shoes, and other Leather Manufactures,.....	7½ per cent.
Bricks and Tiles,.....	10 per cent.
Chairs, and prepared parts of or for Chairs,.....	10 per cent.
Clock Wheels, Machinery and Materials for Clocks,.....	10 per cent.
Household Furniture, except the property of Passengers and Emigrants, for their own use, and not intended for sale,.....	10 per cent.

Iron

Iron Castings, except such articles as are usually designated Hol- low Ware,.....	7½ per cent.	Articles liable to and exempted from Duty, <i>continued</i> .
Looking Glasses,.....	7½ per cent.	
Oranges and Lemons,.....	10 per cent.	
Piano Fortes,.....	10 per cent.	
Snuff and Cigars,.....	10 per cent.	
Whale Oil, except such as be the return cargoes of Vessels fitted out for Fishing Voyages from Ports in this Province,.....	10 per cent.	
Wooden Ware of all kinds, including Matches,.....	10 per cent.	
All other Goods, Wares and Merchandize, not otherwise charged with Duty, and not herein declared to be free of Duty, for every one hundred pounds of the true and real value thereof,	4 per cent.	

EXEMPTIONS FROM DUTY :

Anchors.
 Ashes.
 Baggage and Apparel not intended for sale.
 Barilla.
 Books, printed.
 Burr Stones.
 Canvas.
 Carriages of Travellers, not intended for sale.
 Chain Cables and other Chains for Ships' use.
 Coal Tar.
 Coals.
 Coins, Bullion and Diamonds.
 Composition Nails and Spikes for Ship building.
 Copper in sheets, bars or bolts, for Ship building.
 Cordage and Oakum.
 Corn and Grain of all kinds, (except Wheat.)
 Corn Broom Brush.
 Cotton Wool and Cotton Warp.
 Dog Stones.
 Duck.
 Dye Wood.
 Eggs.
 Felt.
 Fish of all kinds.
 Fishing Craft Utensils, Instruments and Bait.
 Fruits, fresh, and Roots and Vegetables of all kinds, except Apples, Oranges
 and Lemons.
 Furniture, Working Tools and Implements, the property of Emigrants, not in-
 tended for sale.
 Glue.
 Gypsum, ground and unground.
 Hemp, Flax and Tow.
 Hides, green and salted.
 Iron, in bolts, bars, plates, sheet and pig iron.
 Lines and Twines for the Fisheries.
 Looking Glass Plates.
 Lumber.—See *Wood and Lumber*.
 Mahogany Logs, Boards and Veneers.—See *Wood and Lumber*.

Articles liable to
and exempted from
Duty, *continued*.

Manures of all kinds.
Meats, fresh, salted and cured.
Mill Saws.
Mineral Salt.
Molasses.
Nets, Fishing Nets and Seines.
Oil, Blubber, Fins, and Skins, the produce of creatures living in the Sea, the
return of Vessels fitted out in this Province for Fishing Voyages.
Seal, Cod, Dog, Porpoise, Palm and Rape.
Onions.
Ores of all kinds.
Pitch.
Plants, Shrubs and Trees.
Poultry of all kinds.
Printing Paper.
Quicksilver.
Rags, old Rope and Junk.
Rice, ground and unground.
Rosin.
Sail Cloth of all kinds.
Sails and Rigging saved from Vessels wrecked.
Salt.
Seeds of all kinds.
Sheathing Paper.
Ships, Ship Tackle and Apparel.
Skins, Furs, Pelts or Tails undressed.
Soap Grease.
Spikes and Sheathing Nails.
Steam Engines, Boilers, and Machinery for Mills.
Stone, unmanufactured.
Tallow.
Tar.
Tin in Sheets and Blocks.
Tobacco, unmanufactured.
Turpentine.
Varnish of all kinds.
Wood and Lumber of all kinds, except Cedar, Spruce, Pine and Hemlock
Shingles.
Wool.
Zinc.

CAP. III.

An Act to provide for the expenses incurred by the Commissioners of the Provincial Penitentiary.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly,
That it shall and may be lawful for His Excellency the Lieutenant Governor
or Administrator of the Government for the time being, by and with the advice
and consent of Her Majesty's Executive Council, to issue a Warrant on the
Treasury for the sum of three hundred pounds in favor of the Commissioners of
the Provincial Penitentiary, to defray the expenses incurred or which may be
incurred by them for the support and maintenance of the inmates of that Estab-
lishment.

The issue of a War-
rant on the Treas-
ury for £300
authorized.

CAP. IV.

An Act to continue the Act to provide for the payment of Interest on Warrants.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

4 W. 4, c. 43,
continued.

CAP. V.

An Act to continue an Act, intituled *An Act to prevent Pedlars travelling and selling within this Province without Licence*.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth years of the Reign of His Majesty King George the Fourth, intituled *An Act to prevent Pedlars travelling and selling within this Province without Licence*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

9 & 10 G. 4, c. 27,
continued.

CAP. VI.

An Act to continue the Act for prohibiting and suppressing of Lotteries in this Province.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for prohibiting and suppressing of Lotteries in this Province*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

5 W. 4, c. 12,
continued.

CAP. VII.

An Act to continue an Act, intituled *An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen's County*.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of Her present Majesty Queen Victoria, intituled *An Act for the better and more effectual securing the Navigation of the Newcastle River, in Queen's County*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

1 V. c. 27,
continued.

CAP. VIII.

An Act further to continue an Act, intituled *An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County*.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to continue an Act to authorize the Justices*

3 V. c. 22,
continued.

Justices of the Peace in the County of York to make further provision for the Treasurer of that County, be and the same is hereby continued and declared to be in force until the first day of May in the year of our Lord one thousand eight hundred and fifty.

CAP. IX.

An Act to continue the Act imposing a Duty on Rum and other Liquors distilled within the Province.

Passed 27th March 1845.

9 & 10 G. 4, c. 30,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth years of the Reign of His Majesty King George the Fourth, intituled *An Act further to increase the Revenue of the Province by imposing a Duty upon all Rum and other Spirituous Liquors that shall be distilled within the same*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. X.

An Act to continue an Act to provide for the services of the Clerk of the Circuit Courts in this Province.

Passed 27th March 1845.

5 W 4, c. 46,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His Majesty King William the Fourth, intituled *An Act to provide for the services of the Clerk of the Circuit Courts in this Province*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XI.

An Act to continue an Act, intituled *An Act to authorize the Justices of the Peace in certain Counties in the Province to exempt the French Inhabitants from the assessment of Poor Rates.*

Passed 27th March 1845.

4 V. c. 5.

4 V. c. 5,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to authorize the Justices of the Peace in certain Counties in the Province to exempt the French Inhabitants from the assessment of Poor Rates*, be and the same is hereby continued and declared to be in full force and effect until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XII.

An Act to continue an Act to regulate Dockage, Wharfage and Cranage in the City of Saint John and in the Parish of Portland.

Passed 27th March 1845.

5 V. c. 39,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of Her present Majesty, intituled *An Act to regulate Dockage, Wharfage and Cranage in the City of Saint John and in the Parish of Portland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XIII.

An Act to continue *An Act to revive and continue an Act to regulate the Driving of Timber and Saw Logs down the River Magaguadavic and its Branches.* 2 V. c. 49.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to revive and continue an Act to regulate the Driving of Timber and Saw Logs down the River Magaguadavic and its Branches*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty. 2 V. c. 46, continued.

CAP. XIV.

An Act to continue an Act to extend the provisions of an Act, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town*, to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland.

Passed 27th March 1845.

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 to extend the provisions of an Act, intituled 'An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town,' to the Towns of Newcastle and Chatham, and their vicinities, in the County of Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty. 9 G. 4, c. 14, continued.

CAP. XV.

An Act to continue certain Acts relating to the Fisheries in the County of Northumberland, that are now expiring.

Passed 27th March 1845.

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 said late Majesty, 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 first day of May which will be in the year of our Lord one thousand eight hundred and fifty. 39 G. 3, c. 5. 56 G. 3, c. 3. 4 G. 4, c. 23. 3 W. 4, c. 16. 5 W. 4, c. 24, so far as in force, continued.

CAP. XVI.

An Act to continue an Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland.

Passed 27th March 1845.

4 G. 4, c. 21,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His Majesty King George the Fourth, intituled *An Act for the regulation of Booms for securing Masts, Logs, and Lumber, in certain parts of the County of Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XVII.

An Act to continue an Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland.

Passed 27th March 1845.

2 V. c. 20,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of Her present Majesty, intituled *An Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XVIII.

An Act to continue the Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River.

Passed 27th March 1845.

4 V. c. 19,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act for the better and more effectual securing the Navigation of the River Miramichi, in the County of Northumberland, and to protect the Fisheries on the said River*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XIX.

An Act to continue an Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland.

Passed 27th March 1845.

1 W. 4, c. 37,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XX.

An Act to continue an Act, intituled *An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester.* 10 & 11 G. 4, c. 16.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal an Act, intituled 'An Act for the better security of the Navigation of certain Harbours in the County of Northumberland,' and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent, and Gloucester,* be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty. 10 & 11 G. 4, c. 16, continued.

CAP. XXI.

An Act to continue an Act, intituled *An Act for the appointment of Firewards in the Parish of Woodstock.* 6 W. 4. c. 27.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the appointment of Firewards in the Parish of Woodstock,* be and is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty. 6 W. 4, c. 27, continued.

CAP. XXII.

An Act to continue an Act for supplying the Town of Saint Andrews with Water by Pipes.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled *An Act to grant John Aymar the privilege of supplying the Town of Saint Andrews with Water by Pipes,* be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty. 10 & 11 G. 4, c. 18, continued.

CAP. XXIII.

An Act to continue an Act, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte,* and also further to continue an Act, intituled *An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches.* 10 & 11 G. 4, c. 12.
8 G. 4, c. 15.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte;* also, an Act made and passed in the eighth year of the Reign of His Majesty King George the Fourth, intituled *An Act to empower the Justices of the County of Charlotte to make regulations for driving Timber and Logs down the Rivers Saint Croix, Magaguadavic, Digdeguash, and their Branches,* be and the same are hereby severally continued until the first day of May one thousand eight hundred and fifty. 10 & 11 G. 4, c. 12,
8 G. 4, c. 15, continued.

CAP. XXIV.

An Act to continue the several Acts now in force relating to Tavern Keepers and Retailers.

Passed 27th March 1845.

3 V. c. 47.

5 V. c. 13,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof*; also, an Act made and passed in the fifth year of the Reign of Her said present Majesty, intituled *An Act to amend an Act intituled 'An Act to repeal all the Acts regulating Tavern Keepers and Retailers, and to make other provisions in lieu thereof'*, be and the same are hereby respectively continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXV.

An Act to continue the Act to provide for the collection of County and Parish Rates.

Passed 27th March 1845.

7 W. 4. c. 7,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for the collection of County and Parish Rates*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXVI.

An Act to continue the several Acts now in force for the regulation of Cartmen, Waggoners, and Truckmen, and for regulating the truckage of Goods and the measurement of Coals and Salt.

Passed 27th March 1845.

10 & 11 G. 4, c. 10.

6 W. 4, c. 22,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty King George the Fourth, intituled *An Act to authorize the Justices of the Peace in the several Counties in their General Sessions to make regulations for Cartmen, Waggoners, and Truckmen, and to establish the rates and fares to be taken for the cartage and truckage of Goods in the several Towns throughout the Province, and also to regulate the measurement of Coals and Salt*; also, an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act in addition to the Acts regulating the truckage of Goods and the measurement of Coals and Salt*, be and the same are hereby respectively continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXVII.

An Act to continue an Act, intituled an Act to continue the Act relating to Church Wardens and Vestrymen, and to persons having voices in their election, so far as relates to the Parish Church of Saint Andrews.

Passed 27th March 1845.

2 W. 4 c. 16,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to amend an Act intituled "An Act to repeal an Act passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled 'An Act to declare the qualifications of Church Wardens and Vestrymen in the several Parishes in this Province, and of the persons having voices*

voices in their election', and to make other and more effectual enactments in lieu thereof," so far as the same relates to the Parish Church of Saint Andrews, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXVIII.

An Act to continue several Acts relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to amend and continue an Act, intituled 'An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen commonly called Mill Town, and its immediate vicinity;'* also, an Act made and passed in the fifth year of the same Reign, intituled *An Act relating to the appointment of Firewards and the better extinguishment of Fires in a part of the Parish of Saint Stephen, in the County of Charlotte, therein mentioned,* be and the same are hereby respectively continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXIX.

An Act to continue *An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Lands in Queen's County and the County of Sunbury, where the same may be found necessary,* and to extend the provisions of the same to King's County.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled *An Act to provide for the erection of Fences with Gates across Highways leading through Intervale Land in Queen's County and the County of Sunbury, where the same may be found necessary;* and also, an Act passed in the third year of the Reign of His Majesty King George the Fourth, to extend the provisions of the same to King's County, be and the same are hereby further continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXX.

An Act to continue an Act for the better regulation of the Office of Sheriff in this Province.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the better regulating of the Office of Sheriff in this Province,* be and the same is continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXI.

An Act to continue the Act to provide for the better assessment of County and Parish Rates.

Passed 27th March 1845.

1 V. c. 7,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act to provide for the better assessment of County and Parish Rates*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXII.

An Act further to continue an Act to prevent disorderly riding on Streets and Highways in this Province.

Passed 27th March 1845.

6 W. 4, c. 25,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to prevent disorderly riding on Streets and Highways in this Province*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXIII.

An Act to continue the Act relating to Landlord and Tenant.

Passed 27th March 1845.

8 W. 4, c. 5,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to Landlord and Tenant*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXIV.

An Act to continue the Act to regulate Pawn Brokers within this Province.

Passed 27th March 1845.

6 W. 4, c. 35,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate Pawn Brokers within this Province*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXV.

An Act to continue an Act, intituled *An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts now in force relating to the Town of Saint Andrews.*

Passed 27th March 1845.

3 V. c. 28.

3 V. c. 28,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her Majesty Queen Victoria, intituled *An Act to regulate the Assize of Bread in the Towns of Saint Andrews and Saint Stephen, in the County of Charlotte, and to repeal the Acts* now

now in force relating to the Town of Saint Andrews, be and the same is hereby declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XXXVI.

An Act to continue an Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to authorize the Grand Jurors of the several Counties within this Province to inspect the Public Accounts*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

3 V. c. 23,
continued.

CAP. XXXVII.

An Act to continue an Act, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.*

9 G. 4, c. 28.

Passed 27th March 1845.

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 George the Fourth, intituled *An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned*, be and the same is hereby declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

9 G. 4, c. 28,
continued.

CAP. XXXVIII.

An Act to continue an Act relating to the Navigation of the Inner Bay of Passamaquoddy.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to the Navigation of the Inner Bay of Passamaquoddy*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

5 W. 4, c. 41,
continued.

CAP. XXXIX.

An Act to continue an Act, intituled *An Act to provide for reporting and publishing the Decisions of the Supreme Court.*

6 W. 4, c. 14.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for reporting and publishing the Decisions of the Supreme Court*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

6 W. 4, c. 14,
continued.

CAP. XL.

8 W. 4, c. 13.

An Act to continue an Act, intituled *An Act to authorize the extension of the Gaol Limits in the City and County of Saint John.*

Passed 27th March 1845.

8 W. 4, c. 13,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to authorize the extension of the Gaol Limits in the City and County of Saint John*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XLI.

An Act to continue an Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester.

Passed 27th March 1845.

7 W. 4, c. 23,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XLII.

An Act to continue the several Acts now in force relating to insolvent Confined Debtors.

Passed 27th March 1845.

6 W. 4, c. 41,
and7 W. 4, c. 33,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to insolvent Confined Debtors*; also, an Act made and passed in the seventh year of the Reign of His said late Majesty, intituled *An Act to amend an Act, intituled 'An Act relating to insolvent Confined Debtors,'* be and the same are hereby respectively continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XLIII.

An Act to continue the Act for the more speedy and effectual punishment of persons keeping Disorderly Houses.

Passed 27th March 1845.

9 & 10 G. 4, c. 8,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth years of the Reign of His Majesty King George the Fourth, intituled *An Act for the more speedy and effectual punishment of persons keeping Disorderly Houses*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XLIV.

2 V. c. 48.

An Act further to continue an Act, intituled *An Act to provide for the summary punishment of persons committing Trespasses upon Square Timber and other Lumber.*

Passed 27th March 1845.

2 V. c. 48,
continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of Her present Majesty

Majesty Queen Victoria, intituled *An Act to provide for the summary punishment of persons committing Trespasses upon Square Timber and other Lumber*, be and the same is hereby further continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. XLV.

An Act to continue an Act, intituled *An Act to continue an Act relating to the Herring Fisheries in the County of Charlotte.* 7 W. 4, c. 36.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty William the Fourth, intituled *An Act relating to the Herring Fisheries in the County of Charlotte*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty seven. 7 W. 4, c. 36, continued.

CAP. XLVI.

An Act to continue an Act, intituled *An Act to provide for the support of a Nightly Watch in and for Lighting the City of Saint John, and for other purposes.* 4 W. 4, c. 33.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of his late Majesty King William the Fourth, intituled *An Act more effectually to provide for the support of a Nightly Watch in and for Lighting the City of Saint John, and for other purposes*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty seven. 4 W. 4, c. 33, continued.

CAP. XLVII.

An Act to facilitate the making of the Military Road through this Province by Her Majesty's Government.

Passed 27th March 1845.

WHEREAS Her Majesty's Home Government has recently caused a Survey to be made for a new line of Military Road to be carried from Halifax through this Province to Quebec, and has intimated an intention to make and complete the same under the directions and superintendence of Officers to be appointed by Her Majesty's Board of Ordnance, at the expense of the Imperial Funds to be provided for that purpose: And whereas it is deemed expedient to afford every facility to the Officers that may be so employed in the finally settling and laying out the line of the said Military Road, so far as the same extends through this Province, and in the opening, making and completing of the same;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said line of the said Military Road, when finally determined on by the Officers of Her Majesty's Service appointed to survey and lay out the same, as may pass through this Province, is hereby declared and made one of the Great Roads of this Province; and the Lieutenant Governor or Administrator of the Government of the Province for the time being, by and with the advice and consent of Her Majesty's Executive Council, is hereby authorized and empowered to declare such Officer or Officers of Her Majesty's Service.

So much of the Military Road from Halifax to Quebec as lies within this Province constituted a Provincial Great Road.

Officer in charge of the Road may be declared Supervisor with all the powers conferred by the Act 7 W. 4, c. 6, and with exemption from certain duties.

Service as may from time to time be appointed under the authority of Her Majesty's Home Government to superintend and direct the opening and making of the said Military Road, Supervisor or Supervisors of the said Road, so far as the same passes through any part of this Province, and that such Officer or Officers, when so appointed, shall and they are deemed and declared, so far as relates to the said Military Road, to have all the powers, rights, privileges and authorities vested in the Supervisors of the said Great Roads of this Province, under and by virtue of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to the Great Roads of Communication through this Province*, but shall not be required to give any security as required of other Supervisors in and by the said recited Act, nor shall such Officer or Officers of Her Majesty's Service, when so appointed Supervisor or Supervisors of the said Military Road, be subject to or bound to perform any of the duties imposed upon Supervisors under the provisions of the said recited Act, except so far as may be necessary to give him or them the necessary powers and authority for carrying on the said work.

Powers, &c. vested in Supervisors by certain Sections of 7 W. 4, c. 6, specially conferred on the Officer in charge when declared Supervisor.

II. And be it enacted, That the said Officer or Officers of Her Majesty's service when so appointed from time to time Supervisor or Supervisors of so much of the Line of the said Military Road as passes through this Province, shall and are hereby declared to have all the powers, authorities, rights, privileges, benefits and protections as are vested in the Supervisors of the other Great Roads of the Province in and by the tenth, eleventh, twelfth, thirteenth, fifteenth, sixteenth and seventeenth Sections of the said recited Act, so far as the same may be found necessary and requisite to facilitate and enable him or them to proceed with and carry on the said work and to protect him or them in the discharge of his or their duties therein.

Damages by the Road passing through cleared land to be defrayed by Warrant on the Provincial Treasury, when certified to have been ascertained agreeably to the Act 7 W. 4.

III. And be it enacted, That when any damages shall be sustained by any person or persons through whose Lands that part of the line of the said Military Road which leads through this Province may pass, by the said Officer or Officers in Her Majesty's service carrying on the said work, exercising any of the powers and authorities of Supervisors mentioned and declared in the eleventh, twelfth or thirteenth Sections of the said recited Act, and hereby vested in him and them, upon the same being certified to the Lieutenant Governor or Administrator of the Government for the time being, by such Officer or Officers directing the said work, as having been duly ascertained and assessed according to the provisions of the said eleventh, twelfth and thirteenth Sections of the said recited Act, as the case may be, then and in every such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to draw by Warrant on the Treasurer of the said Province in favor of the party or parties entitled to receive such damage for the amount thereof, and which shall be and is hereby made a charge upon the ordinary Revenue of the Province.

CAP. XLVIII.

An Act to incorporate sundry persons by the name of the Globe Assurance Company.

Passed 27th March 1845.

Preamble.

‘ **W**HEREAS the Trade of this Province in Shipping and Navigation has ‘ of late greatly increased, and it is expedient for the protection and ‘ encouragement thereof to establish another Marine Assurance Company at the ‘ City of Saint John ;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Stephen Wiggins, John Kerr, the Honorable John Robertson, John Wishart, Charles C. Stewart, John Owens, Thomas Leavitt, John Ward, Junior, William Parks, John Duncan, the Honorable R. L. Hazen, W. O. Smith, William H. Street, Nathan S. Demill, Thomas Wallace, John V. Thurgar, and Robert D. Wilmot, their Associates, Successors or Assigns, be and they are hereby declared to be a Body Politic and Corporate, by the name of the Globe Assurance Company, and that they shall have all the powers and privileges made incident to a Corporation by Act of Assembly in this Province.

The Globe Assurance Company incorporated.

II. And be it enacted, That the Capital or Joint Stock of the said Corporation shall consist of the sum of thirty thousand pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed, be a legal Tender in this Province; three thousand pounds, being one tenth part thereof, to be paid within ninety days after the passing of this Act; three thousand pounds, one other tenth part thereof, within six calendar months after the expiration of the said ninety days; and the remaining eight tenths to be paid at such time or times and in such parts or portions as the Directors for the time being of the said Corporation, or a majority of them, shall from time to time think necessary; the whole amount of the said Capital Stock to be divided into Shares of twenty five pounds each, making in the whole twelve hundred Shares.

Capital to be £30,000, payable as herein specified.

III. And be it enacted, That no person or persons whatsoever during the sixty days next after the passing of this Act, shall be entitled to hold or subscribe for more than fifty Shares of the said Capital Stock, and if the whole of the same shall not have been subscribed for within the said sixty days, that then it shall be lawful for any Stockholder or Stockholders to increase his, her or their subscription to as many Shares as he, she or they may think proper.

Number of Shares to be held for 60 days after the passing of this Act limited.

IV. And be it enacted, That all the Subscribers for Stock or Shares in the said Corporation shall, previous to the day of the first General Meeting of the Members and Stockholders of the said Corporation to be called as hereafter mentioned, pay into the hands of such person or persons as the persons mentioned by name in the first section of this Act, or the major part of them, or in case of the death of any of them, the major part of the survivors, may direct, a deposit of two and one half per cent. on the amount of Capital Stock of the said Corporation for which they shall have subscribed; and the said deposit shall be taken and allowed to every Subscriber who shall pay the same as part of the Capital, and out of the first one tenth part of the Capital Stock required to be paid in under and by virtue of this Act; and every Subscriber who shall neglect or refuse to pay in the said deposit, shall, for every Share in respect of which he or she shall neglect or refuse to pay in, be deemed a defaulter, and the said Share or Shares shall be forfeited to the Corporation; and no Subscriber shall upon any pretence whatever vote at the said first General Meeting in respect of any Share or Shares upon which he or she shall not have paid the said deposit.

Subscribers to Stock to make a deposit previous to the election of Directors.

V. And be it enacted, That every Stockholder or Subscriber shall within the said ninety days after the passing of this Act, pay into the hands of the Directors for the time being of the said Corporation, or into the hands of such person or persons as they or a majority of them shall appoint, one tenth part of the whole amount of his or her Share or Shares, deducting the deposit mentioned in the fourth section of this Act, and shall give to the President and Directors hereinafter mentioned, satisfactory security either by Bond and Mortgage on Real Estate, or otherwise, at the option and to the satisfaction of the said President and Directors or a majority of them, renewable as often as the said President and Directors or a

Ten per cent. on the Stock to be paid within 90 days and security given for the remainder.

majority

majority of them shall require; that one other tenth part on the whole of his or her Shares shall be paid to the said President and Directors for the time being of the said Corporation, within six calendar months after the expiration of the said ninety days; and that the residue of the whole amount of his or her Share or Shares shall be paid to the said President and Directors for the time being of the said Corporation, in such parts and portions and in such manner as to them the said President and Directors or a majority of them shall seem advisable; provided that the amount so to be called in shall not exceed at any one time twenty per centum on the whole amount of the Capital Stock of the said Corporation belonging to any individual, and that not less than thirty days notice of such payment being required shall be given in one or more of the Newspapers published in the said City of Saint John: Provided always, that the said Corporation shall not go into operation until the said sum of three thousand pounds shall have been paid, and shall then be in the Vault or Office of the said Corporation, or in one or more of the incorporated Banks in the said City of Saint John, and that as soon as the said sum of three thousand pounds shall have been paid, the President shall give notice thereof to the Secretary of the Province for the time being, for the information of His Excellency the Lieutenant Governor or Commander in Chief for the time being, who is hereby authorized, by and with the advice of Her Majesty's Executive Council, to appoint three Commissioners, not being Stockholders, whose duty it shall be to examine and count the money actually in the Vault or Office, or in one or more of the Banks as aforesaid, and to ascertain by the oaths of a majority of the Directors, that one tenth part of the amount of the Capital Stock of the said Corporation has been paid in by the Stockholders towards the payment of their respective Shares, and not for any other purpose.

Company not to go into operation until £3000 be paid in; to be ascertained by Commissioners.

When 500 Shares are subscribed a Meeting to be called to establish Bye Laws and elect Directors.

Directors to choose a President and other Officers, &c.

VI. And be it enacted, That when five hundred Shares of the Capital Stock of the said Corporation shall have been subscribed for, a General Meeting of the Members and Stockholders of the said Corporation shall be called to take place in the City of Saint John, by notice in one or more of the Public Newspapers published in the said City, fourteen days at least previous to the day of such Meeting, which notice William H. Street, Esquire, or in case of his death, neglect or refusal, any other one of the persons mentioned in the first Section of this Act, is hereby authorized and empowered to give, for the purpose of making and establishing such Bye Laws and Regulations for the good order and management of the affairs of the said Corporation, as they shall deem necessary, and also for the purpose of choosing seven Directors, being Members and Stockholders of the said Corporation, under and in pursuance of the Rules and Regulations hereinafter made; which Directors shall, as soon thereafter as may be convenient, meet together and choose out of their number a President, and shall also appoint at the same time, or at any future Meeting, a Secretary, and so many and such other Officers, Clerks, Servants and Agents, for carrying on the said business, as they shall deem requisite; and shall at the same time, or at any future Meeting, accept and receive what remains due of the first Instalment of the ten per cent. on each Stockholder's Share or Subscription, and shall take from each Subscriber such securities for the remainder of their Subscriptions as is hereinbefore pointed out, and shall commence the operations of the said Company subject to the Rules and Regulations as hereinbefore provided, and shall continue and serve to be Directors until the first annual Meeting for the choice of Directors, as is hereinafter made and provided, or until others are chosen in their room, provided that the Laws and Ordinances at any time made shall be in no wise contrary or repugnant to the Laws of this Province.

VII.

VII. And be it enacted, That there shall be a General Meeting of the Stockholders of the said Corporation held on the first Monday in July in each and every year after the present year one thousand eight hundred and forty five, at the City of Saint John, at which annual Meeting there shall be chosen by a majority of the Stockholders of the said Corporation then present or represented by proxy, out of all the Stockholders of the said Corporation, seven Directors, who shall continue in Office for one year, or until others are chosen in their room; in the choice of which Directors the Stockholders of the said Corporation shall vote according to the Rule hereinafter mentioned; and the Directors when chosen, or the majority of them, shall at their first Meeting after their election, choose out of their number a President, who is to be chosen by a majority of votes: Provided always, that four of the Directors in Office shall be re-elected, of whom the President shall always be one.

Annual Meeting for choosing Directors to be held on the first Monday in July.

VIII. And be it enacted, That the Directors for the time being of the said Corporation shall have power to do and execute all the matters and things contained in the preceding Sections of this Act, as far as the same may be left unexecuted by the Directors therein mentioned, and that they shall manage the whole concerns of the said Corporation agreeably to this Act of incorporation, and such Bye Laws, Rules and Regulations as the Stockholders thereof may from time to time establish; and also do and execute all other matters and things that may be necessary for the benefit of the said Corporation; and also shall have power to appoint and to remove at pleasure a Secretary, and such other Officers, Clerks and Agents, as they, or the major part of them, shall think necessary for executing the business of the said Corporation, and shall allow the said Secretary, Officers, Clerks and Agents such compensation for their respective services as to them, the said Directors, shall appear reasonable and proper; all which, together with the expenses of buildings, house or office rent, and all other contingencies shall be defrayed out of the Funds of the Corporation.

General Powers of the Directors.

IX. And be it enacted, That not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or necessary absence, in which case the Directors present may choose one of their Board as Chairman for the time being; that all questions relating to any business to be transacted at the Board shall be decided by a majority of the votes of Directors then present, and that no Director shall have more than one vote except the President, or Chairman so chosen as aforesaid, who shall vote at the Board as Director, and shall also have a casting vote in all questions when the votes shall happen to be equal.

Board of Directors for business.

X. And be it enacted, That no Director shall be entitled to any Salary or emolument for his services, but that the Stockholders of the said Corporation may make such compensation to the President as to them shall appear reasonable.

No Director to have a Salary, but the Stockholders may compensate the President.

XI. And be it enacted, That every person hereafter to be appointed Secretary to the said Corporation, shall, before he enters upon the duties of his Office, give a Bond to the said Corporation, with two or more sureties, to be approved of by the Directors, in a sum not less than three thousand pounds, with a condition for his good and faithful behaviour in the said Office of Secretary.

Secretary to give security.

XII. And be it enacted, That no person shall be eligible for a Director unless such person is a Stockholder, and holds not less than twenty Shares of the Capital Stock of the said Corporation in his own right.

Qualification of Directors.

XIII. And be it enacted, That on every occasion when in conformity to the provisions of this Act the votes of the Stockholders are to be given, every Stockholder may vote by proxy, provided such proxy be a Stockholder, and previous

Votes of Stockholders regulated.

to voting produce a sufficient authority in writing from his constituent or constituents so to act ; that all questions be decided by a majority of the votes of the Stockholders then present, or represented by proxy, and that the number of votes which each shall be entitled to, shall be one vote for each Share he or she may hold in the Capital Stock of the said Corporation ; provided that no Stockholder shall hold at any one time more than five proxies ; and provided also, that no Stockholder be allowed to give more than sixty votes upon any question, either in respect of his own shares, or in respect of any proxy or proxies of which he may be the holder.

If not chosen on first Monday in July, Directors may be elected on any other day on notice.

Vacant Directorships to be filled up.

XIV. And be it enacted, That if it should happen that the Directors should not be chosen on the first Monday in July in any year as aforesaid, it shall and may be lawful to choose them on any other day, between the hours of eleven in the forenoon and four in the afternoon of the said day, upon giving fourteen days notice of the time and place of Meeting, which shall take place in the said City of Saint John ; and in case any Director shall disqualify himself by the sale, disposal or transfer of his Shares or any of them, so as to reduce his interest in the Capital Stock to less than twenty Shares, or in case of the removal of a Director by the Stockholders for misconduct or maladministration, his place shall be filled up by the said Stockholders, fourteen days notice of the time and place of meeting being first given ; and in case of any vacancy among the said Directors by death, resignation or absence from the Province for three months, the said Directors for the time being shall and may, if they shall think fit, fill up the same by choosing one of the said Stockholders, and the person so chosen by the said Stockholders, or by the said Directors, shall serve until another be chosen in his room.

£3000 being paid in notice to be given and business commenced.

XV. And be it enacted, That as soon as the said first instalment of three thousand pounds shall have been actually paid, in manner and form as is hereinbefore provided, on account of the Subscriptions to the said Capital Stock, notice thereof shall be given in one or more of the Newspapers published in this Province, and the Directors shall commence with the business and operations of the said Corporation ; Provided always, that no Insurance shall be effected until the said sum of three thousand pounds shall be actually paid in and received on account of the Subscriptions to the Capital Stock of the said Corporation.

Corporation to make Marine Assurances, fixing the premiums. &c.

Policies to be signed and countersigned.

XVI. And be it enacted, That the said Corporation shall have power to make Marine Insurance on Vessels, Freights, Monies, Goods and Effects, and in case of Money lent upon bottomry and respondentia, and to fix the premiums and terms of payment ; and all Policies of Insurance by them made shall be subscribed by the President, or in case of his death, absence, sickness, or inability, by any two of the Directors, and shall be countersigned by the Secretary of the said Corporation, or in case of the sickness, absence or inability of the said Secretary, then by such person as the Directors or a majority of them may appoint, and shall be binding and obligatory on the said Corporation ; and that all losses duly arising under any Policy so subscribed and countersigned, shall and may be adjusted and settled by the Board of Directors, and the same shall be binding on the said Corporation, and shall be paid to the assured within sixty days after such adjustment ; Provided always, that the said Directors shall not in any case make Insurance on any single risk to an amount exceeding three thousand pounds.

Losses to be settled by the Corporation.

Half yearly dividends of the profits to be made.

XVII. And be it enacted, That it shall be the duty of the Directors of the said Corporation, or a quorum thereof, to make half yearly dividends of all the profits, rents, premiums and interest of the said Corporation, or of so much thereof as they shall think fit, payable at such time and place as the said Directors, or a quorum of them, may appoint, of which they shall give thirty days notice in one

or more of the Newspapers published in this Province ; provided that the monies received, and notes taken for premiums of risks which shall be undetermined and outstanding, at the time of making any such dividend, shall not be considered a part of the profits of the said Corporation ; and provided further, that if the amount of the Capital Stock paid as by this Act is required, shall be by any means reduced to a sum not less than six thousand pounds, then, and in such case, no dividend or dividends whatsoever, shall be declared or made until a sum equal to the said sum of six thousand pounds shall be vested for the use of the said Corporation.

XVIII. And be it enacted, That the said Corporation shall have full power and authority to take, receive, hold and enjoy any Lands, Tenements and Real Estate and Rents to any amount not exceeding three thousand pounds ; provided that nothing herein contained shall prevent the said Corporation from taking or holding Real Estate or Chattels to any amount whatsoever, by Mortgage taken as collateral security for the payment of any sum or sums advanced by, or debts due to the said Corporation, or for security of the payment of the amount of such part of the Capital Stock of the said Corporation as shall at any time or times remain unpaid.

Corporation may hold Real Estate to the value of £3000, and to any amount when taken as collateral security.

XIX. And be it enacted, That the Capital Stock of the said Corporation collected at each instalment and at the times hereinbefore provided, shall be by the said Directors invested and disposed of in such public funds, or to such public or corporate bodies or associations, or joint companies, as may by the said Directors be deemed advisable ; and in the event of there being no public funds, or public or corporate bodies or associations, or joint companies, to which the same can be advantageously lent and disposed of, or in which the same can be safely invested, then it shall and may be lawful for the said Directors or a majority of them to apply the same and dispose thereof by letting the same out at interest upon the security of lands, or upon other security as they may think fit ; Provided always, that no monies of the said Corporation shall be put out at interest, nor any security be taken for the same, either by bond or mortgage, or bill, or note or otherwise, for a shorter period than one year ; Provided also, that no loan of the Capital Stock at any time to be created under the provisions of this Act, or any part thereof, shall be made directly or indirectly to any Director of the said Company, nor shall any such Director be a party to any security for any such loans, and no Stockholder to whom any part of the said Capital Stock shall have been lent, shall be eligible as a Director while the loan continues.

Capital to be invested in Public Funds or other securities.

No Loan to be made to a Director.

XX. And be it enacted, That it shall and may be lawful to and for the Directors of the said Corporation to use, apply, and dispose of the monies arising in the course of the dealing of the said Corporation, and all the profits, rents, premiums and interest thereof, by letting the same out at interest, either upon the security of lands or other property, or otherwise, as the Directors thereof may think fit, any thing contained in this Act to the contrary notwithstanding, and the restrictions as to loans to the Directors, and to the eligibility as Directors of Stockholders to whom money may have been loaned, which are contained in the last preceding section, with regard to the Capital Stock, shall extend and apply in all respects to any loans of money to be made by virtue of this present section in like manner as if the same were repeated here.

Investment of Money arising in the course of dealings.

XXI. And be it enacted, That the said Corporation shall not directly or indirectly deal or trade in buying or selling any goods, wares or merchandize whatsoever ; Provided nevertheless, that it shall be lawful for the said Corporation to take, receive, possess and enjoy any ships, goods, merchandize or chattels whatsoever,

Corporation not to trade, but may possess ships &c. abandoned to them.

soever, which shall have been abandoned to the said Corporation by reason of any loss or damage having occurred to the same, and shall and may dispose of and sell the same at such time or times and in such manner as to the said Directors for the time being shall seem expedient.

Shares to be assignable.

XXII. And be it enacted, That the Shares or Capital Stock of the said Corporation shall be assignable or transferable according to such rules and regulations as may be by the Stockholders established in that behalf; but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book to be kept by the Directors for that purpose, and in no case shall any fractional part of a share be assignable or transferable; and that whenever any Stockholder shall transfer in manner aforesaid, all his or her shares in the said Corporation to any other person or persons whomsoever, such person shall cease to be a member of the said Corporation, and the person or persons so purchasing shall become a member of the said Corporation in his or her stead, and be entitled to all the privileges and subject to all the liabilities as such.

Liability of Directors on Policies issued after losses to the amount of the whole Capital.

XXIII. And be it enacted, That in case of any loss or losses taking place which shall be equal to the Capital Stock of the said Corporation, and the President and Directors, after knowing of such loss or losses taking place, shall make any further policy of assurance, they and their estates jointly and severally shall be accountable for the amount of any and every loss which shall take place under such policy or policies so made.

Joint Stock to be alone responsible for the debts.

XXIV. And be it enacted, That the Joint Stock or Property of the said Corporation shall be alone responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation shall on any pretence whatever have recourse against the separate property of any present or future Member or Members of the said Corporation, or against their person or persons, further than is in this Act provided.

Securities for the Capital may be renewed, and on refusal or delay the Directors may proceed against the Owners or declare the Shares forfeited.

XXV. And be it enacted, That the Bonds and other Securities of what nature or kind soever, taken for the payment of the second instalment and residue of the said Capital Stock as is hereinbefore directed, shall from time to time be renewed or changed, and other and further security or securities for the same be given as is provided in and by the fifth section of this Act, and in case of any refusal or delay to renew or change any such security or securities, or to give and grant other and further security or securities therefor, to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof being given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them to cause such proceedings both in Law and Equity, or either, as may be deemed requisite, to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors, or a majority of them, if they shall think fit, to declare the Shares in the Capital Stock of the said Corporation, for the amount of the residue of which such security or securities shall have been given, forfeited to the said Corporation, together with all deposits and instalments, interest, profits or dividends thereto belonging; and that such stock so forfeited shall be sold by Public Auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation on account of such forfeited Shares, at the time of such forfeiture, as is hereinbefore provided, and shall likewise be subject to all the provisions of this Act.

Books and papers to be open to the

XXVI. And be it enacted, That the books, papers, correspondence, and all other

other matters and things belonging to the said Corporation, shall at all times be subject to the inspection of the Directors, or any of them, but no Stockholder not a Director shall inspect the account of any individual or corporate body with the said Corporation.

inspection of the Directors.

XXVII. And be it enacted, That the Directors shall at the General Meeting to be holden on the first Monday in July in each and every year, lay before the Stockholders for their information, an exact and particular statement in triplicate of the then state of the affairs and business of the said Corporation, agreeably to the several regulations of this Act, and such other rules and regulations as may by the Stockholders of the said Corporation be made by virtue hereof, so as the same may contain a true account of the affairs of the said Corporation, which statement shall be signed by the Directors, and attested on oath or affirmation by the Secretary, or in case of his absence, sickness or inability to attend, by such person or persons as the Directors, or any quorum thereof, may appoint to act in his stead, and shall be transmitted to the Secretary of the Province for the information of His Excellency the Lieutenant Governor or Commander in Chief for the time being, and the Legislature: Provided always, that the rendering such statement shall not extend to give any right to the Stockholders, not being Directors, to inspect the account of any individual or individuals with the Corporation.

A statement of the affair to be submitted at the annual Meeting, and transmitted to the Provincial Secretary for the information of the Governor and the Legislature.

XXVIII. And be it enacted, That any joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly for the purpose of examining into the proceedings of the Corporation, shall, either during the Session or prorogation of the General Assembly, have free access to all the Books and Accounts of the same.

Joint Committee of the Council and Assembly to have access to the Books.

XXIX. And be it enacted, That any number of Stockholders not less than twenty, who together shall be proprietors of six hundred Shares, shall have power at any time by themselves or their proxies to call a General Meeting of the Stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the newspapers published in this Province, and specifying in such notice the time and place of meeting, with the objects thereof; and the Directors or any four of them shall have the like power at any time, upon observing the like formalities, to call a General Meeting as aforesaid.

Special Meetings may be called by proprietors of 600 Shares.

XXX. And be it enacted, That any number of Stockholders not less than thirty, who together shall be proprietors of nine hundred Shares in the Capital Stock of the said Corporation, shall have power at any time by themselves or their proxies, to call a General Meeting of the Stockholders for the purpose of taking into consideration the propriety of dissolving the said Corporation, giving at least three months notice in two or more of the newspapers published in this Province, and specifying in such notice the time and place of meeting, with the object thereof, and should it be agreed upon at such meeting that the said Corporation should be dissolved, such Stockholders are hereby authorized and empowered to take all legal and necessary ways and means to dissolve the said Corporation, and upon such or any other dissolution of the said Corporation, the Directors then in Office shall take immediate and effectual measures for closing the concerns of the said Corporation, and for dividing the Capital and Profits which may remain among the Stockholders, in proportion to their respective Shares.

Proprietors of 900 Shares may call a Meeting to dissolve the Company.

XXXI. And be it enacted, That the Secretary of the said Corporation shall on the first Thursday in January in each and every year, make a return in triplicate of the state of the affairs of the said Corporation, as they existed at three of the clock in the afternoon of that day, and shall forthwith transmit the same to the

A statement of the affairs to be made up on the first Thursday in January annually, for the information of the Legislature.

the Office of the Secretary of the Province; which Return shall specify the aggregate amount of the risks at that time taken by the said Corporation, the amount of losses incurred during the preceding year, the amount of Capital actually paid in, and how the same has been invested and secured, also, a particular statement of the manner in which the residue of the Capital Stock has been secured, the amount of the dividends for the preceding year and when declared, together with the amount of surplus profits, if any, then belonging to the said Corporation, and how the same has been invested and secured, the amount of Real Estate owned by the said Corporation, together with a particular statement of all other affairs of the said Corporation; which Return shall be signed by the Secretary of the said Corporation, who shall make oath or affirmation before some Justice of the Peace for the City and County of Saint John, to the truth of the said Return, according to the best of his knowledge and belief; and the Secretary of the said Corporation shall also at the same time make a Return under oath or affirmation of the names of the Stockholders, and the amount of Stock owned by each; and a majority of the Directors of the said Corporation shall certify and make oath or affirmation before the same Justice of the Peace, that the Books of the said Corporation indicate the state of facts so returned by their Secretary, and that they have full confidence in the truth of the return so made by him; and it shall be the duty of the Secretary of the Province annually to lay before the Legislature of this Province, so soon after the opening of the Session as practicable, such Returns as aforesaid as he may have received since the then next previous Session.

Limitation of Act.

XXXII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty five.

CAP. XLIX.

An Act to incorporate the Maduxnikik Boom Company.

Passed 27th March 1845.

Preamble.

WHEREAS the erection of a Boom at or near the mouth of the Maduxnikik will be convenient and advantageous to the Commercial Interests of the Province;

Maduxnikik Boom Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William F. Dibblee, James R. Tupper, and George Connell, their Associates, Successors and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate by the name of 'The Maduxnikik Boom 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 erecting, building and maintaining a Boom across the Maduxnikik River, at or near the mouth, above the Bridge, to secure the Timber, Logs, and other Lumber floating down the same, for the use and purpose of the Mills erected at the mouth of said River.

Authority given to erect Booms, but so as to admit the passage of Boats and preserve the Navigation.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Maduxnikik River, at some convenient place above the Bridge, at or near the mouth thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars and other Lumber floating upon the said River, and may erect certain Piers and Booms, such as they may think necessary, provided that the said Booms be so constructed as to admit the passage of rafts and boats, and to preserve the navigation of the River, but no person shall be allowed at any time to encumber the said Boom, either with rafts of Timber, Logs or other
Lumber,

Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Booms would for that purpose endanger the safety of any Timber, Logs or other Lumber contained therein.

III. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Corporation or any of their Agents or servants to enter in and upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessees thereof be first had and obtained in writing.

Act not to authorize entering upon private Lands without consent.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open spaces in said Boom to be carefully guarded, so that no Lumber be permitted to escape, and it shall be the duty of the said Corporation or their Agent to open the said Boom at reasonable times when requested by owners of Timber, Lumber or Logs, and that it shall be the duty of the owner or owners of said Timber and Logs to receive and take out of said Boom such Timber and Logs in a reasonable time after the same comes into the Boom; and should any one suffer loss in consequence of the neglect or carelessness of the said Corporation or their Agent or Agents, they shall be accountable for such loss.

Duty of Corporation and Owners of Lumber in preserving Lumber in the Boom and taking the same out.

V. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom or any of the Piers thereof, such person or persons so offending, shall, upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Carleton, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by Warrant of Distress and Sale of the offender's goods and chattels, rendering the overplus, (if any) to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for the said Justices to issue their Warrant to commit such offender or offenders to the Common Gaol of the County, there to remain without bail or mainprize for such period as may be specified in such Warrant, not exceeding one day for every two shillings of such penalty.

Liability.

Penalty imposed for injuring the Boom or Piers.

Recovery.

VI. And be it enacted, That there be allowed to the Corporation a Toll or Boomage upon all Timber thus boomed, the sum of two pence per ton, and for all other Lumber six pence for each thousand superficial feet, and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed, for the payment of all such Toll or Boomage and other expenses; each and every person or persons owning Timber or Lumber to furnish to the Agent of the Corporation a proper and correct description of his or their several marks before the same comes into the Boom; the Corporation not bound to secure or take care of any Timber or Lumber, until the mark is so furnished: if no owner appears to claim Timber or Lumber so coming into the Boom, it may, after twenty days notice be sold, and if within two years the owner should appear and prove to the satisfaction of the Court of Common Pleas, he may receive the net proceeds, after deducting Toll and other expenses, but if not proved and claimed within two years, the proceeds to belong to the Corporation; all Timber and other Lumber to be measured by a sworn Surveyor appointed or approved by the Court of Common Pleas, the expense of surveying to be borne equally alike by both parties.

Boomage and a lien for security granted to the Corporation.

Marks on Timber or Lumber to be furnished before any obligation is incurred to take charge.

Disposition of unclaimed Timber and Lumber.

VII. Provided always, and be it enacted, That unless a good and sufficient Boom be actually erected as contemplated by the provisions of this Act, and a certificate of the said erection signed and verified on oath by the Directors or Managers of the said Corporation, 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 operations of this Act shall cease, and the existence of the said Corporation is terminated at the expiration of the said two years.

Act to be void if Boom be not erected and Certificate filed in the Provincial Secretary's Office within two years.

Limitation.

VIII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. L.

An Act to incorporate the King's County Mechanics' Institute.

Passed 27th March 1845.

Mechanics Institute at Hampton Ferry, King's County, incorporated with powers incident to Corporations.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there shall be established and located at Hampton Ferry, in King's County, an Association by the name of 'The Mechanics' Institute of King's County,' for the purpose of instructing Mechanics and others in Morality, Literature, and the different Branches of useful Science, and that S. Z. Earle, Oliver Hallett, James D. Perkins, Gilford Flewelling, Isaac Hoyt, James Stark, S. Z. Earle, Junior, M. D., and such other persons as are or may become Members of the said Institute, shall be and they are hereby constituted a Body Corporate for that and no other purpose, by the name aforesaid, with all the general powers and privileges incident to Corporations by Act of Assembly of this Province; Provided always, that the Real Estate which the said Corporation may at any time hold, shall not exceed five hundred pounds.

Real Estate to be held, limited.

CAP. LI.

An Act to amend the Act, intituled *An Act to incorporate the Charlotte County Bank.*

Passed 27th March 1845.

Preamble.

6 G. 4, c. 12.

WHEREAS in and by the Act made and passed in the sixth year of the 'Reign of His Majesty King George the Fourth, intituled *An Act to incorporate sundry persons by the name of the President, Directors and Company of the Charlotte County Bank*, there is no provision to prevent the issue of small 'Notes under the value of one pound currency: And whereas it is expedient to 'amend the said recited Act in this particular;

No Bank Notes under the value of one pound to be issued or circulated by the Bank.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, no Bank Note under the value of one pound shall be issued or circulated by the said Bank, any Law to the contrary notwithstanding.

CAP. LII.

A Bill to incorporate the Saint Croix Bridge Company.

Passed 27th March 1845.

Company incorporated with the general powers of Corporations.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Thomas Wyer, Harris Hatch, Nehemiah Marks, Ninian Lindsay, William Todd, Junior, Daniel Sullivan, William Porter, George S. Hill, their Associates, Successors, and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of 'The Saint Croix Bridge Company,' and by that name have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, and may make any Bye Laws for the management of their concerns not repugnant to the Laws of the Empire and of this Province, and may choose a Clerk, Treasurer, and any other Officer proper for the management of their Corporate business by a majority of votes present, allowing one vote to each Share; provided that no individual be entitled to more than ten votes on his Shares.

Number of Votes limited.

II. And be it enacted, That the said Bridge shall be established and continued where it now is in the Parish of Saint Stephen, in the County of Charlotte, in this Province, that is to say, from the Public Highway, nearly opposite the dwelling house of James Hannah, to the centre of the River Saint Croix, a short distance below the Salt Water Falls, (so called,) and said Bridge shall be kept in good repair and condition for the convenience and safety of Passengers, and a passage way for Lumber shall be kept open under the same at least thirty feet wide.

Site of the Bridge specified.

Bridge to be kept in good repair, with a passage way under it for Lumber.

III. And be it enacted, That a Toll be and is hereby granted for the benefit of the said Corporation according to the following rates:—For each Foot Passenger, one penny half penny; One Person and Horse, two pence half penny; A Horse and Cart or Waggon, four pence; A Horse and Sleigh or Chaise, or other pleasure Carriage drawn by one Horse, six pence; Each Team, including Cart, Waggon, Sled or Sleigh drawn by two Oxen, ten pence; And for every additional Beast, one half penny; Four Wheeled Carriages with two Horses, one shilling; For every additional Horse, two pence half penny; Beast of burden, exclusive of those rode upon or in Carriages, two pence each; Sheep and Swine, one half penny each; And to each Team one person only shall be allowed, as driver, to pass free of Toll: and at all times when the Toll gatherer shall not attend his duty, the Gate or Gates shall be left open, and the Toll shall be collected in such manner as may be prescribed by the said Corporation; and as the Tolls are collected, the rates of Toll, and all others which may be hereafter granted, shall be fairly and legibly printed in large letters, and kept constantly exposed to the view of Passengers; Provided however, That after ten years from the time when this Act shall come into operation, the rate of Toll shall be subject to the further regulation of the Legislature.

A Toll granted.

Rate.

Gates to be left open when the Toll gatherer is absent.

Rate of Tolls to be exposed to view.

Rates may be altered after ten years.

IV. And be it enacted, That either of the persons named in the first section of this Act, may call the first meeting of the said Corporation, by posting up a notification thereof in two public places in the said Parish of Saint Stephen and Town of Saint Andrews, at least seven days before such meeting, and specifying in such notice the time and place of meeting, which meeting shall be holden in the said Parish of Saint Stephen.

First Meeting of the Corporation to be held in Saint Stephen on Public Notice.

V. And be it enacted, That the above rates of Toll shall be in full for passing the said Bridge to the opposite bank of the said River.

Toll to be in full for passing to the opposite Bank of the River.

VI. And be it enacted, That no Horse or other Beast, or Carriage of any kind, shall be taken or driven over the said Bridge at a pace faster than a walk on pain of a forfeiture of twenty shillings for every offence, to be recovered in an action of debt before any Justice of the Peace, on complaint of the Toll Gatherer or any proprietor in the Stock of the said Bridge, and legal proof thereof; the money, when recovered, to be applied to the use of the said Corporation.

Penalty for taking horse, beast or carriage over the Bridge faster than a walking pace.

VII. And be it enacted, That any person who shall run or evade the payment of Toll for crossing the said Bridge, shall forfeit and pay, for the use of the said Corporation, the sum of ten shillings for every offence, to be recovered as is directed in the last preceding section of this Act.

Penalty for evading payment of Toll.

VIII. And be it enacted, That this Act shall continue and be in force until the first day of May one thousand eight hundred and sixty five, and no longer, and then be subject to renewal on such terms and rates of Toll as may be just and equitable.

Limitation.

CAP. LIII.

An Act to incorporate the Saint Andrews Whale Fishing Company.

Passed 27th March 1845.

Company incorporated.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Wilson, Harris Hatch, James Henry Whitlock, Joseph Wilson, Samuel Frye, Gideon Knight, Henry Frye, Wellington Hatch, James Watson Chandler, Samuel Tilley Gove, Charles E. O. Hatheway, James W. Street, Thomas Wyer, George D. Street, their Associates, Successors, and Assigns, shall be and are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of 'The Saint Andrews Whale Fishing 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.

Capital to be £50,000, divided into Shares of £12 10s. each.

20 per cent. payable within twelve months, residue in instalments when required.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of Current Money of the Province to the amount of fifty thousand pounds, which shall be divided into four thousand shares of twelve pounds ten shillings each, and that twenty per cent. of the said Capital Stock shall be paid in within twelve calendar months after the passing of this Act, at such time and place as the President and Directors of the said Company may appoint, and the residue in such shares and instalments as may be required by the said President and Directors for the service of the Company, at such times and places as they may appoint, at least one month's notice being by them previously given for all the payments, in one of the Newspapers published in the County of Charlotte; Provided always, that no larger amount than ten per cent. of the said Capital Stock shall be called in, or required to be paid at any one time subsequent to the first instalment; and that so soon as the said Capital Stock of fifty thousand pounds shall have been paid in and expended for the purposes of this Act, it shall and may be lawful for the said Stockholders, at any General Meeting to be for that purpose called, to increase the said Capital Stock from time to time, in such sums as they may deem expedient, to a sum not exceeding one hundred thousand pounds, which additional Capital Stock shall be divided into shares of twelve pounds ten shillings each.

When 1200 Shares are subscribed, a Meeting to be held for making Laws and choosing Directors.

III. And be it enacted, That whenever twelve hundred shares of the said Capital Stock shall have been subscribed, a General Meeting of the Members and Stockholders, or the major part of them, shall take place by notice in one or more Newspapers published as aforesaid, thirty days previous to such Meeting, for the purpose of making, ordaining and establishing such Bye Laws, Ordinances and Regulations for the good management of the affairs of the Corporation as they shall deem necessary, and for the purpose of choosing five Directors, being Stockholders and Members of the Corporation, under and in pursuance of the Rules and Regulations hereinafter made and provided; which Directors, so chosen, shall serve until the first annual meeting for choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence business as hereinafter made and provided.

Annual Meeting for choosing Directors to be held on the first Monday in September.

IV. And be it enacted, That there shall be a general meeting of the Stockholders and Members of the said Corporation to be annually holden on the first Monday in September, in each and every year, at the Town of Saint Andrews, in the said County of Charlotte, at which annual meeting there shall be chosen by a majority thereof, five Directors, who shall continue in office one year, or until others are chosen in their room; in the choice of which Directors, the Stockholders shall vote according to the rules hereinafter mentioned; and the Directors when chosen, shall at the first meeting after their election, choose out of their numbers

numbers a President; Provided always, that two of the Directors in office shall be re-elected at each annual meeting for the next succeeding twelve months, of whom the President shall always be one.

V. And be it enacted, That not less than three Directors shall constitute a Board for transacting of business, of which the President shall always be one, excepting in cases of sickness or necessary absence, in which case the Directors present may choose one of their board as 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 or against any question before them, the President or Chairman shall have a casting vote.

Board of Directors for business.

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 twenty shares of the Capital Stock of the said Corporation, and is of the full age of twenty one years.

Qualification of Directors.

VII. And be it enacted, That the voting of the Stockholders shall in all cases be regulated as follows: 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 four shares above ten and not exceeding thirty shares, one vote, making ten votes for thirty shares; for every eight shares above thirty and not exceeding seventy, one vote, making fifteen votes for seventy shares; for every twelve shares above seventy and not exceeding one hundred and thirty, one vote, making twenty votes for one hundred and thirty shares; which said number of twenty votes shall be the greatest any Stockholder shall be entitled to, and that all Stockholders may vote by proxy, being a Stockholder, and producing sufficient authority in writing from his constituent.

Votes of Stockholders regulated.

VIII. And be it enacted, That if it should happen that the said Directors should not be chosen on the said first Monday in September 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, upon giving fourteen days notice of the time and place of such meeting in one of the Newspapers published as aforesaid, which meeting shall take place in the said Town of Saint Andrews; and in case any Directors shall be removed by the Stockholders for misconduct or mal-administration, his place shall be filled up by the said Stockholders, fourteen days notice of the time and place of meeting being first given as hereinbefore provided; and in case of any vacancy among the Directors by death, resignation or absence from the Province for three months, or in case any Director shall disqualify himself by the sale, disposal and transfer of his shares, or any of them, so as to reduce his interest in the Corporation to less than twenty shares, required for the qualification of a Director, then, and in either of such cases, the said Directors shall and may fill up the vacancy by choosing one of the Stockholders, and the persons so chosen by the Stockholders or Directors shall serve until another be chosen in his room.

When the Directors are not chosen at the Annual Meeting, another Meeting may be called for the purpose.

Vacant Directorships to be filled up.

IX. And be it enacted, That so soon as ten per cent. of the Capital Stock shall have been actually paid in on account of subscription to the said Stock, then the President and Directors of the said Company may commence operations under this Act, and proceed with the business and affairs of the Company.

Ten per cent. of Capital being paid in, operations may be commenced.

X. And be it enacted, That the Joint Stock or Property of the said Corporation shall alone be responsible for the debts and engagements of the said Corporation.

Joint Stock or Property alone responsible for debts.

XI. And be it enacted, That the books, papers, correspondence and all other matters or things belonging to the Corporation, shall at all times be subject to the inspection of the Directors, or any of them, but no Stockholder, not a Director, shall

Books, &c. to be subject to the inspection of the Directors.

shall inspect the account of any individual or Corporate Body with the said Corporation.

Shares to be assign-
able.

XII. And be it enacted, That the shares in the said Stock shall be assignable and transferable, according to the Rules and Regulations that may be established in that behalf, but no assignment or transfer shall be valid or effectual, unless such assignment or transfer 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 be assignable or transferable, or other than a complete share or shares; 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.

Statement of affairs
to be laid before the
Stockholders at the
Annual Meeting.

XIII. And be it enacted, That the Directors shall, at the General Meeting to be holden in every year, lay before the Stockholders for their information, an exact and particular statement of the then state of the affairs and business of the said Corporation, agreeably to the several Regulations and Rules made therefor, so as the same do contain a true account of the affairs of the said Company; which statement shall be signed by the Directors, and attested by the Secretary or Clerk; and such statement, in triplicate, in like manner signed and attested, shall be transmitted to the Secretary of the Province, for the information of His Excellency the Lieutenant Governor or Commander in Chief for the time being, and the Legislature of the Province; Provided always, that the rendering of such statement shall not extend to give any right to the Stockholders to inspect the Account of any individual or Corporate Body with the said Corporation.

Triplicates for the
Governor and
Legislature.

Power and manner
of calling special
General Meetings
of the Corporation.

XIV. And be it enacted, That any number of Stockholders not less than forty, who together shall be Proprietors of one thousand Shares, shall have power at any time, by themselves or their proxies, to call a general meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least thirty days notice in the newspapers published as aforesaid, and specifying in such notice the time and place of such meeting, with the objects thereof; and the Directors, or any three of them, shall have the like power at any time, (upon observing the like formalities) to call a general meeting as aforesaid.

Forfeiture and sale
of delinquent
shares authorized.

XV. And be it enacted, That if any of the Stockholders failing to pay in their respective instalments within thirty days after the expiration of the time allowed for paying in such instalments, their Shares shall be considered forfeited, advertised, and sold by Public Auction, first giving thirty days notice of the time and place of sale, and any amount over and above for which the said Share or Shares may sell for, shall be accounted for to the owner or owners thereof, after deducting expenses of sale.

Act to be void if 20
per cent. of Capital
be not paid in with-
in two years.

XVI. And be it enacted, That unless twenty per cent. of the said Capital Stock shall be paid in for the purpose of this Corporation, and a certificate of such payment, signed and verified on oath, by the Directors, or a majority of them, before any Justice of the Peace, shall be filed in the Office of the Secretary of the Province before the expiration of two years next after the passing of this Act, the operation of this Act shall cease, and the existence of this Corporation be terminated at the end of the said two years.

Limitation.

XVII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty five.

CAP. LIV.

An Act to incorporate the Saint Andrews Steam Mills and Manufacturing Company.

Passed 27th March 1845.

WHEREAS a Joint Stock Company or Association has lately been formed Preamble
 ' for the purpose of erecting a Steam Saw Mill, Steam Grist Mill, and
 ' Machinery, and for manufacturing purposes connected therewith, at Saint An-
 ' drews, in the County of Charlotte, within this Province, for which object a large
 ' amount of Capital hath been subscribed, a portion of which hath already been
 ' actually invested in the purchase of Land and Water Privileges, necessary for
 ' the operations of the said Company: And whereas it hath been deemed expe-
 ' dient to afford protection and encouragement to the said Association, by an Act
 ' of Incorporation ;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly,
 That Harris Hatch, Richard M. Andrews, Nehemiah Marks, Thomas Turnas,
 Henry Frye, Richard Walton, Wellington Cameron, John Aymar, Harris H.
 Hatch, Wellington Hatch, Bartholomew R. Fitzgerald, Thomas Wyer, Edward
 Wilson, Joseph Wilson, Samuel T. Gove, John Rodger, James W. Chandler,
 Jacob Paul, Samuel M'Curdy, their Associates, Successors, and Assigns, shall
 be and they are hereby erected into a Body Politic and Corporate, by the name
 of ' The Saint Andrews Steam Mill and Manufacturing Company,' and shall have
 all the powers and privileges made incident to a Corporation by Act of Assembly
 of this Province, for the purpose of erecting Steam Mills and necessary works
 therewith connected, in the Parish of Saint Andrews, in the County of Charlotte,
 for the manufacture of Lumber, Flour, Oatmeal, and Corn Meal, and for other
 purposes connected therewith, and for carrying on and managing the same. Company incorpo-
rated with general
powers incident to
Corporations.

II. And be it enacted, That the Capital Stock of the said Corporation shall be
 ten thousand pounds of the current money of the Province of New Brunswick,
 and shall be divided into eight hundred Shares of twelve pounds ten shillings
 each, to be paid in at such times and in such instalments as the business of the
 said Company shall require ; provided that twenty five per centum of the Capital
 Stock of the said Company, amounting to two thousand five hundred pounds,
 shall be actually paid in and invested in the business of the said Corporation,
 within two years after the passing of this Act; and provided also, that the said
 Corporation shall not be entitled to purchase any Property, real or personal, or to
 incur any debts, until the said twenty five per centum of the said Capital Stock
 shall have been paid in. Capital to be
£10,000.

25 per cent. to be
paid within two
years.

III. And be it enacted, That the first meeting of the said Corporation shall be
 held at Saint Andrews, and shall be called by William Whitlock, or in case of his
 death, neglect, or refusal, by any two of the said Company, by giving notice in the
 Saint Andrews Standard, or other Newspaper printed in the County of Charlotte,
 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 provided : Pro-
 vided always, and be it further enacted, that so soon as the said Capital Stock of
 ten thousand pounds shall have been paid in, and expended for the purposes by
 this Act provided, it shall and may be lawful for the said Stockholders, at any
 general meeting to be called for that purpose, to increase the said Capital Stock
 from First meeting for
choice of Directors
and Officers, and
making Bye Laws,
to be held after
public notice.

Capital Stock may
be increased to
£25,000.

from time to time in such sum or sums as they may deem expedient, to a sum not exceeding twenty five thousand pounds, which additional Capital Stock shall be divided into Shares of twelve pounds ten shillings each.

Annual Meeting for choosing Directors and other Officers to be held on the first Monday in June.

Directors to choose a President.

Qualification of Directors.

Each Share of Stock to entitle to a vote.

Shares to be assignable.

If not chosen on the first Monday in June, Directors may be chosen on any other day, on notice.

Vacant Directorships to be filled up.

Joint Stock to be alone responsible for the debts.

Shares to be numbered, and certificate of property in Shares given to the Stockholders.

IV. And be it enacted, That a general meeting of the Stockholders of the said Corporation shall be held on the first Monday in June 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 for one year, or until others are chosen in their place, and shall at their 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 case of the absence of the President, the Directors shall have power to appoint one of their number Chairman for the occasion.

V. And be it enacted, That no person shall be eligible as a Director unless such person is a Stockholder, and holds not less than sixteen Shares of the Capital Stock of the said Corporation, and is of the full age of twenty one years.

VI. And be it enacted, That the number of votes to which each Stockholder shall be entitled, 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.

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 or effectual unless 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 when 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.

VIII. And be it enacted, That if it should happen that the said Directors or other Officers should not be chosen on the said first Monday of June in any year as aforesaid, it shall and may be lawful to choose them on any other day, between the hours of ten in the forenoon and six o'clock in the afternoon of such day, on giving twenty days notice of such meeting by personal notice, or by notice in writing sent by Mail, or by publication in the Saint Andrews Standard, or other Newspaper published in the County of Charlotte; and in case any Director shall be removed by the Stockholders for misconduct, neglect, or mal-administration, his place shall be filled up by the Stockholders, twenty days notice of the time and place of meeting for such purpose being first given as last aforesaid; and in case of any vacancy among the Directors by death, resignation, absence, 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 chosen by the Stockholders or Directors shall serve until another is chosen in his stead.

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.

X. And be it enacted, That all the Shares in the said Company shall be numbered in progressive order, beginning at number one; and every member of the said Company shall have a Certificate under the Seal of the said Corporation, and signed by the President and Secretary thereof, certifying his property in such Shares as shall be expressed in the Certificate.

XI. And be it enacted, That the said Company shall have power to levy and collect upon the Shares from time to time such sum or sums of money as shall be judged by such Corporation necessary for the payment of any debts of the said Corporation, and for the purchase of such real and personal property, and the erecting, building, making, setting up, and procuring such buildings, dams, sluices, mills, boats, machinery, and other things as may be deemed necessary and requisite for carrying on the business of the said Corporation; and whenever any assessment shall be made by the Stockholders of the said Company, it shall be the duty of the Secretary or Agent thereof to give notice of such assessment in some Newspaper printed in the said County of Charlotte, requiring payment of the same within thirty days, and if any Stockholder shall neglect or refuse to pay to the Secretary or Agent the amount of such assessment upon his Shares, at the time prescribed, it shall be the duty of the Secretary or Agent to advertise all such delinquent Shares for sale at Public Auction, giving at least thirty 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 when such assessment became due, shall be sold to the highest bidder, and after retaining the amount of assessment, and interest due on the same, 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 be made out and delivered to the purchaser or purchasers: Provided always, that such assessment or assessments shall not in the whole exceed the amount of the Capital Stock appointed by this Act, or the Capital Stock to be increased as hereinbefore directed; and also provided that no assessment shall be made, except by a vote of the Stockholders and a majority of all the Shares.

Company may assess the Shares when necessary.

Delinquent Shares may be sold.

No assessment to be made except on vote of the Stockholders, and not to exceed the aggregate Capital.

XII. And be it enacted, That special meetings of the said Company may be called by the Secretary or Agent, under the authority of the Directors, or of the Stockholders representing not less than two hundred Shares of Stock, thirty days notice at least of the time and place of such meeting being given in some Newspaper published in the said County of Charlotte, or by personal notice, or by notice in writing by mail as aforesaid.

Special Meetings of the Stockholders may be called on notice.

XIII. Provided always, and be it enacted, That unless twenty five per centum of the said Capital Stock shall be paid in for the purpose of this Corporation, and a Certificate of such payment signed and verified on oath by the Directors, or a majority of them, before any Justice of the Peace, shall be filed in the Office of the Secretary of the Province before the expiration of two years next after the passing of this Act, the operation of this Act shall cease, and the existence of this Corporation be terminated at the end of the said two years.

Act to be void if 25 per cent. on Capital be not paid in within two years.

CAP. LV.

An Act to incorporate the Nashwaak Boom Company.

Passed 27th March 1845.

WHEREAS the erection of a Boom or Booms at or near the mouth of the Nashwaak River, in the County of York, will be a great benefit to persons engaged in the Lumber business, by enabling them to secure Timber, Logs and other Lumber floating down the said River Nashwaak, at a moderate expense: And whereas it is deemed expedient to incorporate a Company for that purpose;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That William J. Bedell, Charles Macpherson, George L. Hatheway, John

Company incorporated.

John MacBean, Archibald M'Lean, and their Associates, Successors, and Assigns, be and they are hereby declared to be a body Corporate, by the name of 'The Nashwaak Boom Company,' and shall have all the general powers made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting and maintaining a Boom or Booms and any other works on the shore connected therewith, at or near the mouth of the Nashwaak aforesaid, for the more convenient collecting, picking up, securing and rafting Timber, Logs and other Lumber floating down the said River Nashwaak, and for carrying on and managing the same.

Capital to be £500.

II. And be it enacted, That the Capital Stock of the said Corporation shall be five hundred pounds current money of New Brunswick, and shall be divided into fifty Shares of ten pounds each.

First meeting for organizing the Company.

III. And be it enacted, That the first meeting of the Corporation shall be called by William J. Bedell, Esquire, or in case of his death or refusal to act, by any two of the said Corporation, after ten days notice in a Newspaper published in Fredericton, for the purpose of organizing the said Corporation, which meeting shall be held at the time and place mentioned in such notice.

Subscribers to Stock to make a deposit previous to the election of Directors.

IV. And be it enacted, That the Subscribers for Stock in the said Corporation shall, previous to the first meeting of the said Corporation, pay into the hands of such person or persons as the persons incorporated by the first section of this Act, or the major part of them, or in case of the death of any of them, the major part of the survivors, shall appoint, such a deposit or instalment on the Capital Stock of the said Corporation they subscribe for, as the said persons incorporated, or the major part of them as aforesaid, may appoint and determine, due notice being given at the time of the notice calling the first meeting of the Members and Stockholders of the Corporation, of the time or several periods of time when, and of the place and places where, and person or persons to whom the said instalment or deposit shall be paid; and the said instalment or deposit shall be taken and allowed to every Subscriber who shall pay it, as part of the Capital Stock required to be paid in under and by virtue of this Act, and every Subscriber who shall neglect or refuse to pay in the said deposit or instalment shall be deemed a defaulter, and no Subscriber shall, upon any pretence whatsoever, vote at the first meeting for the choice of Directors upon any Share or Shares, unless he has paid the said deposit or instalment.

Boom not to obstruct the navigation.

V. And be it enacted, That the Booms shall be so constructed as to admit the passage of Rafts and Boats, and to preserve the Navigation of the River.

Booms to be fit for the reception of Timber, &c. from Spring till 10th November in each year.

VI. And be it enacted, That the said Corporation shall, and they are hereby required to keep the said Booms open and in order to receive Timber, Logs and other Lumber floating down the River Nashwaak, from the opening of the Spring and after the River is clear of Ice, until the tenth day of November in each and every year during the continuance of this Act.

Charges for rafting and securing the Timber, &c.

VII. And be it enacted, That the said Corporation shall be entitled to receive a sum not exceeding one shilling and two pence per ton for each ton of Square Timber, and a sum not exceeding two shillings and six pence per thousand for each and every thousand superficial feet of Logs and other Lumber which they shall secure and raft in a substantial manner, with good and sufficient Boom Poles, and put in good and sufficient joints, such as are usually made preparatory to their being put in large Rafts for transportation to Saint John; such payments being in full for rafting and securing the said Timber as aforesaid, and also for collecting and keeping up and floating down the said Timber, Logs and other Lumber so rafted in the said Boom or Booms from the mouth of Penniak to the mouth

mouth of the Nashwaak, and also for all scattered Timber, Logs and other Lumber, which by the force of the current or water may be drawn into the said Boom or Booms, and secured thereby and so rafted in joints.

VIII. And be it enacted, That the said Corporation shall have a lien on all Timber, Logs and other Lumber which may be rafted in the said Boom in joints fit to be carried to Saint John in the manner prescribed by the seventh Section of this Act, or which shall be carried into the said Boom by the force of the current; and the said Corporation or Agent or Agents may retain the said Timber, Logs or other Lumber, or sufficient part of them, to pay the boomage, until such boomage is paid or secured.

Lien granted to secure the boomage.

IX. And be it enacted, That for any floating joints or rafts of Timber, Logs or other Lumber without men on, which may run into the said Boom or Booms by force of the current or accident, or be caught therein, the said Corporation shall protect such joints or rafts, and be entitled to receive therefor at and after the rate of two pence for each and every ton of such Timber, and six pence per thousand superficial feet for every thousand superficial feet of Logs or other Lumber, provided that the said Corporation shall not be entitled to receive for any such raft or joint a larger sum than three pounds.

Rafts entering the Boom by accident to be protected, and charged specified rates.

X. And be it enacted, That all questions of difference or dispute of any kind relating to the quantity of Timber, Logs or other Lumber, or to the mode of rafting the same, shall be submitted to the award or arbitrament and determination of three persons indifferently chosen between the parties, the award and determination of them or any two of them shall be final and conclusive between the parties, which referees or any two of them shall also determine and award by whom and how the expense of such reference shall be paid.

Disputes as to quantity of Timber, mode of rafting, &c. to be settled by arbitration.

XI. And be it enacted, That the said Corporation shall have power to levy and collect assessments upon the Shares from time to time of such sums of money as may be deemed necessary for carrying on the business of the said Corporation, and whenever any such assessment shall be made by the Stockholders of the Corporation, it shall be the duty of the Treasurer to give notice thereof in a Newspaper printed in Fredericton, requiring payment of the same within ten days, and if any Stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his Share or 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 fifteen 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 purchasers: Provided always, that no assessment shall be made except by a vote of the Stockholders, and by a majority of all the Shares.

Company, on a vote of the Stockholders, may assess the Shares to carry on the business of the Corporation.

Delinquent Shares to be sold.

XII. And be it enacted, That the Members and Stockholders of the said Corporation shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of the said Corporation or their Agents or Servants, in proportion to the Stock they respectively hold: Provided however, that in no case shall any Stockholder be liable to pay a sum exceeding the amount of Stock actually then held by such Member or Stockholder in addition to the Stock then held by such Stockholder: Provided nevertheless, that nothing herein

Liability of the Members of the Corporation.

contained shall be construed to exempt the Joint Stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

Corporate powers to cease if Boom be not erected, and certificate filed within twelve months.

XIII. And be it enacted, That unless a good and sufficient Boom for the purpose contemplated by this Act shall be erected within twelve month after the passing of this Act, and a certificate thereof under the hand of the Agent or the principal officer of the said Corporation, attested to by such Agent or other principal officer before one of Her Majesty's Justices of the Peace, and which oath such Justice is hereby authorized to administer, shall be filed in the office of the Secretary of the Province, then the Corporate powers hereby granted shall be deemed null and void.

Act not to authorize the Corporation to enter upon private property without consent.

XIV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize and empower the said Corporation or any of their Agents or Servants to enter in and upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessees thereof, be first had and obtained in writing; and further provided, that the said Corporation shall be liable for all trespasses done or committed by the Servants or Agents of the said Corporation, in the course of prosecuting the business and object of the said Corporation, unless such consent as aforesaid has been previously had and obtained.

Limitation.

XV. And be it enacted, That this Act shall continue and be in force for five years and no longer.

CAP. LVI.

7 V. c. 19.

An Act to amend an Act, intituled *An Act to amend an Act, intituled "An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provision in lieu thereof."*

Passed 27th March 1845.

Preamble.

7 V. c. 19.

WHEREAS in and by the second section of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to amend an Act, intituled "An Act to repeal an Act to encourage the destroying of Wolves, and an Act to grant a Bounty on the destruction of Bears in this Province, and to make other provision in lieu thereof,"* it is among other things enacted that the sum of money to be drawn from the Treasury of this Province under the provisions of the said recited Act, shall not exceed the sum of fifteen pounds in any one year: And whereas it has been found that the sum of fifteen pounds is insufficient for the purposes by the said Act intended; for remedy whereof,

Warrants on the Treasury may be issued in favor of the Clerks of the Peace for money to be expended and accounted for under the Act 7 V. c. 19.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, and during the time that the said Act to which this Act is an amendment shall continue and be in force, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, on it being made to appear to his satisfaction that the amount of any Warrant issued under the provision of the said recited Act, or of this Act, has been fully expended according to the intent and meaning of the same, to issue his Warrant on the Treasurer of this Province, or any of his Deputies, directing him to pay over to the proper Clerk of the Peace, or to his order, out of any monies then in the hands of the said Treasurer or Deputy Treasurer, such sum of money as to His said Excellency and Her said Majesty's Executive Council may seem meet, to be applied by such Clerk of the Peace, and accounted for by him, in the manner in the said Act provided, any law, usage or custom to the contrary thereof notwithstanding.

CAP. LVII.

An Act to establish Periodical Fairs in the Town of Newcastle, in the County of Northumberland.

Passed 27th March 1845.

‘WHEREAS the establishment of Fairs or Public Market Days is calculated to promote Trade, encourage the Farmer, and lead to emulation and competition in the rural operations of the County ;’ Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act there shall be two Public Fairs held at the Town of Newcastle, in the said County, on the first Tuesday in October and the first Tuesday in March in each and every year, under such rules, regulations and restrictions as the Justices of the Peace of the said County at the Court of General Sessions of the Peace for the said County, at the July Term, shall annually make, order and direct ; which rules, regulations and restrictions shall, as soon as may be after the same are made, be published by the Clerk of the Peace or Custos Rotulorum of the County, in one or more of the public Newspapers of the County, or if none be there published, then in the Royal Gazette, for the next six months immediately after the making of such order ; which orders, rules, and regulations, when so made and passed, shall continue and be in force till annulled, altered or amended by any subsequent order, which shall only be done at the July Term in each year.

Two Fares to be annually held at Newcastle, subject to the regulations of the Justices.

II. And be it enacted, That it shall and may be lawful for the said Justices at their General Sessions from time to time, and at all times hereafter, to nominate and appoint an officer to be called the Keeper of such Fairs, and such other officers for the proper government of such Fairs as the said Justices in their said General Sessions may deem necessary for the conducting, managing and enforcing the orders, rules and regulations relating to the holding, conducting and management of such Fairs so to be holden as aforesaid, who shall respectively be sworn to the faithful discharge of the duties of his or their offices, and which said Keeper and other officers appointed under the provisions of this Act, shall have the same power and authority as any constable or constables in all matters relating to the preservation of the peace and order during the continuance or operations of such Fairs or Market ; and such Justices are hereby authorized from time to time at such General Sessions as aforesaid, at their pleasure, to remove such Keeper or other officers, and another or others to appoint in their stead, and to appoint the place in the said Town of Newcastle at which such Fairs shall be held, and shall have full power and authority, and they are hereby authorized and empowered to fix upon and regulate the rates and amount of fees to be received by the Keeper and officers of such Fairs, and how the same shall be collected, paid and received, and the sources from which the same are to be raised : Provided always, that if it shall at any time be deemed necessary by the said Justices at such Sessions to make an assessment for the payment of the fees of the officers appointed under the provisions of this Act for enforcing the rules and regulations so made, for the proper conducting of such Fairs or Market, the said Justices are hereby authorized to order such assessment, which assessment shall be raised, levied and collected in the same manner as other County or Parish Rates are by Law now raised and collected : Provided always, that such assessment shall in all cases be confined to the residents of the Town of Newcastle, or persons residing within the following bounds or limits, that is to say : Between James Ledden's lower line in Newcastle on the one side, John A. Street's upper line on the upper side, and that the same shall not extend to the settlers on the back lots ; and provided

Justices in Sessions to appoint a Keeper and other Officers for managing the Fairs, and regulate the fees.

An annual assessment not exceeding £5 may be made on a certain district.

provided also, that such assessment shall not exceed the sum of five pounds in any one year.

Act may be amended during the present Session.

III. And be it enacted, That this Act may be altered, amended, added to or diminished in any way so as more effectually to accomplish the objects thereof, the present Session of the Legislature.

CAP. LVIII.

10 & 11 G. 4, c. 12. An Act to repeal an Act, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte*, and to make other and more effectual provision relating to the same.

Passed 27th March 1845.

10 & 11 G. 4, c. 12, repealed.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of His Majesty George the Fourth, intituled *An Act for the better and more effectual securing the Navigation of the River Saint Croix, in the County of Charlotte*, be and the same is hereby repealed.

Penalty imposed for throwing into the River slabs or waste lumber tending to fill up the channel.

II. And be it enacted, That all and every person or persons engaged in the manufacture of Sawed Lumber on the said River Saint Croix, in the Parish of Saint Stephen, or any other person or persons who shall throw or cause to be thrown from their or any or either of their Mills or Machines, or from any or either of the Mills or Machines on the said River, or from any other place in the Parish aforesaid into the said River, any slabs, edgings, lath edgings or other waste Lumber, except buttings and saw dust, that may tend to fill up the channel or bed thereof, shall forfeit and be made liable to pay a fine not exceeding five pounds nor less than one pound for each and every offence, to be recovered with costs of suit by plaint or information had or made before any one of Her Majesty's Justices of the Peace for the County of Charlotte, which said sum shall go to the use of the Poor of the said Parish.

Recovery.

Limitation.

III. And be it enacted, That this Act shall continue and be in force for and during the term of ten years, and no longer.

CAP. LIX.

An Act to authorize the Justices of the Peace for the County of Kent to levy an assessment to defray the Contingent Expenses of the said County.

Passed 27th March 1845.

Justices in Sessions authorized to assess the County to pay off the Contingent expenses.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Kent, at any General Sessions of the Peace or at any Special Sessions of the Peace to be for that purpose holden, be and they are hereby authorized and empowered to make a rate and assessment upon the Inhabitants of the said County for a sum not exceeding one hundred and twenty pounds, to defray the Contingent Expenses of the said County; the same to be levied, assessed and collected under and by virtue of any Act or Acts of the General Assembly of this Province in force for assessing and collecting County and Parish Rates.

CAP. LX.

An Act to authorize the Justices of the Peace in King's County to levy an assessment to pay off the County Debts.

Passed 27th March 1845.

Justices in Sessions authorized to assess the County to pay off the County debts.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for King's County, at any General Sessions of the Peace to be hereafter holden, or any Special Sessions to be for that purpose convened,

convened, be and they are hereby authorized 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 paying off the Debts due from the said County; the same to be assessed, levied, and paid, agreeably to and under and by virtue of any Act or Acts which are now or hereafter may be of force in this Province, for assessing, levying and collecting the rates for Public charges.

CAP. LXI.

An Act to establish the Road leading from the City of Saint John to Quaco, in the Parish of Saint Martin's, in the County of Saint John, as one of the Great Roads.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Road leading from the Forks of the Road on the Great Marsh, near Saint John, to Frog Pond, thence to Loch Lomond, thence to the head of said Lake, and thence to Vaughan's Creek in Quaco, be and the same is hereby established one of the Great Roads in this Province.

Road from Saint John to Vaughan's Creek, Quaco, via Frog Pond and Loch Lomond, established as a Great Road.

CAP. LXII.

An Act relating to the privilege of solemnizing Marriage.

Passed 27th March 1845.

WHEREAS in and by the first section of an Act made and passed in the fourth year of the Reign of His Majesty King William the Fourth, intituled *An Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province*, His Excellency the Lieutenant Governor is authorized and empowered to grant, under certain restrictions in the said Act contained, to all Ministers and Teachers of any denomination of Christians not engaged in any secular calling, a Licence authorizing such Minister or Teacher to solemnize Marriage: And whereas it is considered expedient to abolish any fees on or for granting any such Licence;

Preamble.

4 W. 4, c. 46.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, no fee whatever shall be charged to any Minister or Teacher on the granting or issuing a Licence to such Minister or Teacher to solemnize Marriage under the authority of the *Act to extend the privilege of solemnizing Marriage to all Ministers or Teachers of the several Religious Congregations in this Province*, any law, usage or custom to the contrary notwithstanding.

No fee to be charged to any Minister for the Licence to solemnize Marriage issued under 4 W. 4, c. 46.

CAP. LXIII.

An Act in addition to an Act, intituled *An Act for the better extinguishing of Fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned.*

Passed 27th March 1845.

WHEREAS in and by an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act for the better extinguishing of Fires which may happen in the City of Saint John, and to continue a certain Act relating to the same matter therein mentioned*, authority is granted to the Mayor, Aldermen and Commonalty of the City of Saint John, to establish a Fire Department for the said City, for the purpose of preventing the spread of Fires which may break out therein; and the said Mayor, Aldermen and Commonalty have accordingly established the same at a good deal of expense to the City:

Preamble.

3 V. c. 20.

‘ City : And whereas the annual expense of preserving the said Fire Department
 ‘ in an efficient state, and keeping the Engines and Apparatus connected therewith
 ‘ in good repair, can no longer be defrayed from the funds of the Corporation, in
 ‘ consequence of the heavy debt by which their Property is encumbered ;’

An annual assess-
 ment to defray the
 expenses of keeping
 up the Fire Depart-
 ment, authorized.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, to make an annual rate or assessment upon the inhabitants of the said City, not exceeding the sum of two hundred and fifty pounds in each and every year, besides the charge for assessing, levying and collecting the same, for the purpose of defraying the necessary expenses of keeping up the said Fire Department, and preserving the same in an efficient state ; the said annual assessments of sums of money to be assessed, levied and collected in such manner and form as by any Act or Acts of Assembly made or to be made, is appointed and directed for assessing, levying and collecting any Public Rates or County charges within the said City of Saint John ; and when collected and received, shall from time to time be paid into the hands of the Chamberlain of the said City, to be appropriated by the said Common Council for the uses and purposes aforesaid, and no other uses or purposes whatever.

Assessment not to
 be made until after
 the ordering of the
 Assessment for
 £300 under
 7 V. c. 43, s. 2.

II. Provided always, nevertheless, and be it enacted, That no rates or assessment shall at any time be made under the authority of this Act, until the said Mayor, Aldermen and Commonalty in Common Council, by Warrant under their Common Seal, shall have ordered the annual rate and assessment for the sum of three hundred pounds and no more, as directed and required by the second section of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act further to facilitate the means of supplying the City of Saint John with Water*, and shall have delivered the same to the Assessors to be appointed under the provisions of the said recited Act, anything in this Act contained to the contrary in anywise notwithstanding.

CAP. LXIV.

An Act to alter the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Gloucester.

Passed 27th March 1845.

Preamble.

‘ **W**HEREAS the time of holding the Terms of the Inferior Court of Com-
 ‘ mon Pleas and General Sessions of the Peace for the County of
 ‘ Gloucester has been found inconvenient ; for remedy whereof,’

The January and
 July Terms to be
 held on the first
 Tuesdays in Janu-
 ary and July.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Terms of the said Inferior Court of Common Pleas and General Sessions of the Peace heretofore held on the second Tuesday in January and the last Tuesday in July respectively, shall hereafter be holden on the first Tuesday in January and July respectively in each and every year, any law, usage or custom to the contrary notwithstanding.

No process to be
 abated by reason of
 the alteration.

II. And be it enacted, That no suit, process or proceeding instituted or commenced before the passing of this Act, shall abate or be discontinued by reason of the altering of the time of holding the said Terms respectively ; but all actions, processes, suits and proceedings shall be carried on and continued to final judgment in the same manner as if this Act had not been passed, anything herein contained to the contrary notwithstanding.

CAP. I.XV.

An Act for regulating the Salmon Fisheries in the County of Restigouche.

Passed 27th March 1845.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intituled *An Act for regulating the Salmon Fisheries in the County of Gloucester*, and also an Act made and passed in the seventh year of the Reign of His said late Majesty, intituled *An Act in addition to the Laws now in force for the protection of the Fisheries in the Counties of Northumberland, Kent, and Gloucester*, so far as the same in any way relate to the Bays, Rivers, Creeks, and Coves in the County of Restigouche, be and the same are hereby repealed.

Acts 3 W. 4. c. 27, and 7 W. 4. c. 23, repealed, as to the County of Restigouche.

II. And be it further enacted, That from and after the passing of this Act, if any person or persons shall presume to erect or set up any hedge, wear, fish garth, net, or other incumbrance, in any of the Rivers, Coves or Creeks of the said County of Restigouche, contrary to the provisions of this Act, or of any rules or regulations to be made under the authority hereinafter given, or shall place any seine or seines, net or nets, or other device, across any River, Cove or Creek in the said County, in such manner as to obstruct or injure the natural course of Salmon in any River or place where they usually go, such person and persons shall forfeit and pay the sum of five pounds, upon due conviction thereof by the oath of one or more credible witness or witnesses, before any two of Her Majesty's Justices of the Peace of the said County, to be levied with costs, by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, (if any,) to such offender; and ten pounds for the second offence, to be recovered with costs by action of debt, bill, plaint or information, in any Court of Record in this Province; and thirty pounds for the third and every subsequent offence, to be recovered with costs in the manner last mentioned: which penalties, on conviction, shall be paid, one half to the County Treasurer for the use of the said County, and the other half to the informer.

Erecting hedges, fish garths, &c. contrary to this Act, or placing seines, &c. so as to obstruct the course of Salmon.

Penalties and Recovery.

Application.

III. And be it further enacted, That from and after the passing of this Act, no person or persons shall use any drift net or nets, seine or seines, for the taking any fish by drifting or sweeping in any of the Harbours, Creeks, Coves or Rivers in the said County, and that if any such drift net or nets, seine or seines, shall be found in any River, Cove or Creek in the said County, contrary to the provisions of this Act, it shall and may be lawful for the Overseer or Overseers of the Fisheries, and they and each of them are hereby required respectively forthwith to seize the same; and if no owner or owners shall appear to claim the same in ten days, such net or nets, seine or seines, shall, together with the fish, if any found therein, be forfeited, and sold by the Overseer to satisfy the respective penalties in this Act mentioned and inflicted, and the overplus, (if any,) shall be paid to the Overseers of the Poor for the use of the Poor of the Town or Parish where such offence should be committed.

No drift net or seines to be used.

Penalty.

IV. And be it further enacted, That no fishing stand between Bonne Amie Rocks and the first Island above old Church Point, in the Restigouche River, shall exceed one hundred and fifty fathoms of bar net, or twenty fathoms of swing net, and that fifty fathoms of channel shall be left open and unincumbered; and that at and above the said first Island, one third of the said River shall be left open and unincumbered; which open or unincumbered space shall in all cases include the main channel, and that no fishing stand in any of the Coves, Creeks or Harbours between Bonne Amie Rock and the Eastern boundary of the

Length of nets and breadth of unincumbered channel determined.

County

Contravening nets not removed on notification by the Overseers of the Fisheries, to be removed and sold.

County of Restigouche inclusive, shall exceed two hundred fathoms of bar net in length, and twenty fathoms of swing net; and that should any person or persons set salmon nets contrary to the provisions of this Act, it shall be the duty of the Overseer of the Fisheries in the several Parishes in the said County, upon complaint made to him or them, or upon view thereof, to notify the owner or owners, or person in charge of said nets, to remove the same forthwith; and in case such owner or owners, or person in charge, shall refuse or neglect so to do, that then and in that case the said Overseer is hereby authorized and empowered to remove or cause to be removed the net or nets so set as aforesaid, and to sell the same at Public Auction to defray the expenses of the removal thereof, giving six days notice of such sale in at least three different parts or public places of the Parish where the same may have been so seized, and rendering the overplus, (if any,) after deducting the costs and charges as aforesaid, to the Overseers of the Poor of the said Parish for the use of the Poor of the said Parish.

No net to remain set after the 20th day of July.

V. And be it further enacted, That no net shall be allowed to remain set in any of the Rivers, Coves, Creeks or Harbours of the said County, after the twentieth day of July in each and every year, under a penalty on the owner or owners of such nets of ten pounds for each day the same be allowed to remain set after that time; which penalty shall be sued for, recovered and applied as is directed in and by the second section of this Act.

Penalty.

No salmon to be speared or killed after the 15th of August.

VI. And be it further enacted, That no person or persons whosoever shall spear or kill Salmon in the Restigouche or any of its Branches, or in any other River in the said County of Restigouche, by any device or under any pretence after the fifteenth day of August in each and every year, under a penalty of not less than one pound nor more than five pounds for each and every Salmon so taken; and any person or persons who may become the purchaser or purchasers of any Salmon, knowing the same to be so killed or taken after the said fifteenth day of August aforesaid, he, she or they so purchasing the same, shall for each and every offence forfeit and pay a sum not less than ten shillings nor more than five pounds; which several penalties shall be recovered with costs, by the oath of one or more credible witness or witnesses, before any one of Her Majesty's Justices of the Peace of the said County, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, (if any,) to such offender or offenders; and if on the trial of such complaint it shall appear to the satisfaction of such Justice that the person or persons convicted of the said offence is or are unable to pay the said penalty, it shall and may be lawful for the said Justice to commit the said person or persons to close confinement in the Common Gaol of the said County, or some legally authorized Lock-up-House, there to remain for a space of time not less than five days nor more than twenty days, unless the said penalty shall be sooner paid; and the said penalty, when received, shall be paid over, one half to the informer or informers, and the other half to the County Treasurer for the use of the County.

Penalties.

Recovery.

Offender may be committed if unable to pay.

No fishing allowed between sunset on Saturdays and sunrise on Mondays.

VII. And be it further enacted, That no fishing stand in any of the Rivers, Coves, Creeks or Harbours within the said County, shall be fished at any time between sunset on Saturday and sunrise on Monday, under a penalty of five pounds, and all Salmon pickets shall be drawn or removed previous to the first day of August in each and every year, under the like penalty of five pounds; which penalty shall be recovered, levied and appropriated in like manner as is provided in and by the second section of this Act.

Salmon pickets to be removed before 1st day of August.

Justices in Sessions may make further regulations for the

VIII. And be it further enacted, That Her Majesty's Justices of the Peace of the said County of Restigouche, at their General Sessions, shall and may make such

such rules and regulations for the further protection of the Fisheries, as well of Salmon as of other Fish, in all Rivers, Coves, Creeks and Harbours in the said County, and shall direct and establish places in the several Rivers, Coves, Creeks and Harbours in the said County, at which nets for the taking of Salmon shall and may be set up, and also shall regulate the length of such nets; and they are hereby authorized and empowered to enforce due obedience to such rules and regulations, by the imposition of such fine not to exceed ten pounds for each offence, or such imprisonment not exceeding twenty days, as they in their discretion may see fit; provided that the said rules and regulations so to be made be not contrary to or inconsistent with the provisions of this Act.

Fisheries, with penalties not exceeding £10.

IX. And be it further enacted, That the said Justices of the Peace of the said County, in their General Sessions, may, and they are hereby authorized and required to appoint one or more fit and proper person or persons to be Overseers of the Fisheries for each Town, Parish or District in the said County; and such Overseer or Overseers within ten days after his or their appointment, shall go before the nearest Magistrate and be sworn faithfully to perform the several duties of the said Office.

Overseers of the Fisheries to be appointed by the Justices in Sessions.

To be sworn.

X. And be it further enacted, That it shall be the duty of the said Overseers respectively, to furnish themselves with copies of this Act and of the rules and regulations of the said Justices to be made under the authority hereof; and immediately on the commencement of the Fishing Season in each and every year, and as often as they or any of them shall deem necessary, or upon information to be to them or any of them given, to examine the several Rivers, Coves and Creeks in their respective Towns, Parishes or Districts, and if they or any of them shall discover that any of the provisions of this Act or any of the rules or regulations to be made by authority hereof has been in any wise contravened, it shall and may be lawful for the said Overseer or Overseers, and they are hereby required to take such measures for immediately preventing the same, and prosecuting the offender and offenders to conviction as the said Overseer or Overseers shall deem necessary.

Overseers to procure a copy of this Act and Regulations, examine the Rivers, and prevent abuses.

XI. And be it further enacted, That if any person or persons hereafter nominated Overseer or Overseers of the Fisheries in the said County, shall refuse to serve, or having taken upon himself or themselves the said office of Overseer or Overseers of the Fisheries, shall wilfully or knowingly delay, neglect or refuse to perform the duty by this Act, or by any rules and regulations to be made under the authority hereof, enjoined and required, he or they shall forfeit and pay the sum of ten pounds, to be sued for, recovered and applied in the same manner as is provided for in and by the second section of this Act.

Penalty on Overseers for neglect of duty.

XII. And be it further enacted, That if any person or persons so to be appointed shall refuse to act, or shall die or leave the said County, it shall and may be lawful for the said Justices or any two of them, to appoint any other person *pro tempore*, to be entitled to the same immunities, and subject to the same liabilities, and to act in all respects as Overseer or Overseers of the Fisheries until the next General Sessions of the Peace of the said County, at which the Justices shall take the said appointment or appointments into consideration, and confirm or annul the same as they or a majority of them shall see fit.

Overseers *pro tempore*, to be appointed in place of those refusing to act, &c.

XIII. And be it further enacted, That the said Overseers of the Fisheries, at every General Sessions of the Peace to be holden for the said County, shall exhibit to the Court their respective Accounts of costs and charges by them or any of them incurred in the performance of the several duties hereby imposed upon them, and shall give credit for such monies as they or any of them have received on the conviction

Overseers to render accounts of costs and charges in performance of their duties to the Sessions, who may order remuneration.

conviction of any offender or offenders under the provisions of this Act; and if it shall appear to the satisfaction of the said Justices or a majority of them that such Overseer or Overseers is or are entitled to any further remuneration, it shall and may be lawful for the said Justices, or a majority of them, to order the same to be paid out of the County Treasury.

Existing regulations to continue in force until other rules are made by the Justices.

XIV. And be it further enacted, That all rules and regulations respecting Fisheries in the several Creeks, Coves, Rivers and Harbours of the said County, made by the said Justices, and now in operation by virtue of any Law of this Province, shall be and remain in full force and effect until further and other rules and regulations shall be made by the said Justices, or a majority of them, under the authority to them given by this Act, anything in this Act to the contrary thereof notwithstanding.

Limitation.

XV. And be it further enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. LXVI.

An Act to annex the Madam Kiswick Island to the Parish of Douglas, in the County of York.
Passed 27th March 1845.

Preamble.

‘**W**HEREAS from the situation and local position of the Island situate in ‘ the River Saint John, in the County of York, called and known as ‘ the Madam Kiswick Island, it is expedient to annex the same to the Parish ‘ of Douglas, in said County ;’

Madam Kiswick Island annexed to the Parish of Douglas.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Island be and the same is hereby annexed to and shall hereafter form a part of the Parish of Douglas, in the said County of York, any law or ordinance to the contrary notwithstanding.

CAP. LXVII.

An Act to authorize Her Majesty's Justices of the Peace for the County of Gloucester to assess the said County to pay off the County Debts.
Passed 27th March 1845.

Justices authorized to assess the County to pay off the County Debts.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of Gloucester, at any General or Special Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding six hundred pounds, in such sums and at such times as they in their discretion may think necessary, for the purpose of paying off the Debts of the said County, the same to be levied, assessed, collected and paid, agreeably to any Acts now or hereafter to be in force for assessing, collecting and levying of County Rates, provided that any Special Sessions of the Peace to be holden under the provision of this Act shall consist of not less than five Magistrates.

CAP. LXVIII.

An Act to establish the Road leading from Bathurst, in the County of Gloucester, to the Southern termination of the Great Bathurst Road, *via* Pokemouche, as one of the Great Roads of this Province.
Passed 27th March 1845.

Road leading from Bathurst to the southern termina-

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Road leading from Bathurst, in the County of Gloucester, to the

the Southern termination of the Great Bathurst Road, and running through the Settlements in the Parish of New Bandon, thence through Grand Aunce to Waterloo Corner, thence across the Northwest Branch of Caraque River by End's Bridge, (so called), thence across the Southwest Branch of Caraque River, thence through the Settlement of Caraque, thence by the lower or Blackhall Portage to Pokemouche, thence to Tracady, thence to the said Southern termination of the aforesaid Great Bathurst Road, be and the same is hereby established and appointed one of the Great Roads in this Province.

tion of the Great Bathurst Road, via Pokemouche, constituted a Great Road.

CAP. LXIX.

An Act to amend an Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a legal Tender.

Passed 27th March 1845.

WHEREAS in the first section of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a legal Tender*, a certain part of an Act therein mentioned and intended to be thereby repealed, is recited as passed in the thirty sixth instead of the twenty sixth year of the Reign of His Majesty King George the Third;

Preamble.
7 V. c. 29.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for establishing a Tender in all payments to be made in this Province*, as shall be contrary to any of the provisions of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to establish the value of certain British Coins in this Province, and to amend the Acts relating to the establishment of a legal Tender*, be and the same is hereby repealed.

Act 26 G. 3, c. 16, so far as it contravenes the Act 7 V. c. 29, repealed.

CAP. LXX.

An Act to establish the Line of Road leading from Charles Dixon's, near Hampton Ferry, intersecting the Old Post Road from Bellisle to Kingston, as one of the Great Roads of Communication in this Province.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Line of Road commencing near Hampton Ferry, in the Parish of Norton, as lately explored and laid out by the Commissioners, John M. Raymond and Henry Jackson, and at present partially opened, intersecting the old Post Road to Kingston, near the Farm of John Henderson, Esquire, at about four miles distance from said Ferry, be and the same is hereby established one of the Great Roads of Communication in this Province.

Road from near Hampton Ferry, intersecting the old Post Road to Kingston, constituted a Great Road.

CAP. LXXI.

An Act in addition to and in amendment of the Act now in force for regulating the Fisheries in the County of Northumberland.

Passed 27th March 1845.

I. **B**E 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 person or persons to drift or sweep for Salmon with nets or seines, nor for any person or persons, Indians excepted, to spear Salmon or Grilts in any part of the Bay, Harbour, River or Branches of the Miramichi, any law, usage or custom to the contrary notwithstanding.

Drifting, sweeping or spearing for Salmon prohibited.

II.

Drifting, sweeping or spearing for Salmon or having Nets set between sunset on Saturday and sunrise on Monday contrary to the Act 39 G. 3, c. 5.

Penalty.

Application.

Setting or drifting with Nets meshed to catch Gilt to subject to same penalty as for using a Salmon Net.

Not to interfere with the Herring Fisheries.

Limitation.

II. Be it enacted, That from and after the passing of this Act, any person or persons who shall drift, sweep or spear for Salmon or Grilts contrary to the provisions of this Act, or any person or persons who shall set or allow any net to remain set in any part of the Bay, Harbour, River or Branches of the Miramichi, between sunset on Saturday night and sunrise on Monday morning, contrary to the provisions in that respect of 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*, such person so offending shall for each and every of the offences above enumerated, forfeit and pay the sum of five pounds upon conviction thereof, upon the oath of one or more credible witness or witnesses, before any two of Her Majesty's Justices of the Peace for the said County, and levied by warrant of distress and sale of the offender's goods, rendering the overplus, (if any,) after deducting the costs and charges, to such offender; and for want of goods and chattels whereon to levy the said fine, costs and charges, such offender or offenders shall be imprisoned without bail or mainprize for a term not less than twenty days nor exceeding thirty days; one half of which penalty, when recovered, to be paid to the informer or person prosecuting for the same, and the other half to the Overseers of the Poor of the Parish or Town within the limits of which such offence shall be committed, to be applied to the use of the Poor of such Town or Parish.

III. And be it enacted, That if any person or persons shall set, drift or sweep with any net or seine, the meshes of which shall be of a size to catch gilt and not salmon, and shall with such net or seine catch gilt in drifting or sweeping, or by setting such net, he or they shall be liable to the penalties of this Act in like manner as if he or they should be found drifting or sweeping with a salmon net; to be recovered and applied in the same manner as is mentioned and prescribed in the second section of this Act: Provided always, that nothing in this section contained, shall affect or be construed to affect an interference with the laws now in force for the protection of the Herring Fisheries in the said County, anything in this Act contained to the contrary in anywise notwithstanding.

IV. And be it enacted, That this Act shall continue and remain in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. LXXII.

An Act to enable the Justices of the Peace of the City and County of Saint John to raise by Loan a further sum of money towards paying off the County Debt.

Passed 27th March 1845.

Preamble.

7 V. c. 40.

‘ WHEREAS there remains due by the Justices of the Peace for the City and County of Saint John a larger sum of money than was authorized to be borrowed by the Act of the General Assembly, intituled *An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John*, and it is expedient that the said Justices should be authorized to borrow a further sum not exceeding one thousand five hundred pounds;’

Justices in Sessions authorized to borrow the further sum of £1,500 in manner prescribed by 7 V. c. 40.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace, to raise by Loan a further sum of money, not exceeding one thousand five hundred pounds, in like manner as is provided in and by the said Act.

II.

II. And be it enacted, That for the purpose of paying off the amounts which may be borrowed by this Act, as well as the sums borrowed under the before mentioned Act, it shall and may be lawful for the said Justices, and they are hereby authorized and required, instead of the sum of five hundred pounds authorized to be assessed by the fourth section of the before mentioned Act, to make a rate and assessment of the sum of seven hundred and fifty pounds, besides the charge for assessing and collecting the same, to be assessed, levied, collected and paid in the same manner as is provided in and by the before mentioned Act, and to be applied and appropriated by the said Justices, first in paying off the annual interest which may accrue on the said respective loans, and any surplus in reducing the principal in the manner provided in and by the before mentioned Act.

Assessment of £750 and expenses to be made annually to pay off the Loans.

III. And be it enacted, That the Treasurer of the County of Saint John shall be entitled to the sum of one pound five shillings per centum for his services in receiving and paying all the monies ordered to be assessed by and under the provisions of this Act, and no more.

Compensation to the Treasurer.

CAP. LXXIII.

An Act to facilitate the Settlement of Accounts between the Justices of the Peace for the City and County of Saint John and John R. Partelow, Esquire, late County Treasurer.

Passed 27th March 1845.

WHEREAS certain differences and disputes have arisen and are depending between the Justices of the Peace in and for the City and County of Saint John and John R. Partelow, of the same City, Esquire, late Treasurer of the County of Saint John aforesaid, relative to the Public Accounts of the said County: And whereas it is deemed advisable that power should be given by Law, to enable the said Justices to refer and submit the said matters in dispute to arbitration;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Justices, at any General Sessions of the Peace in and for the said City and County, or at any Special Sessions to be for that purpose called and holden by an order of Sessions to be by them passed and entered on their Minutes, to order and direct a reference to be made to arbitration of the said Accounts in dispute, to such persons and in such manner and upon such terms and conditions as to them the said Justices may seem fit, and as may be agreed upon mutually between them and the said John R. Partelow; and to this end the said Justices are hereby empowered, by the style and designation of 'The Justices of the Peace of the City and County of Saint John,' to enter into, conclude and execute, under the Seal of the Court of Sessions for the City and County of Saint John, and the signature of the Clerk of the Peace for the said City and County, and in the same style and designation to receive from the said John R. Partelow, any such agreements, bonds, covenants or other writings as may be requisite to submit and refer the said Accounts in dispute to arbitration as aforesaid, in such manner and in such terms as may be agreed upon mutually between the parties.

Justices in Sessions authorized to refer Accounts in dispute with J. R. Partelow to arbitration.

Bonds, &c. may be entered into.

II. And be it enacted, That the award to be made in pursuance of such arbitration shall be binding and obligatory upon the said Justices and the said John R. Partelow respectively; and it shall and may be lawful for the said Justices to bring and institute any action or proceeding on the said bond and award, or either of them, against the said John R. Partelow, his Executors or Administrators, in any Court or Courts of Record in this Province, under the style and designation

Award to be binding on both parties.

Justices may institute an action on the award or otherwise settle the same.

Sum awarded to J. R. Partelow to form a debt chargeable on the County contingent expense fund.

Operations under Act 9 G. 4. c. 2, exempted from this Act.

of 'The Justices of the Peace for the City and County of Saint John,' to enforce performance of such bond, award or otherwise, and to settle the same with the said John R. Partelow, his Executors and Administrators, as in the discretion of the said Justices, they may deem expedient; and in case any sum or sums of money shall be found and awarded to be due and owing to the said John R. Partelow, the same shall form and become a debt due by the said County to the said John R. Partelow, and shall be payable to him, and be borne and chargeable upon any funds in the hands of the County Treasurer for the time being, applicable to the payment of the contingent expenses of the said County: Provided always, and be it enacted, that nothing in this Act contained shall extend or be construed to extend to any sum or sums of money, accounts, prosecutions, suits, matters or things arising out of the operation of a certain Act of Assembly, intituled *An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for completing the Court House of the said City and County.*

CAP. LXXIV.

An Act to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland.

Passed 27th March 1845.

Tax imposed for Dogs kept in a specified District in Newcastle Parish.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of May next, there be imposed and levied the following Tax or Duty yearly and every year on all Dogs which shall or may be owned or kept by any person residing on the front Lots in the Parish of Newcastle, which lie between French Fort Cove and the lower line of the Lot now occupied by William M'Allister, that is to say: For one Dog, provided the person keeps but one, the sum of five shillings; for two Dogs owned or kept by one person in or about the same house, the sum of fifteen shillings; for three or more Dogs owned or kept by one person or in or about the same house, the sum of thirty shillings; the said Tax or Duty to be paid by the person owning or keeping such Dog or Dogs.

Collector to be appointed.

II. And be it enacted, That the Justices of the Peace for the said County of Northumberland, at their General Sessions, or at any Special Sessions to be for that purpose holden, be and they are hereby authorized and required to appoint a fit person to be Collector of Dog Tax in the said Parish of Newcastle, who shall be sworn to the faithful discharge of his duty, and shall be liable to all the pains and penalties for neglect of duty or refusal to serve as any other Town or Parish Officer or Officers are now liable to by the Laws now in force.

To be sworn, and liable to same penalties as other Parish Officers.

III. And be it enacted, That it shall be the duty of all persons residing within the limits prescribed in the first section of this Act, and who shall own or keep any Dog or Dogs, to affix a Collar on the neck of each and every such Dog, with the name of the owner or keeper plainly and legibly marked thereon; and that all Dogs found going at large within the limits aforesaid, and owned or kept by any person or persons residing within the same, after the said first day of May next, without such Collar and name as aforesaid, shall be liable to be killed and destroyed by the said Collector of Dog Tax, or by any Constable of the said Parish: Provided always, that in case the owner or keeper of such Dog or Dogs so found going at large as aforesaid, without such Collar and name, contrary to the true intent and meaning of this Act, shall be known, that then he or she shall be liable to pay a fine of ten shillings, (in addition to the Tax,) to be recovered and applied as hereinafter mentioned.

Owners to affix collars with their names on their Dogs.

Penalties.

IV. And be it enacted, That the said Collector of the said Dog Tax shall and he is hereby required on the first day of June in each and every year, and as often thereafter as may be necessary to proceed to the collection of the Tax imposed by this Act, and in case the said Tax be not paid to the said Collector within six days after the same shall have been demanded, that then the said Collector shall and he is hereby required, in his own name, to sue for and recover the same with costs by action of debt before any one of Her Majesty's Justices of the Peace for the said County of Northumberland; and the said Tax when collected shall be paid into the hands of the Overseers of the Poor for the said Parish, to be applied by them towards the support of the Poor of the said Parish; such Collector retaining for his trouble at and after the rate of twenty per cent. on all such sums actually collected.

Collector authorized to sue if Tax be not paid within six days after demand.

Tax to be paid to the Overseer of the Poor, Collector retaining 20 per cent.

V. And be it enacted, That the said Collector of the said Tax shall annually render an Account to the Justices, at the first General Sessions of the Peace to be holden in and for the County of Northumberland, of his collections so to be made as aforesaid, which Account shall be audited by the said Justices; and the said Collector shall be liable to all the pains and penalties for neglect or refusal to account for or pay over the monies so to be collected by him, as any Collector of Duties is made liable to by the Laws now in force.

Collector to account annually to the Sessions.

VI. 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 fifty.

Limitation.

CAP. LXXV.

An Act further to amend the Law relating to Bastardy.

Passed 27th March 1845.

WHEREAS the mode of proceeding on Bonds taken to indemnify the Parish, in cases of Bastardy, is dilatory and expensive, and it is expedient to give relief in those cases where the damage claimed by the Overseers of the Poor or Commissioners of Alms and Poor Houses, as the case may be, for the indemnity of the Parish from time to time, may not exceed the sum of five pounds;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever the Overseers of the Poor of any Parish in any County of this Province, or the Commissioners of Alms and Poor Houses for any County or City and County of the said Province, shall from time to time be entitled to recover a sum of money not exceeding five pounds, for damage sustained under the condition of any Bastardy Bond now in force or hereafter to be taken by the authority of the Act of Assembly made and passed in the thirty second year of the Reign of King George the Third, intituled *An Act to provide for the maintenance of Bastard Children*, such damage shall and may be recovered before any Justice of the Peace of any such County or City and County, pursuant to the several Acts regulating proceedings before Justices of the Peace in Civil Suits, or before the City Court of the City of Saint John, according to the practice of such Court.

Sums not exceeding £5 due on Bastardy Bonds taken under the Act 32 G. 3, c. 3, made recoverable before a Justice of the Peace, or the City Court in Saint John.

CAP. LXXVI.

An Act to amend and continue the Act to provide for the repair of the Streets and Highways in Fredericton.

Passed 27th March 1845.

WHEREAS the sums required to be annually levied on part of the Parish of Fredericton, for the repair of the Streets and Highways, by the provisions

Preamble.

6 V. c. 3.

Justices in Session to determine the amount to be assessed in each year for the repair of the Streets and Highways, being not more than £500 nor less than £300.

Poll Tax reduced to four shillings, and Minors exempted.

Justices empowered to remove one or more of the Commissioners annually.

Commissioners to assess themselves, and pay any excess over one and a half per cent. on total amount assessed.

Commissioners may compel the abatement of all encroachments.

‘provisions of an Act made and passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to provide for the repair of the Streets and Highways in Fredericton*, is deemed greater than is necessary in the present depressed state of Trade: And whereas the said Act requires amendment in other respects;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Justices of the General Sessions of the Peace for the County of York shall, at the annual Winter Sessions of the Peace for the County of York, to be holden for the said County, fix and determine the sum to be assessed for the repairing, improving and maintaining the Streets, Highways and Bridges the then ensuing year, upon that part of the Parish of Fredericton described in the first section of the above recited Act, and which sum so fixed and determined shall never exceed the sum of five hundred pounds, nor be less than the sum of three hundred pounds; and shall be levied, assessed, collected and laid out in all other respects subject to the conditions and agreeably to the provisions of the said recited Act, except when the same is by this Act altered: Provided always, that the assessment for this year shall be deemed legal, notwithstanding the sum to be levied shall not have been previously fixed and determined by the said General Sessions.

II. And be it enacted, That in future the Poll Tax shall be four shillings instead of the sum provided for by the said recited Act; and no Apprentice, Minor, or other person under the age of twenty one years, shall be chargeable with or liable to pay any Poll Tax.

III. And be it enacted, That notwithstanding the provisions in the said recited Act contained, for the annual re-appointment of a majority of the Commissioners of Highways for the Parish of Fredericton, the Justices of the General Sessions of the Peace for the County of York shall have all the power and authority they had or which was in them vested by any Law in force in this Province at the time of the passing the said recited Act, to remove and displace one or more of the Commissioners of Highways of the said Parish of Fredericton who may have been guilty of malpractice in office, upon such malpractice being made to appear, and proven to their satisfaction, and to appoint one or more Commissioner or Commissioners in the place and stead of such Commissioner or Commissioners so removed and displaced for being guilty of malpractice.

IV. And be it enacted, That from and after the passing of this Act the Commissioners of Highways for the Parish of Fredericton shall include their own names in the Road List, and assess themselves in the same manner as other inhabitants of Fredericton are assessed, and if the assessment of any such Commissioner shall exceed the sum of one and a half per cent. of the whole sum assessed, then such Commissioner shall pay such excess in the same manner and subject to the same provisions as any other person liable to assessment shall and is required to pay by the said recited Act: Provided always, that nothing herein contained shall be construed to extend to deprive any Commissioner of Highways from exemption from assessment for the Roads to the amount of a sum equal to one and a half per cent. on the total amount assessed.

V. And be it enacted, That so much of the tenth section of the said recited Act as provides that where encroachments upon the Streets and Highways consist of dwelling houses or other erections of a permanent nature, the removal thereof shall not be compelled except in the case of the destruction of such encroachments by fire, or the decay or the dilapidation thereof, be repealed, and notwithstanding any thing in the said section contained, the Commissioners of Highways for the Parish of Fredericton, or the major part of them, shall have full power

power and authority to compel the removal of encroachments of every description from the Streets and Highways, whether such encroachments consist of dwelling houses or other erections.

VI. And be it enacted, That it shall be the duty of the Commissioners of Highways for the Parish of Fredericton, in all that part of the Parish of Fredericton affected by the said recited Act, during the Winter Season, to keep the Streets and Highways of the said Parish of Fredericton well and sufficiently broken, and cleared of snow, for the passage of teams, and during the Spring, Summer and Autumn to keep the Streets and Drains clear and free from obstruction.

Streets to be kept well broken in Winter, and Drains and Streets free from obstructions in Spring, Summer and Autumn.

VII. And be it enacted, That the Justices of the General Sessions of the Peace for the County of York shall have power and authority from time to time to make Rules and Regulations relating to the Promenades or Side Walks in the said Parish of Fredericton, for the purpose of promoting the cleanliness of the said Town and the comfort of the inhabitants, and such Rules and Regulations to alter, repeal or amend, and to substitute others in lieu thereof, and also to enforce the observance of such Rules and Regulations by such fines and penalties as they in their discretion may deem meet; provided that no greater penalty than ten shillings shall be imposed for any breach of such Rules or Regulations, which fines and penalties shall be sued for and recovered, with costs, in the manner provided in and by the fourteenth section of the said recited Act, and when collected, form part of the Fredericton Road Fund.

Justices in Sessions authorized to make regulations for cleanliness of side walks, &c.

VIII. And be it enacted, That the Commissioners of Highways for the Parish of Fredericton, or the major part of them, shall have power and authority at any time after the Road List is made out, to add to such Road List the name or names of any person or persons whose name shall have been omitted, or who shall have come to reside in the said Parish after the Road List shall have been delivered to the Collector; provided that no Emigrant who shall have arrived within the year for which such Road Tax is made shall be included in the said Road List.

Names may be added to the Road List after delivery to the Collector.

IX. And be it enacted, That so much of the twenty second section of the said recited Act as suspends the operation of the twenty second 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 repeal all the Laws now in force for regulating, laying out and repairing Highways and Roads, and for appointing Commissioners and Surveyors of Highways in the several Towns and Parishes of this Province, and to make more effectual provision for the same*, be and the same is hereby repealed so far as the same provides for the recovery of any penalty, together with all and every the provisions of the said recited Act in so far as the same are inconsistent or at variance with the provisions of this Act: Provided always, that the same shall continue in force in all other respects whatsoever.

6 V. c. 3, s. 22, so far as it suspends 5 W. 4, c. 2, s. 22, in part repealed.

X. And be it enacted, That this Act and the Act to which it is an amendment, except so much thereof as is hereby repealed, 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 fifty, and from thence to the end of the then next Session of the General Assembly.

Limitation and continuation of this Act and 6 V. c. 3.

CAP. LXXVII.

An Act to provide for the more efficient inspection of Flour and Meal.

Passed 27th March 1845.

‘ **W**HEREAS it is necessary in order to prevent frauds in regard to the quality and quantity of Flour and Meal consumed in this Province, that the same should be weighed and inspected before being offered for sale in barrels and half barrels;’

Preamble.

I.

Governor may appoint an Inspector and Weigher of Flour at each Port of Entry, with power to appoint Deputies, for whom they shall be liable.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That for the purpose of carrying into effect the provisions and regulations hereinafter contained, it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, to appoint and commission at and for each and every of the Ports of Entry of this Province, where the same may be deemed necessary, one fit and proper person to be Inspector and Weigher of Flour and Meal, which Inspector and Weigher shall have power to appoint a Deputy or Deputies under him as he may think expedient; and which Deputy or Deputies shall act under the direction of the Inspector by whom he or they may be appointed, and shall be removable at his will and pleasure; and each and every Inspector shall be chargeable with and liable for the acts, conduct and defaults of the Deputy or Deputies by him appointed, and may take such security as he may think proper for the good conduct and faithful discharge of the duties of such his Deputy or Deputies.

Tenure and oath of office, security and liability of the Inspectors.

II. And be it enacted, That each and every such Inspector and Weigher shall hold office during the pleasure of the Lieutenant Governor or Administrator of the Government for the time being; and before entering upon the duties of such office, shall give good and sufficient security by Bond, with two sureties to our Sovereign Lady the Queen, for the true and faithful performance of the duties of such office by himself or his Deputy or Deputies, and for making good any loss or damage sustained by any person or persons, by or in consequence of the neglect, misconduct or default of such Inspector, his Deputy or Deputies, and shall also take the following oath before some one of Her Majesty's Justices of the Peace for the County or District where he may reside:—"I, A. B. do swear that I will faithfully, truly and impartially, according to the best of my skill and understanding, execute and perform the office of Inspector and Weigher of Flour and Meal, according to the true intent and meaning of the Law concerning the same:" and each and every of such Deputies, before acting as such, shall be in like manner sworn to the faithful performance of their duty as Deputy Inspectors and Weighers of Flour and Meal.

All Wheat and Rye Flour, and Corn and Buckwheat Meal, imported in barrels or half barrels, to be inspected.

III. And be it enacted, That from and after the passing of this Act and the appointment of such Inspector and Weigher as aforesaid, all Wheat Flour, Rye Flour, Corn Meal and Buckwheat Meal imported into this Province in barrels and half barrels, shall immediately upon being discharged or landed, and before being sold or offered for sale or reshipped, or taken out of any Warehouse for consumption in this Province, or sent from the Port or place where the same shall have been so discharged or landed, be inspected and weighed by the Inspector and Weigher for such Port or place, or some one of his lawful Deputies; and each barrel shall contain not less than one hundred and ninety six pounds net weight, and each half barrel not less than ninety eight pounds net weight of Flour or Meal, which, if not good, sweet and wholesome, shall be marked and denominated 'BAD,' as hereinafter provided.

Contents of barrels and half barrels.

Duty of Inspectors in inspecting, weighing and marking.

IV. And be it enacted, That it shall be the duty of such Inspectors and Weighers, or their Deputies, upon the landing of any Flour or Meal in barrels or half barrels as aforesaid, to inspect and weigh the same, and to see that the same shall be of at least the quantity aforesaid, and thereupon to brand and mark each and every barrel and half barrel thereof, being at least of such quantity, with the initials of his christian and surname, with a branding iron, with the net weight of such barrel or half barrel, not less than as aforesaid, and following the same with the letter 'S' for Superfine, 'F' for Fine, and 'M' for Middlings, as the case may be, and 'BAD' for Bad, if the same shall not be good, sweet, and wholesome, with

a branding iron or marking iron; and each and every barrel or half barrel of Flour or Meal of any of the descriptions aforesaid, imported into this Province, which after landing shall be sold or offered for sale, removed or reshipped for consumption in this Province, without having been previously so inspected, weighed and marked as aforesaid, or which shall have been repacked or found deficient in weight or quality denoted by such marks, shall be liable to seizure by any one or more of said Inspectors and Weighers or their Deputy or Deputies so appointed as aforesaid, or any one or more of Her Majesty's Seizing Officer or Officers of the Customs within this Province, and may, if not of higher value than five pounds, be declared forfeited to Her Majesty, by and before any two of the Justices of the Peace for the County in which the same may have been so seized; or if of higher value than five pounds, may be prosecuted to condemnation in any of Her Majesty's Courts of Record within this Province, and the person or persons so having sold or offered for sale, reshipped or repacked, or sold of deficient quantity or quality, as aforesaid, any such Flour or Meal, shall be liable to forfeit and pay the sum of ten shillings for each and every such barrel thereof, and the sum of five shillings for each and every half barrel thereof, and the sum of six pence per pound for each and every pound weight deficient; to be recovered in manner hereinafter provided: one half the net proceeds of such seizure or penalties to be paid to the person or persons who shall seize, inform, or sue for the same, and the residue to the Overseers of the Poor for the use of the Poor of the Parish wherein the offence shall have been committed; and any person or persons so selling the same before such inspection as aforesaid, or having repacked or caused a deficiency in the same, shall be liable to make good to the buyer or buyers from whom the same may have been seized, or in whose possession the same may have been found, all money, loss or damage by him, her or them paid, incurred or sustained in consequence of such seizure, to be recovered either by action of debt or as so much money had or received by such seller or sellers to the use of such buyer or buyers or person or persons sustaining such loss or damage as aforesaid.

Uninspected and repacked Flour or Meal to be liable to seizure;

And parties concerned liable to specified penalties.

V. And be it enacted, That the Inspectors or Weighers, or their Deputies, shall receive and be paid for inspecting, weighing and marking, at and after the rate following, that is to say: For inspecting, weighing and marking each barrel of flour or meal, two pence; and each half barrel of flour or meal, one penny; to be paid by the owner, seller, importer or consignee thereof.

Fees of Inspectors or Weighers.

VI. And be it enacted, That if any Inspector and Weigher hereafter to be appointed under this Act, or any Deputy or Deputies of any such Inspectors or Weighers, shall inspect, weigh, brand or mark any barrel or half barrel of flour or meal in any manner, form or way, contrary to the true intent and meaning of this Act, such Inspector or Deputy shall forfeit and pay the sum of thirty shillings per barrel, and the sum of fifteen shillings per half barrel, for each and every barrel and half barrel thereof.

Penalty for inspecting and marking contrary to this Act.

VII. And be it enacted, That all penalties and sums of money by this Act imposed or declared, and made payable, shall and may be recovered with costs of suit, in the name or names of the person or persons suing or prosecuting for the same, in like manner as debts, either in any of Her Majesty's Courts of Record in this Province, or before any one or more of Her Majesty's Justices of the Peace, according to the amount of such penalties, forfeitures or sums, with reference to the jurisdiction of such Courts and Justices in case of debts, and shall be levied in like manner, as in cases of debts, to be applied as hereinbefore provided.

Mode of recovering amount of penalties.

Flour and Meal shipped for exportation without the Province from any bonded Warehouse, exempted.

VIII. Provided always, and be it enacted, That all Flour and Meal imported into this Province, and landed and deposited within any Bonded Warehouse, and therefrom directly shipped on board of any vessel for exportation out of the Province, shall be exempt and altogether free from the regulations and operations of this Act.

Flour and Meal manufactured in the Province, and packed in barrels, half barrels or casks, to be liable to this Act.

IX. And be it enacted, That all Flour and Meal of every description, which shall be manufactured within this Province, and brought to market and offered or exposed to sale in barrels, half barrels or casks of any kind, shall be and are hereby declared subject and made liable to the operations of this Act, and shall, before being offered for sale or sold, be weighed and inspected in like manner as Flour and Meal imported into this Province, and the casks, barrels, or half barrels, wherein the same shall be contained, shall be marked as hereinbefore directed; and all and singular the clauses, regulations and provisions hereinbefore contained, and applicable to the inspection, weighing and marking of Flour and Meal imported into this Province, shall extend and be applied to Flour and Meal of all kinds manufactured in this Province and offered for sale in casks, barrels, and half barrels.

Inspectors may determine the tare of barrels without weighing them.

X. And be it enacted, In order to prevent any damage or loss which may be sustained in unpacking the said Flour and Meal, to ascertain the tare of the said barrel or half barrel, it shall and may be lawful for the said Inspector or Inspectors, or their Deputies, to affix a tare for the said barrels or half barrels, to the best of his or their judgment, without unpacking or weighing the same, which judgment shall be final, unless disputed by the buyer or seller of the said Flour or Meal, in which case the barrel or half barrel may be unpacked, but the expense attending the said unpacking and repacking shall be paid by the party complaining.

Act not to interfere with the rights of the Corporation of Saint John.

XI. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to interfere with the rights and privileges of the Corporation of the City of Saint John, as granted by the Charter of the said City.

Certain Counties exempted from this Act.

XII. And be it further enacted, That nothing in this Act shall extend or be construed to extend to the Counties of Northumberland, Kent, Gloucester and Restigouche.

Limitation.

XIII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. LXXVIII.

An Act to enable the Justices of the Peace for the City and County of Saint John to make an Assessment for the payment of the County Contingencies.

Passed 27th March 1845.

Preamble.

‘**W**HEREAS the receipts of the Contingent Funds of the County of Saint John are inadequate to the payment of the Contingent Expenses of the County;’

Justices in Sessions authorized to assess the County to pay the contingent expenses.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, or the major part of them, at any General Sessions of the Peace to be holden for the same City and County, to order and direct an assessment for the current year, not exceeding the sum of eight hundred and fifty pounds, together with the expenses of assessing and collecting the same, for the purpose of defraying the Contingent Expenses of the said County for the current year;

year; to be assessed, levied and collected in the same manner as any County Rates are assessed, levied and collected, under and by virtue of any Act or Acts of Assembly made or to be made for that purpose, and when received to be paid over by the Collector into the hands of the County Treasurer, to be disbursed by him from time to time, on the orders of the said Justices in any General Sessions to be made, for the purpose of paying such County Contingencies.

To be paid into the hands of the County Treasurer, and disbursed under orders of the Justices.

CAP. LXXIX.

An Act in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where any Real Estate has been or shall hereafter be duly and regularly advertised and sold as by Law is required, under and by virtue of any Writ of Execution heretofore or hereafter duly issued out of any Court of Law of competent jurisdiction in this Province, directed to any Sheriff of any County in this Province, and the Sheriff or other person duly authorized making sale thereof has died or may hereafter die before any conveyance made of the property so sold to the purchaser thereof as the Law directs, then and in every such case it shall and may be lawful for the Sheriff for the time being, of the County in which such Real Estate shall be, and he is hereby required upon payment being made of the purchase money for which such Real Estate was or may be so sold, either to the said Sheriff of the County for the time being, or to the party lawfully entitled to receive the same, or upon the said purchase money having been paid to the deceased Sheriff, or other officer who made such sale, previous to his death, to make and execute a conveyance of such Real Estate to such purchaser thereof in the same manner as such deceased Sheriff or other officer making such sale would have been required to do by Law; and every such deed of conveyance so made and executed by such said Sheriff for the time being, shall be as good and effectual to pass the said title to such Real Estate to such purchaser thereof, the same as if it had been made by such deceased Sheriff or other officer making such sale: Provided always, that nothing in this Act contained shall extend or be construed to extend to relieve any person claiming title under any such conveyance to any such Real Estate from the evidence now required by Law to sustain such title, unless the Sheriff executing such deed of conveyance or some officer acting under such deceased Sheriff or other officer making such sale, who shall have been duly appointed to such office, shall at the time of the execution of such deed of conveyance by the Sheriff for the time being, make affidavit before some Justice or other officer authorized by Law to take acknowledgments and proof of the execution of deeds to be registered, who shall and is hereby required to take the same affidavit, and endorse the same on such deed, that the said property, by such deed conveyed, was regularly seized, advertised and sold in every respect as by Law directed; which deed, with such affidavit, when so made and endorsed thereon, shall be held and taken to be a deed and affidavit executed and made within the intent and meaning of an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act in further amendment of an Act, intituled 'An Act subjecting Real Estates in the Province of New Brunswick to the payment of debts, and directing the Sheriff in his proceedings thereon,'* and shall be held as *prima facie* evidence to the same extent as the deed and affidavit mentioned in the recited Act is therein declared to extend to, anything in the said recited Act to the contrary thereof in any wise notwithstanding.

Sheriff for the time being authorized to convey property seized and sold under execution, when the Sheriff making the sale may die before executing a conveyance.

Act not to exempt party claiming under the Deed from usual evidence, unless affidavit of regular seizure, &c. be endorsed.

4 W. 4, c. 22.

CAP. LXXX.

An Act to extend the Division Line between the Counties of Northumberland and Kent to the rear Line of the Counties of Queen's County and Sunbury.

Passed 27th March 1845.

Division Line between Kent and Northumberland ascertained.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Division Line between the Counties of Kent and Northumberland shall extend on a prolongation of a Line South sixty eight degrees West from Point Escuminac, along the present Line forty seven miles; and thence South forty eight degrees West, to the North Easterly Boundary of Queen's County.

Land to the southward of the Line to belong to Kent.

II. And be it enacted, That all Land lying to the Southward of the said Division Line, which formerly belonged to the County of Northumberland, shall belong to and be a part of the County of Kent.

CAP. LXXXI.

An Act to regulate the Survey and Exportation of Lumber.

Passed 14th April 1845.

No Lumber to be shipped for exportation previous to survey.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the first day of May next, no Lumber of the descriptions hereinafter mentioned shall be shipped for Exportation from this Province, until the same shall have been surveyed and measured, as hereinafter directed, under the penalty for every offence not exceeding fifty pounds, nor less than five pounds currency, to be forfeited and paid by the person or persons who knowingly shall have shipped or caused the same to be shipped for Exportation, without having been so surveyed or measured.

Penalty.

Appointment of Surveyors of Lumber authorized.

II. And be it enacted, That it shall and may be lawful for the Justices of the Peace in each County, at their first General Sessions annually, to appoint a sufficient number of fit persons in their respective Counties to be Surveyors of Lumber in each County, Town or place where such may be necessary; which persons so appointed shall enter into Bonds to Her Majesty, Her Heirs and Successors, in the sum of one hundred pounds, with two good and sufficient Sureties in the sum of fifty pounds each, conditioned for the due performance of his duty as Surveyor of Lumber, to be filed in the Office of the Clerk of the Peace in such County, and shall take and subscribe the following oath, before one of Her Majesty's Justices of the Peace, or before the Clerk of the Peace for the County in which he may be appointed, either of whom is hereby authorized and required to administer the same without any fee, that is to say:—"I do solemnly swear that I will faithfully, truly and impartially, to the best of my knowledge, skill and ability, execute, do and perform the office and duty of a Surveyor of Lumber, according to the true intent and meaning of an Act, intituled *An Act to regulate the Survey and Exportation of Lumber*, and that I will give a true and faithful account of the number, dimensions or measurement of all such Lumber as may be submitted to my inspection, according to the best of my knowledge, and that I will not survey any Lumber in which I may be directly or indirectly interested, otherwise than for the compensation prescribed in the said Act, and that I will not change any article of Lumber that may be delivered or intrusted to me for the purpose of being so surveyed."—Which affidavit every Surveyor so appointed and sworn shall deliver unto the Clerk of the Peace for the County in which he shall be appointed, together with the private mark which he shall adopt; and the said Clerk of the Peace is hereby required to grant a

Surveyors to give Bonds and be sworn.

Oath.

Affidavit and private mark to be delivered to the Clerk of the Peace.

Certificate

Certificate to every such person of his having taken and subscribed the said oath, and of his having filed the said Bond, and to furnish him with a copy of this Act, for which copy so furnished he is to receive one shilling from the Sessions of said County; and it shall be lawful for them to survey Lumber in any part of the County in which they shall be appointed; and it shall be their duty respectively, personally, diligently and carefully to ascertain the qualities of the articles submitted to their inspection, and after rejecting all such as in their opinion may appear objectionable under this Act, so far as the same can be then ascertained, (of which each Surveyor is hereby required to provide himself with and retain a copy) they shall, when required, furnish the buyer and seller each with a true and faithful account in writing, of the number, length, dimensions or measurement of the articles they shall respectively find to be merchantable; Provided always, that when any dispute shall arise between the buyer or seller and the Surveyor, and a re-survey shall be required, it shall and may be lawful for the party requiring such re-survey, and for the said Surveyor respectively, to choose one disinterested Surveyor, duly appointed under this Act, which two Surveyors so appointed, shall choose a third disinterested Surveyor duly appointed under this Act, whose duty it shall be to examine and re-survey said Lumber, and the decision of the said three Surveyors, or any two of them, as to the said re-survey, shall be final and conclusive; and when such dispute shall arise between the buyer and seller, it shall and may be lawful for the party who shall have had the choice of the first Surveyor, to choose one disinterested Surveyor, and for the other party to choose two disinterested Surveyors, which said three Surveyors so chosen shall proceed to examine and re-survey the said Lumber, and the decision of the said three Surveyors, or any two of them, shall be final and conclusive; and should the original Survey be confirmed, then and in such case the person requiring said re-survey shall pay the expenses thereof; and should the said original survey not be confirmed, then and in such case the expenses of the said re-survey shall be paid by the person requiring such re-survey, who shall and is hereby authorized to recover the same again from the first Surveyor; Provided also, that if any Surveyor shall pass any article of Lumber contrary to the provisions of this Act, such Surveyor so offending shall be liable to the party injured for all damages sustained by him or them, and be subject to the following penalties, namely: For every forty cubic feet of Timber so passed, the sum of two shillings and six pence; for every thousand superficial feet of Plank, Deals, Boards or Scantling, the sum of five shillings; for every thousand superficial feet of Saw Logs, the sum of two shillings and six pence; for every Spar, the sum of one shilling; for every thousand Shingles, the sum of two shillings and six pence; for every thousand Staves, five shillings; for every cord of Lathwood, two shillings and six pence: and if any Surveyor appointed under this Act, shall at any time wilfully change any article of Lumber submitted to him for inspection or to be surveyed, by substituting any other article of Lumber, he shall, upon due conviction thereof, incur a penalty not exceeding fifty pounds, nor less than five pounds, to be recovered as hereinafter prescribed in the twelfth section of this Act; Provided also, that if any Surveyor shall at any time be found guilty of wilful neglect of duty, or of partiality in the execution of his office, or of wilfully giving a false account of the article or articles submitted to him for inspection, the conviction for any such offence shall be deemed and taken to be a dismissal from his office as Surveyor, and be incapable for re-appointment for ever after.

III. And be it enacted, That all Square Timber, except Red Pine, shall not be less than ten inches square nor shorter than sixteen feet, except White Pine
Timber

Duty of Surveyors.

Disputed Surveys
how to be settled.

Surveyor passing
Lumber contrary
to this Act, to be
liable for damages.

Changing articles
submitted for sur-
vey.

Penalty.

Neglect, partiality,
&c.

Penalty.

Specification of
Merchantable
Square Timber.

Timber over sixteen inches square, and Hardwood over twelve inches square, which may be twelve feet long, to be squared and smoothly hewed, and free from knotty tops, plugs, rots, rotten or concave knots, decayed sap or worm holes, to be square butted, and the taper not to exceed one inch for every eighteen feet in length, the wane not to exceed one inch on each and every corner where the square is under sixteen inches, and from sixteen to twenty inches square on each and every corner two inches wane, and from twenty one inches square and upwards three inches wane on each and every corner; and in order to ascertain the contents of such Timber, the Surveyor shall girt or measure the same at the middle of the stick, and the difference of the squares between any two of the sides shall not exceed two inches; and no Log shall have a sweep unless it has two straight sides, and such sweep shall not exceed the rate of five inches to every forty feet in length; Provided nevertheless, that all Pine Timber over sixteen inches square, smoothly hewed and free from the defects aforesaid, shall be deemed merchantable if over twelve feet long.

[Girt for measurement.]

Specification of
Pine or Spruce Logs
for the manufacture
of Deal.

IV. And be it enacted, That in the Survey of Pine or Spruce Logs, the following regulations shall be observed by the Surveyors: Logs for the manufacture of Deals shall be twelve feet long and upwards, and not less than eleven inches in diameter, to have an allowance of from six to nine inches in the length, to permit the Deals when sawed to be trimmed, to be sound, free from bad shakes, auger or plug holes, crooked gum seam or seams, ring or bowl shakes, rot, bad knots, and worm holes: all Logs of twenty six feet long and upwards shall be measured in two lengths; an adequate allowance to be made by the Surveyor on all crooked Logs; the diameter at the small end exclusive of bark to be taken as the diameter for ascertaining the contents; and the Surveyor shall mark or scribe on all Logs surveyed by him the superficial contents of each Log, with his private mark and the initials of the name of the purchaser of such Logs:

Contents to be calculated by the following Table, viz:—

Inches diameter.	Contents.																							
	12	14	16	18	20	21	22	24	26	28	30	32	34	36	38	40	42	44	46	48	50			
11	60	70	80	90	100	105	110	120	142	154	164	176	186	198	208	220	231	242	252	264	286			
12	72	84	96	108	120	126	132	144	168	182	194	208	220	234	246	260	273	286	298	312	336			
13	84	98	112	126	140	147	154	168	196	212	226	242	256	273	287	303	318	333	347	364	392			
14	98	114	130	147	163	171	179	196	226	245	261	280	297	315	331	350	367	384	401	420	450			
15	112	131	150	168	187	196	205	224	259	280	299	320	336	360	379	400	419	439	458	480	515			
16	128	149	170	192	213	223	234	256	298	323	344	368	390	415	436	461	484	509	531	554	596			
17	149	174	198	223	248	261	275	298	346	374	398	427	452	481	506	534	562	590	613	642	690			
18	172	200	229	258	286	301	315	344	396	428	457	490	519	552	580	612	644	674	703	736	788			
19	196	228	261	294	326	343	359	392	453	490	523	561	594	631	663	701	736	771	804	842	903			
20	225	262	300	337	375	393	412	450	509	550	588	627	664	707	745	786	825	865	903	944	1003			
21	247	288	327	370	411	432	453	494	560	605	644	689	732	778	829	864	908	951	992	1038	1104			
22	272	317	362	408	453	476	498	544	614	653	698	738	784	853	898	948	995	1042	1088	1138	1208			
23	297	336	376	445	495	519	544	594	660	716	756	808	877	931	981	1035	1088	1138	1188	1242	1308			
24	324	380	432	486	540	569	594	648	730	788	840	898	952	1011	1065	1123	1181	1235	1289	1348	1430			

Table for calculating Contents.

V. And be it enacted, That all Deals and Battens for exportation shall be surveyed and classed according to their qualities, and marked No. 1, 2 or 3, as the case may be, on each Deal and Batten, with red chalk, in legible figures, Specification and classification of Deals and Battens.

[Standard lengths, breadth and thicknesses.]

figures, and also the length, breadth and thickness, and denominational or standard dimensions of twelve, fourteen, sixteen, eighteen, twenty, twenty one, twenty two, twenty three and twenty four feet long; the standard breadth of Deals to be nine inches and eleven inches broad, thickness, three inches, with an addition of one inch on the length, and not more than three-eighths of an inch on the breadth, and not more than one-quarter of an inch on the thickness, to be trimmed at both ends, contents to be in superficial feet of one inch: Battens to be of the same length as Deals, with the same addition in length, breadth and thickness, trimmed at ends, the standard breadth to be seven inches, and thickness three inches and two and a half inches, to be of the same description in quality as Deals: that first quality number one or merchantable Spruce Deals shall be square edged from the saw, with an addition of one inch on the length, to be trimmed square at each end, straight, smooth and well sawed, free from rot, and every description of bad knot or knots, rotten, loose or black knots, shakes, splits, sap stain, gum seam and gum galls, plug or plugs, worm holes and auger hole or holes, and shall not have more than three sound knots, not exceeding one inch in diameter on any one surface and edge, on a twelve, nine, three Deal, and not more than four sound knots of one inch in diameter in twelve, eleven, three Deal, and for every additional two feet in length, one knot as before described in addition, allowing all the sound knots less than one inch; all clear Deals of the aforesaid dimensions not having more than three quarters of an inch wane on the diagonal on one edge of the Deal, and free from dark sap, to be classed as number one or first quality:

No. 1 or Merchantable Spruce Deals

No. 1 Spruce Battens;

Number one or first quality Spruce Battens to be of the dimensions hereinbefore mentioned, and to have the allowances and to be in all respects of the same quality as number one Deals:

No. 2 Spruce Deals;

Number two or second quality Spruce Deals shall be of the same dimensions as number one, with the addition of Deals of ten feet in length, with trimming, thickness, breadth and allowances as in number one, free from rot, rotten knots, bad shakes, rents or splits, auger hole or holes, bad or large worm holes, allowing wane on the edge not more than three quarters of an inch at the widest part, and not to have more than three knots of one inch and a half in diameter on the surface and edges which may contain the greatest number of knots, all smaller sized knots allowed as in the case of number one Deals; all clear Deals which may have wane exceeding three quarters and not exceeding one inch and a half on the diagonal on the edge, classed as number two or second quality:

No. 2 Battens;

Number two or second quality Battens to be the same as number two Deals, excepting that no wane shall be allowed, and the knots in proportion as in number two Deals:

No. 3 Spruce Deals;

Number three or third quality Spruce Deals shall include all Deals of ten feet in length and upwards, and nine inches and eleven inches in width and three inches in thickness:

No. 3 Battens;

Number three or third quality Battens shall include all Battens of ten feet in length and upwards, seven inches in width, and three inches and two and one half inches in thickness; both Deals and Battens of the third quality shall be free from bad rots, splits, loose splinters, auger holes and wane exceeding two inches on the diagonal on one edge:

Refuse Deals and Battens;

All Deals and Battens not classed in the foregoing description, shall be taken and deemed refuse, and marked 'R' in addition to the mark of contents:

Pine Deals and Battens;

All Pine Deals and Battens to be of the same description in quality, and classified as Spruce Deals and Battens, and marked 'P' in addition to the contents:

All

All Pine and Spruce Deals and Battens classed as numbers one, two and three, shall be free from stub shot.

All to be free of stub shot.

And all Deals and Battens not of the length and breadth hereinbefore described as the standard dimensions, but in all other respects equal in quality with number one, two or three, shall be classed as number one, two or three, as the case may be, non-dimension Deals or Battens:

Non-dimension Deals and Battens.

First quality or merchantable Pine and Spruce Boards and Plank, shall not be less than ten feet in length nor less than seven inches in breadth and not less than seven eighths of an inch in thickness for Boards, and one and one half of an inch and two inches in thickness for Plank, shall be square edged from the saw, free from rot, sap stain, bad knots of every description, (allowing two sound knots not over two and a quarter inches in diameter, and all knots under that size that are perfectly sound) rents and shakes, worm holes, gum seam and gall, auger holes, and to be of equal thickness on both edges from end to end, with an allowance of one half of the straight split to the length of two feet:

First quality or Merchantable Pine and Spruce Boards and Planks.

Second quality Pine and Spruce Boards and Plank shall be in size same as first quality, and in quality same as number two Deals, excepting the wane, which shall not exceed two thirds the length of the Board or Plank:

Second quality.

All Boards and Plank not classed as number one or two shall be deemed refuse:

Refuse.

Clear Boards—Pine may be sawed out of the round Log, without edging, (optional with the party manufacturing the same) to be free from rots, knots, rents, shakes, worm holes, auger holes, gum seam and gum gall, the width for measurement to be taken at the centre, inside of and not including the wane and dark sap:

Clear Boards.

Masts shall not be less than three feet and one quarter in length to every inch in diameter, to be hewed smoothly and reduced sufficiently to shew the wood free from sap on the centre of all the four sides at the partners, to be as small at the butt as at the partners, and of proportionate and full size at the top, to be straight, free from rot, ring shakes, butt rots, concase or rotten knots, large knots at the top, bark on the waness, auger holes and other defects, to be square butted, the diameter for measurement to be taken one third from the butt, exclusive of sap:

Masts.

Spars shall be of straight growth, free from large knots, rots, and other defects, to be of proportionate size at the top with the butt, to be square butted, and the diameter for measurement to be taken one third of the length from the butt, exclusive of bark, and to be four and one half feet in length for every inch of diameter, where the Spar exceeds nine inches diameter, and five feet at least for all Spars under nine inches diameter:

Spars.

Lathwood shall be of straight rift, free from bark, hearts, knots, and rots, to be measured by the cord of four feet high and eight feet long, and piled as close as it can be laid:

Lathwood.

Pine Shingles shall be eighteen inches long, not less than four inches wide, and three eighths of an inch thick at the butt, free from sap, rot, and worm holes, to be put up in bundles not less than twenty five tiers or courses of twenty inches wide, four of which bundles shall be reckoned a thousand:

Pine Shingles.

Cedar Shingles, for exportation, shall be twenty inches long and three eighths of an inch thick at the butt, the said thickness to be continued three fourths of the length, and shaved from thence to the point; to be from four to four and half inches in width, and the account shall be taken by tale of ten hundred to the thousand, and that all Pine Shingles manufactured in the same manner for Exportation, shall be subject to the like rules and regulations; the whole of which Cedar and Pine Shingles for Exportation to be free from the defects above mentioned relative to Shingles:

Cedar Shingles.

Hogshead

Hogshead Staves.

Hogshead Staves shall be forty two inches long, three fourths of an inch thick on the thinnest edge, and not exceeding one and one eighth inches thick on the back, and shall also be from three and one half to five and one half inches wide :

Barrel Staves.

Barrel Staves shall be thirty two inches long, half an inch thick on the thinnest edge, and not exceeding seven eighths of an inch thick on the back ; the whole to be of good rift, free from twists, fairly split, and free from knot holes, rotten knots, worm holes and shakes, and the account of all Staves shall be taken by tale of twelve hundred to the thousand.

Surveyors' Fees.

VI. And be it enacted, That the persons so appointed Surveyors under this Act, shall be entitled to ask, demand and receive for their skill and labor in surveying, marking and re-surveying, at and after the following rates :—

For every ton of forty cubic feet of Square Timber,.....	£0	0	4
For every thousand feet of Saw Logs,.....	0	0	9
For every thousand feet of Deals, Plank, Scantling, and Boards,	0	1	0
For Masts under 17 inches diameter, each,.....	0	1	6
For do. over 17 do. do. do.	0	2	0
For Spars under 9 do. do. do.	0	0	2
For do. over 9 do. do. do.	0	0	4
For Lathwood, per cord,.....	0	1	3
For Pine Shingles, per thousand,.....	0	0	6
For Cedar do. per do.	0	0	6
For Hogshead Staves per do.	0	3	0
For Barrel do. per do.	0	1	6

By whom payable.

Which rates for the survey of Merchantable Lumber shall be paid by the first buyer after the survey, provided it be purchased within four months, and should it not be purchased within that time, then the Surveyor to be paid by the person or persons who employed him ; and the seller shall remove or cause to be removed at his own expense whatever may obstruct or prevent the Surveyor from ascertaining with facility the measurement, manufacture or quality of any article of Lumber, and when required the same shall be canted, and should the seller or sellers refuse or neglect to do the same, it shall and may be lawful to do or cause it to be done, and to charge the seller with the necessary expense of the same, which expense may be sued for and recovered in any Court competent to try the same.

Lumber, of other than Merchantable qualities, may be exported when shipped and marked as such.

VII. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the exportation of Lumber of other qualities than Merchantable ; provided always, that such Lumber be actually shipped and marked as of its proper denomination.

Regulations for Lumber measured afloat, and proving unmerchantable.

VIII. ' And whereas certain articles of Lumber are measured afloat, and cannot conveniently be inspected ;' Be it therefore enacted, that when such Lumber or any part thereof shall prove unmerchantable, it shall be the duty of such purchaser or purchasers of such Lumber to give the seller or sellers, or his or their agent, ten days notice that such Lumber has so proved unmerchantable, in order that the same may be removed ; and if the seller or sellers, or his or their agent, shall not within the time of such notice given as aforesaid, apply for such Lumber, and remove the same from the possession of such purchaser or purchasers, then the said purchaser or purchasers shall, and he or they are hereby required to call upon the Surveyor who first measured such Lumber, or some other Surveyor, which Surveyor shall examine the said Lumber so found defective, and take an account of the marks and contents of the same, and the purchaser shall put or cause the said Lumber to be put in Merchantable order under the

the superintendence of such Surveyor, by having the same overhauled, lined, hewed, sawed or repaired in any way that may be thought advisable by such Surveyor, and the purchaser or purchasers shall be at liberty to charge the seller or sellers of such Lumber with the expense of putting the same in order as aforesaid, and with any deficiency thereon; which said expenses and deficiency shall be kept account of and estimated by such superintending Surveyor: Provided always, that no purchaser or purchasers of any Lumber shall be allowed to have the same repaired or re-surveyed at the risk or expense of the seller or sellers, after he has had the same in possession more then twelve months; and provided also, that the seller or sellers of any Lumber, in order to avail himself or themselves of the provisions contained in this section, if he or they reside more than twenty miles from the place where such sale is made, shall at the time of making sale of any such Lumber, nominate and appoint an Agent or Agents to attend to such unmerchantable Lumber, and the person or persons so nominated and appointed Agent or Agents, shall be made known to the purchaser of such Lumber at the time of such sale and purchase; and provided that nothing in this Section shall extend or be construed to extend to Pine and Spruce Saw Logs.

No repairs or re-survey allowed after twelve months' possession.

IX. 'And whereas some evil disposed persons are in the habit of plugging or wedging Timber and Masts for the purpose of passing such Timber, Masts or Spars, by such deceptions, as Merchantable;' Be it therefore enacted, that any person or persons convicted of plugging any Timber, Spars or Masts, when any defect is covered by such plugging or wedging, shall be liable to pay a fine of five pounds currency for each and every offence, to be recovered in like manner as other penalties of like amount in this Act.

Plugging Timber and Masts.

Penalty.

X. And be it enacted, That each of the Surveyors so appointed shall mark or score in large and legible figures or characters on one of the sides near the butt end on each piece of Timber inspected by him, his own mark, the length, the purchaser's mark, and contents, and shall at the place of girting the same, mark or score the girth thereof for measurement; Masts and Spars shall be marked in the same manner, having instead of the contents the diameter at the partners; Provided always, that any person or persons adopting or using the private mark of any Surveyor of Lumber under this Act, by placing the same upon any piece of Timber, Scantling, Mast, Spar or other article of Lumber, other than such Surveyor of Lumber, shall be for each and every offence liable to the penalty of five pounds currency, to be sued for and recovered as is prescribed in all penalties of the like amount in this Act.

Directions for marking Timber, Masts and Spars.

Improper use of a Surveyor's private mark.

Penalty.

XI. And be it enacted, That if any person appointed to be a Surveyor in any Town or Parish, or any other person whatsoever, shall measure or survey any Lumber intended for Exportation, before filing Bond or taking the oath required in and by the second section of this Act, such person so measuring or surveying any Lumber as aforesaid, shall, upon conviction thereof, forfeit and pay the sum of five pounds, to be recovered in like manner as other penalties of like amount in this Act.

Penalty for surveying Lumber for exportation before filing Bond or taking oath of office.

XII. And be it enacted, That one half of the forfeitures or fines arising by virtue of this Act shall be paid to the person or persons who shall sue for the same, and the other half to the Overseer of the Poor or the Commissioners of the Alms House, as the case may be, of the Parish in which such forfeitures shall have been incurred, for the use of the Poor of said Parish; and where any of the penalties imposed by this Act shall not exceed five pounds, they shall be recovered, together with costs of prosecution, before any one of Her Majesty's Justices of the Peace of the County in which the offence shall be committed; and where the

Application of Penalties.

Recovery.

same

same shall be more than five pounds, and shall not exceed ten pounds, before any two of Her Majesty's Justices of the Peace, on the oath of one or more credible witness or witnesses, by Warrant of Distress and Sale of the offender's goods and chattels, (which Warrant to be under the hand and seal of such Justice or Justices) and for want of sufficient distress shall suffer not less than ten days nor more than thirty days imprisonment; and in case such forfeiture or the value thereof shall exceed ten pounds, the same shall be recovered in any of Her Majesty's Courts of Record competent to try the same, with costs of suit.

Time of prosecution limited.

XIII. And be it enacted, That all prosecutions by virtue of this Act shall be commenced within twelve months from and after the time any offence shall have been committed.

Surveyors already appointed, to continue in office on being sworn under this Act.

XIV. And be it enacted, That all Surveyors of Lumber appointed before this Act comes into operation, shall remain in office, upon taking the oath prescribed by this Act, until the time appointed by this Act for the appointment of Parish Officers in the respective Counties of this Province.

Existing Contracts exempted from the Scale of Measurement.

XV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to interfere with any existing Contracts relative to the Scale of Measurement, but that the same shall remain as if this Act had not been passed.

No Surveyor under this Act to be a Pond Keeper or dealer in Timber. Limitation.

XVI. And be it further enacted, That no Surveyor of Lumber, under this Act, shall be a Pond Keeper or Dealer in Timber, either directly or indirectly.

XVII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty seven.

CAP. LXXXII.

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

Passed 14th April 1845.

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, for the Services hereinafter mentioned, the following sums, to-wit:—

Chaplains.

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

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

Sergeants at Arms.

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

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

Clerks of Council and Assembly.

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

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

Clerks Assistants.

To the Clerk Assistant of the Legislative Council in General Assembly the sum of one hundred pounds in full for his services during the present Session.

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

Doorkeepers.

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

Messengers.

To the Messengers attending the Legislative Council and Assembly the sum of seven shillings and six pence each per diem during the present Session.

To

To the Province Treasurer the sum of six hundred pounds for his services for the year one thousand eight hundred and forty five ; and to Henry Whiteside, Chief Clerk in that Office, the sum of two hundred pounds for his services for the same period.

Province Treasurer and Clerk.

To the Province Treasurer the sum of ninety one pounds five shillings, being for the services of a Tide Waiter or Messenger to the Treasury for the year one thousand eight hundred and forty five.

Messenger to the Treasury.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twelve thousand pounds towards the encouragement of Parish Schools, agreeably to a Law of this Province.

Parish Schools.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, 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.

Apprehension of Deserters.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly the sum of twenty five pounds for his services during the present Session.

Master in Chancery.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, 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 forty five.

J. Abrams, Tide Waiter.

To the Librarian of the Legislative Library the sum of sixty pounds for his services to the end of the present Session.

Librarian, Legislative Library.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty pounds for the services of a Tide Waiter at Miramichi for the year one thousand eight hundred and forty five.

Tide Waiter at Miramichi.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds to encourage the destruction of Bears and Wolves, agreeably to a Law of this Province.

Destruction of Bears and Wolves.

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

Light Houses :

To the Keeper of the Light House on Gannet Rock, and his Assistants, the sum of two hundred pounds ;

Gannet Rock,

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

Thrumb Cap,

To the Keeper of the Light House on Point LeProe the sum of seventy five pounds ;

Point LeProe,

To the Keeper of the Light House on Partridge Island the sum of seventy five pounds ;

Partridge Island,

To the Keeper of the Light House on Campo Bello the sum of ninety pounds ;

Campo Bello,

To the Keeper of the Beacon Light the sum of seventy five pounds ;

Beacon Light,

To the Keeper of the Light House on Machias Seal Island the sum of one hundred pounds ;

Machias Seal Island,

To the Keeper of the Light House in the Harbour of Saint Andrews the sum of thirty pounds ;

Saint Andrews Harbour,

To the Keeper of the Light House on Cape Enrage the sum of seventy five pounds.

Cape Enrage,

To the Commissioners of the Light Houses in the Gulph of Saint Lawrence the sum of seventy five pounds to provide for the services of a Keeper for the year one thousand eight hundred and forty five at the Light House on Point Escuminac.

Point Escuminac.

Tide Surveyor
Shippegan and
Caraquet.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Shippegan and Caraquet, in the County of Gloucester, for the year one thousand eight hundred and forty five.

Tide Surveyor at
Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty five.

Tide Waiter at
Dalhousie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to provide for a Tide Waiter at Dalhousie, in the County of Restigouche, for the year one thousand eight hundred and forty five.

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 this Province by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government 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. LXXXIII.

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

Passed 14th April 1845.

1. **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:—

Jennet Turner.

To Jennet Turner, the Widow of the late Holden Turner, an old Soldier of the Revolutionary War, the sum of ten pounds, being the amount due her late husband, agreeably to Law, he having died a few days before the last General Sessions for the County of York.

Martin Poor.

To Martin Poor the sum of five pounds for the Pension of Susan Boiles, deceased, Widow of an old Soldier of the Revolutionary War, for a half year ending December one thousand eight hundred and forty four.

J. Boultenhouse.

To John Boultenhouse, of Sackville, in the County of Westmorland, the sum of four pounds ten shillings, being excess of Head Money paid on Passengers by brig Abigail from Liverpool to Dorchester in December one thousand eight hundred and forty four.

S. West.

To Sarah West, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds, her Certificate having been mislaid, and therefore not certified at the last January Sessions for the County of York.

R. Trecarten.

To Rebecca Trecarten, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds, to relieve her in her present distressed circumstances.

Roman Catholic
School, St. John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds towards the support of the Roman Catholic School established in the City of Saint John.

W. Watts.

To William Watts the sum of ten pounds for his services as Crier and Usher of the Supreme Court the past year.

Sub-Collector and
Deputy Treasurer,
Woodstock.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds 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 officer, this being in addition to the allowance made to Deputy Treasurers by Law.

To

- To Matthew Brannen, of the Secretary's Office, the sum of fifteen pounds as a mark of approbation for his long and faithful services in that office. M. Brannen.
- To Mary Harned, Widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of ten pounds. M. Harned.
- To Ann Fowler, Widow of the late Caleb Fowler, who served as an Ensign in the Revolutionary War in America, the sum of ten pounds, to assist her in her present distressed circumstances. A. Fowler.
- To the Widow of Thomas Burden, Lieutenant of the Corps of Loyal Associated Refugees, the sum of ten pounds, to assist her in her present distressed circumstances. Widow of Thomas Burden.
- To the Governor and Trustees of the Madras Board the sum of four hundred pounds towards the support of that Institution. Madras Board.
- To the Trustees of the Wesleyan Academy at Sackville the sum of three hundred pounds towards the support of that Institution. Trustees of Wesleyan Academy.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds, to be paid to the Managing Committee of the Baptist Seminary at Fredericton, under the control of the Committee, when it shall be certified to His Excellency or the Administrator of the Government, that the Institution is in an efficient state. Baptist Seminary, Fredericton.
- To the Clerk of the Crown in the Supreme Court the sum of one hundred pounds for his services for the year one thousand eight hundred and forty four. Clerk of the Crown Supreme Court.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for a Missionary for the Milicite Tribe of Indians stationed at Fredericton, for the year one thousand eight hundred and forty five. Missionary to the Indians at Fredericton.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds towards remunerating a Missionary stationed at Madawaska, for the purpose of giving attendance to the Tobique and other Indians established in the neighbourhood. Missionary for Tobique Indians.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds in aid of the Grammar School presently taught at Newcastle, in Northumberland, by John Sewewright, to whom the same shall be paid in part of his salary for teaching said School in the present year, on the usual certificate being given. J. Sewewright, Grammar School, Northumberland.
- To William Watts the sum of ten pounds for airing and taking care of the Province Hall. W. Watts, airing Province Hall.
- To John Gregory the sum of ten pounds to prepare an Index to the Laws of the present Session. Index to Laws.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds in aid of individual subscription towards the Free School in the Parish of Portland, the same to be expended by the Board of Commissioners for the Roman Catholic School at Saint John. Free Roman Catholic School at Portland.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, such sum as will purchase a Bill of Exchange for two hundred pounds sterling, for the services of Henry Bliss, Esquire, Provincial Agent, for the year one thousand eight hundred and forty four. H. Bliss, Esquire, Province Agent.
- To Jacob Kollock, an old and meritorious Soldier, the sum of fifteen pounds to aid him in his present indigent circumstances. J. Kollock.
- To Jane M'Cardy, Widow of an old meritorious Officer of the Revolutionary War in America, the sum of ten pounds to relieve her in her present distressed condition. J. M'Cardy.

J. Simpson,
Journals Legislative
Council and
Assembly.

To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds for printing the Daily Journals of the Legislative Council and House of Assembly the present Session; and the further sum of one hundred and fifty pounds towards printing the Revised Journals and Appendix of both Houses of the Legislature for the present Session.

E. Fairchild.

To Elizabeth Fairchild, a Schoolmistress at Saint John, the sum of ten pounds for her services in that capacity.

M. A. Smith.

To Mary Ann Smith, for upwards of forty years a Schoolmistress at Saint John, for her services in that capacity, ten pounds.

D. A. Lugin.

To Deborah Ann Lugin, Widow of the late George K. Lugin, many years King's Printer in this Province, the sum of fifteen pounds to assist her in her present destitute situation.

S. Cyphers.

To Sarah Cyphers, Widow of an Officer of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

J. Simpson,
Printing Laws.

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

Draw over the
Oromocto.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to pay an Overseer for taking charge of the Draw Bridge over the Oromocto for the year one thousand eight hundred and forty five.

Ruth M'Farlane.

To Ruth M'Farlane, of Saint Patrick, in the County of Charlotte, Widow of the late Duncan M'Farlane, a deceased Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

Courier between
Petitcodiac and
Harvey.

To the Justices of the Peace for the County of Westmorland the sum of thirty five pounds to enable them to pay a Courier between the Bend of the Petitcodiac and Harvey, through the Parishes of Coverdale, Hillsborough, and Hopewell.

A. M'Donald.

To Ann M'Donald, Widow of the late Surgeon M'Donald, of the Jersey Volunteers, the sum of ten pounds to relieve her in her present destitute circumstances.

E. Whitehead.

To Elizabeth Whitehead, Widow of the late James Whitehead, a meritorious old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances.

Courier between
Cape Tormentine
and the Great
Road.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to aid the inhabitants of the County of Westmorland in employing a Courier to carry the Mails from Cape Tormentine to the Great Road of Communication through that County.

D. Groom.

To Dorothy Groom, Widow of the late Enoch Groom, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present distressed situation.

H. Lyon.

To Hezekiah Lyon, an old Soldier of the Revolutionary War, the sum of ten pounds to assist him in his present distressed situation.

J. Reade.

To John Reade, of the County of Westmorland, the sum of six pounds, to remunerate him for Duties paid on Horned Cattle which he brought with him from Cumberland, Nova Scotia, on his removal to this Province, the same being Stock for his Farm.

P. Shuttleworth.

To Peter Shuttleworth the sum of eight pounds five shillings and six pence to reimburse him for Duties paid on a quantity of Tallow imported by him in one thousand eight hundred and forty three from the United States.

Letty Bell.

To Letty Bell, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances.

S. Buckingham.

To Solomon Buckingham, Son of the late Sarah Buckingham, Widow of an old

old Soldier of the Revolutionary War, the sum of nineteen pounds three shillings and four pence, being the unpaid Pension due her at the time of her death.

To Alleyn C. Evanson, Esquire, the sum of three pounds, being the amount of Duty paid by him on a Horse and Bull imported into the Province in the year one thousand eight hundred and forty four. A. C. Evanson.

To the Venerable the Archdeacon Coster, on behalf of the Church Society, the sum of seven pounds two shillings and five pence, being return of Duty paid on Books of a Religious character imported for distribution by the said Society. Church Society,
Drawback on
Books.

To Samuel Porter, of the Parish of Ludlow, in the County of Northumberland, the sum of five pounds sixteen shillings and eight pence, to remunerate him for the support of Abigail Porter, the Widow of an old Soldier, for seven months previous to her death, which took place on the twenty ninth day of December one thousand eight hundred and forty three. S. Porter.

To Mercy M'Nichol, the Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute situation. Mercy M'Nichol.

To Abigail Davenport, Widow of the late Gabriel Davenport, an old Soldier of the Revolutionary War, the sum of twenty pounds. A. Davenport.

To Louison Albert, of Madawaska, the sum of twenty pounds to remunerate him for losses sustained in consequence of the introduction of Small Pox into his dwelling. L. Albert.

To the Committee of the Infant School established in Fredericton the sum of fifty pounds in aid of that Institution. Infant School,
Fredericton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to enable him to pay a Messenger to the Executive Council. Messenger to the
Executive Council.

To the Commissioners of Government House one hundred pounds for Coals for the Public Rooms and Offices in Government House. Government House,
Coals.

To the Sheriff of King's County the sum of twenty five pounds for the return of a Member to serve in the General Assembly. Sheriff of King's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds to be applied in relieving sick, aged and distressed Indians in this Province, and for providing Seed Grain and Potatoes. Distressed Indians.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and ninety one pounds eighteen shillings and eleven pence to reimburse the Province Treasurer for over advances made by him towards the protection of the Revenue the past year. Protection of Re-
venue, over ad-
vances.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds to reimburse the Province Treasurer for payment made by him for the Rent of the Offices for the Treasury Department to thirty first December, one thousand eight hundred and forty four. Treasury Depart-
ment, Office Rent.

To the Provincial Treasurer the sum of one hundred and twenty pounds, being the amount of his Account for Postage, Stationery, Fuel, Printing, Legal Advice, and Travelling Expenses of the Treasurer for the year one thousand eight hundred and forty four. Treasury Contingencies.

To David W. Jack the sum of two pounds twelve shillings for Gauging and Weighing Dutiable Articles at Saint Andrews in one thousand eight hundred and forty four. D. W. Jack.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding five hundred pounds, in addition to the amount allowed by Law, for the support of the Provincial Penitentiary for the year one thousand eight hundred and forty five. Provincial Peni-
tentiary.

To

- W. Harper. To William Harper, an old Soldier of the Revolutionary War, the sum of ten pounds.
- G. Sherwood. To Grizilla Sherwood, of the Parish of Saint George, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds.
- R. Sutherland. To Robert Sutherland, late Tide Waiter at Magaguadavic, the sum of thirty pounds in consequence of having accepted that appointment under the impression that it would be a permanent one, and having retired from a situation which he held in the Customs of fifty pounds sterling per annum, when he so accepted it.
- D. W. Jack. To David W. Jack, Deputy Treasurer, Saint Andrews, the sum of thirty five pounds in consequence of the great reduction in the emoluments of his office.
- S. Hersey. To Solomon Hersey, of Saint John, the sum of forty six pounds nine shillings and seven pence, being return Duties on eleven hundred and sixty two barrels of Wheat Flour exported to Liverpool in the brig Peter I. Nevius, on the Foreign Wheat from which it had been manufactured, the Duties having been paid.
- J. Kirk,
Return Duties. To James Kirk, of Saint John, the sum of eighteen pounds four shillings, being return Duties on one hundred and sixty eight gallons of Rum destroyed at the burning of the Queen's Warehouse in November, one thousand eight hundred and forty one.
- T. Leavitt & Co.
Return Duties. To Thomas Leavitt and Company, of Saint John, the sum of seven pounds seven shillings and nine pence, being an excess of Duties paid on an importation of Teas from Halifax, through mistake of an entry made at the Treasurer's Office.
- C. Byrne,
Schoolmaster. To Charles Byrne the sum of ten pounds for teaching a School six months in the Parish of Saint Andrews, in the County of Charlotte, ending the twenty sixth day of June one thousand eight hundred and forty three.
- F. M'Kenzie. To Flora M'Kenzie the sum of twenty pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for one year ending on the fifteenth day of December one thousand eight hundred and forty two.
- H. Coulter. To Henry Coulter the sum of twenty pounds for teaching a School in the Parish of Saint Andrews, in the County of Charlotte, for one year ending the twenty eighth day of November one thousand eight hundred and forty three.
- J. Love. To John Love the sum of thirty pounds for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for the period of one year and a half ending in November one thousand eight hundred and forty two.
- S. Buhot. To Samuel Buhot the sum of ten pounds for teaching a School at West Isles, in the County of Charlotte, for six months ending the tenth day of December one thousand eight hundred and forty four.
- M. C. Foster. To Mary C. Foster the sum of ten pounds for teaching a School in the Parish of Saint David, in the County of Charlotte, for six months ending on the thirtieth day of November in the year one thousand eight hundred and forty three.
- M. C. Albee. To Mary C. Albee the sum of twenty pounds for teaching a School in Saint Stephen, in the County of Charlotte, for two separate periods of six months, the one ending November one thousand eight hundred and forty three, the other October one thousand eight hundred and forty four.
- G. Powell. To George Powell the sum of ten pounds for teaching a School in the Parish of Studholm, in King's County, for six months ending June one thousand eight hundred and forty two.
- J. M'Court. To John M'Court the sum of twenty pounds for teaching a School in the Parish of Studholm, in King's County, for one year ending the twenty sixth day of June one thousand eight hundred and forty four.
- C. Perkins. To Caroline Perkins the sum of ten pounds for teaching a School in the Parish of Kingston, King's County, for six months ending the third day of July one thousand eight hundred and forty four.

To John Tabor the sum of twenty pounds for teaching a School in the Parish of Norton, King's County, for one year ending the twenty third day of October one thousand eight hundred and forty four. J. Tabor.

To John Connor the sum of ten pounds for teaching a School in the Parish of Westfield, in King's County, for six months ending March one thousand eight hundred and forty three. J. Connor.

To Christiana Walker, of Saint George, the sum of ten pounds for teaching a School in the Parish of Lancaster, in the County of Saint John, for six months ending the twelfth day of September one thousand eight hundred and forty four. C. Walker.

To Rachael Martin the sum of twenty pounds for teaching a School in the Parish of Portland, in the County of Saint John, for one year ending one thousand eight hundred and forty four. R. Martin.

To William Folyard the sum of twenty pounds in full for teaching a School in the City of Saint John for one year and a half ending thirtieth of April one thousand eight hundred and forty three. W. Folyard.

To Elizabeth Wilson the sum of five pounds to make up her Provincial allowance to twenty pounds, for teaching a School in the Parish of Moncton, County of Westmorland, for one year ending in one thousand eight hundred and forty four. E. Wilson.

To Hannah Bell the sum of six pounds thirteen shillings and four pence for teaching a School in the Parish of Shediac, County of Westmorland, four months ending the first day of November one thousand eight hundred and forty four. H. Bell.

To Ann Mills the sum of five pounds to make up her Provincial allowance to twenty pounds, for teaching a School in the Parish of Moncton, County of Westmorland, for one year ending in one thousand eight hundred and forty four. A. Mills.

To Ann M'Leod the sum of ten pounds for teaching a School in the Parish of Sackville, County of Westmorland, six months ending December one thousand eight hundred and forty four. A. M'Leod.

To Cadwallader E. Sayre the sum of twenty pounds for teaching a School in the County of Westmorland for fourteen months, and in consideration of old and faithful services as a Schoolmaster. C. E. Sayre.

To John C. Wood the sum of five pounds for teaching a School in the Parish of Brunswick, in Queen's County, for three months ending March one thousand eight hundred and forty three. J. C. Wood.

To John M'Carthy the sum of nine pounds three shillings and four pence for teaching a School in the Parish of Waterborough, in Queen's County, for five and a half months in the year one thousand eight hundred and forty one. J. M'Carthy.

To Matthew Barrett the sum of ten pounds for teaching a School in the Parish of Lincoln, County of Sunbury, for six months ending the eleventh day of October one thousand eight hundred and forty four. M. Barrett.

To James Thompson the sum of twenty pounds for teaching a School in the Parish of Blissville, County of Sunbury, for one year ending the twelfth day of September one thousand eight hundred and forty three. J. Thompson.

To Samuel Boone, Senior, the sum of eight pounds six shillings and eight pence, for a School taught by Ebenezer Boone, deceased, in the Parish of Lincoln, County of Sunbury, for five months ending the seventeenth day of March one thousand eight hundred and forty one. S. Boone.

To David Brown the sum of ten pounds for teaching a School in the Parish of Burton, County of Sunbury, for six months ending January one thousand eight hundred and forty four. D. Brown.

To Malcolm M'Naughton the sum of twenty pounds for teaching a School in the

the Brockway Settlement, in the County of York, for twelve months ending the twenty fifth day of May one thousand eight hundred and forty three.

J. Phelan.

To John Phelan the sum of five pounds for instruction imparted to Indians, by him, at his School House at Indian Village, County of York.

D. Downie.

To Donald Downie the sum of twenty pounds for teaching a School in the Parish of Durham, County of Restigouche, for twelve months ending the first day of January one thousand eight hundred and forty five.

Ann Ellis.

To Ann Ellis the sum of thirty pounds for teaching a School in the Parish of New Bandon, County of Gloucester, for eighteen months ending the fifteenth day of January one thousand eight hundred and forty five.

Quarter Master
General of Militia.

To the Quarter Master General of the Militia Forces the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and forty four.

E. C. Wilson.

To Ezekiel C. Wilson the sum of ten pounds for having taught a School in the Parish of Upham, in King's County, for six months ending the fourth day of February one thousand eight hundred and forty three.

J. Miller, Deputy
Treasurer, Bathurst.

To John Miller, Deputy Treasurer, Bathurst, the sum of twenty five pounds, in consequence of the great reduction in the emoluments of that office.

W. F. Bent, and
B. Botsford & Co.
Return Duties.

To William F. Bent and Blair Botsford and Company, of Amherst, Nova Scotia, the sum of eight pounds three shillings and four pence, being amount of Duties paid on Goods per brig Abigail, at Sackville, in this Province, the said Goods being destined for Nova Scotia, and were subsequently shipped for and paid Duties in that Province.

T. Taylor,
Return Duties.

To Thomas Taylor, of Fredericton, the sum of four pounds eight shillings and five pence, being an excess of Duties paid at the Treasury on a case of Jewelry imported from Liverpool in one thousand eight hundred and forty four.

T. S. Magee,
Return Duties.

To Thomas S. Magee of Saint John, the sum of three pounds one shilling, being return Duties on Sugar exported to Nova Scotia.

T. Wallace,
Return Duties.

To Thomas Wallace, of Saint John, the sum of thirty two pounds five shillings and two pence to reimburse him for Parliamentary and Provincial Duties paid at Saint John on Machinery imported for Rope Manufacturing purposes.

R. D. Wilmot,
Return Duties.

To Robert D. Wilmot, of Saint John, the sum of twelve pounds to reimburse him Duties paid on a quantity of Foreign Wheat, out of which three hundred barrels of Flour were manufactured and exported to London and Liverpool in one thousand eight hundred and forty four.

T. Parks,
Return Duties.

To Thomas Parks, of Saint John, the sum of fifty six pounds three shillings to reimburse him an excess of Provincial Duty paid on a quantity of Spirits imported per Lady Sale from Greenock in one thousand eight hundred and forty three.

W. Hammond,
Return Duties.

To William Hammond, of Saint John, the sum of four pounds seventeen shillings and six pence to reimburse him Duties paid on seventy eight gallons of Geneva exported to Nova Scotia.

Jardine & Co.
Return Duties.

To Jardine and Company, of Saint John, the sum of seventy one pounds seventeen shillings and three pence to reimburse them an excess of Duties paid on Sugar in January one thousand eight hundred and forty three, and March one thousand eight hundred and forty four, at the Treasurer's Office.

T. Coneys,
Return Duties.

To Thomas Coneys, of Saint John, the sum of thirteen pounds one shilling and three pence, to reimburse him for Duties paid on a quantity of Tallow imported in one thousand eight hundred and forty three.

G. Woods,
Return Duties.

To George Woods, of Saint John, the sum of two pounds eleven shillings to reimburse him Duties paid on Tallow imported in one thousand eight hundred and forty three.

To

To Thomas Phillips and Sons, of the Parish of Portland, County of Saint John, the sum of eight pounds fourteen shillings and seven pence, to reimburse them Provincial Duties paid on Machinery imported from Liverpool for Rope Manufacturing purposes. T. Phillips & Sons,
Return Duties.

To John Davidson the sum of thirty three pounds four shillings and six pence, to compensate him as Seizing Officer, for seizing a quantity of Timber in one thousand eight hundred and forty, part of Duties on which, arising out of such seizure, have been paid into the hands of the Receiver General. J. Davidson.

To the Honorable Charles Hensley, Chairman of the Prince Edward Island Steam Navigation Company, the sum of two hundred pounds in aid of the funds of that Company, for having maintained a good and sufficient semi-monthly Steam Communication between Miramichi, Charlotte Town, Prince Edward Island, and Pictou, Nova Scotia, during the last season. Prince Edward
Island Steam Navi-
gation Company.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds towards the support of a Free School for the education of the Colored Children at Loch Lomond, in the County of Saint John, at present taught by R. L. Saunders, for one year, which will end in May one thousand eight hundred and forty five; the same not to be drawn until His Excellency or Administrator of the Government for the time being shall be satisfied with the efficiency of the said School. Free School for
Colored Children
at Loch Lomond.

To the Reverend William M'Donald and the Managing Committee of the Roman Catholic School in Saint Andrews, the sum of thirty pounds to enable them to keep up that institution. Roman Catholic
School in Saint
Andrews.

To the Committee of Management of the Infant School, Saint John, the sum of twenty pounds in aid of individual subscription towards that institution. Infant School at
Saint John.

To the Reverend Andrew Barron and the Managing Committee of the Roman Catholic School in Bathurst, the sum of thirty pounds to enable them to increase the efficiency of that School. Roman Catholic
School, Bathurst.

To William Mackintosh, a Schoolmaster, the sum of ten pounds as additional remuneration, in consideration of the superior character of the School taught by him in Dumfries, in the County of York. W. Mackintosh.

To the Reverend John G. M'Grigor the sum of forty pounds towards remunerating him for his services in conducting a School in the City of Saint John. Rev. J. G. M'Gri-
gor.

To James Seaton the sum of ten pounds for having taught a School in the Parishes of Addington and Dalhousie, County of Restigouche, ending first of January one thousand eight hundred and forty five. J. Seaton.

To Joseph Obbens the sum of twenty pounds, being the unpaid Pension as an old Soldier of the Revolutionary War, due him up to June one thousand eight hundred and forty four. J. Obbens.

To John Paddock and Thomas Harding, Esquires, President and Vice-President of the Saint John Total Abstinence Society, the sum of twenty five pounds to aid their exertions in the Total Abstinence cause. Total Abstinence
Society.

To His Honor the Speaker the sum of three hundred pounds towards reimbursing any expenses he may incur in vindicating the Privileges of the Assembly, under the Resolution of this House of the twelfth of April one thousand eight hundred and forty four. Vindication of the
Privileges of the
Assembly.

To Robert Watson the sum of twenty five pounds additional compensation for his services as a Deputy Treasurer in Saint Stephen for the year one thousand eight hundred and forty four. R. Watson.

To Margaret Grant, a Licenced Teacher, the sum of twenty pounds for teaching a School in the Parish of Saint Stephen one year ending March one thousand eight hundred and forty four. M. Grant.

To

Balance due on
Bathurst Bridge.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds to enable the Commissioners of Bathurst Bridge to pay the Contractor part of the balance due.

J. C. Quaid.

To John C. Quaid the sum of seventeen pounds ten shillings, being the balance due him on Contracts for building Bridges on the Road from the Bend of Petitcodiac to Richibucto.

M. Parrett.

To Mary Parrett, formerly Mary Fullerton, the sum of twenty pounds for teaching a School in the Parish of Studholm, King's County, for one year ending in May one thousand eight hundred and forty four.

J. Thurratt.

To James Thurratt the sum of six pounds, being a balance due him for work done on the Road between the East and South Branches of Saint Nicholas River in the year one thousand eight hundred and forty one.

Preservation of
Public Peace in
Northumberland.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty nine pounds sixteen shillings and three pence, being the balance of the expenditure incurred in the year one thousand eight hundred and forty three in maintaining the Public Peace in the County of Northumberland.

T. M. Sime,
Return Duty.

To Thomas M. Sime the sum of eighteen pounds three shillings, being return Duty on Corm Broom Brush.

Improvement of
the Navigation of
the River St. John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds to improve the Navigation of the River Saint John, to be distributed as follows:—

Twenty five pounds to improve the Towing Path from Nackawick River to Cronkite's Island;

Fifty pounds to improve the Towing Path from the Arestook to the Grand Falls;

Seventy five pounds to improve the Towing Path from the Grand Falls to the River Saint Francis;

Fifty pounds towards clearing out Rocks between Fredericton and the Great Falls;

One hundred and seventy five pounds towards improving Chapel Bar;

Fifty pounds towards improving the Bar opposite Nixon's landing, so called;

Five hundred and seventy five pounds towards opening a Channel through Bear Island Bar, and erecting a Wing Dam.

I. Dutcher.

To Isabella Dutcher, a licenced Teacher, the sum of ten pounds to remunerate her for teaching a School in the Parish of Queensbury, County of York, for six months ending twenty fifth December last.

Division Line be-
tween Northum-
berland and Kent.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds to defray the expense of running the Division Line between the Counties of Northumberland and Kent.

Appraisers,
Saint John.

To the two Appraisers at Saint John, under the Imperial Act, the sum of twenty five pounds each for their services for the past year.

Survey of Charlotte
County Boundary
Line.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and ten pounds to continue the Survey of Charlotte County Boundary Lines during the ensuing Summer.

Exploration of a
Line of Road from
the Little Mada-
waaka to the Saint
Francis.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds towards paying two Commissioners to explore a Line of Road from the Little Madawaska River to the River Saint Francis, on the North side of the River Saint John, agreeably to the Resolution of the House of eleventh of March one thousand eight hundred and forty three.

To

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to be applied to the payment of a balance due Thomas Cox for building a Bridge at Newcastle, the same having been granted in one thousand eight hundred and forty two for that purpose and not drawn.

Thomas Cox,
building Bridge at
Newcastle.

To the Chairman of the Committee of Public Accounts the sum of one hundred pounds for extra services.

Chairman of the
Committee of Pub-
lic Accounts.

To John A. Beckwith the sum of fifty pounds to compensate him for extra services as Clerk in the Provincial Auditor's Office in the year one thousand eight hundred and forty three.

J. A. Beckwith.

To Thomas Turner, Thomas Berry, and John Parkinson, late Commissioners of the Alms House in Saint Andrews, the sum of fifty pounds in full of all claims made by them for a balance due for the support of Emigrants at that place.

Commissioners of
Alms House, Saint
Andrews.

To John Walsh the sum of twenty pounds for having taught a School in the Parish of Saint John, in the County of Saint John, for the year ending first day of February one thousand eight hundred and forty four.

J. Walsh.

To Thomas Miller the sum of nineteen pounds for repairs done on Bass River Bridge in one thousand eight hundred and forty one.

T. Miller, repairs
on Bass River
Bridge.

To Henry W. Baldwin the sum of one hundred and eleven pounds three shillings and ten pence, being the amount of over expenditure made by him in one thousand eight hundred and forty one on the Road leading from the Restigouche Great Road to the upper Bridge, Tettagouche River, and the upper part of the Road to the said River approaching the Mines.

H. W. Baldwin,
over expenditure on
Roads.

To the Justices of the Peace of the County of Gloucester the sum of one hundred and fifty pounds towards paying off the County Debt.

Justices of Glou-
cester, toward the
County Debt.

To Patrick O'Neil the sum of ten pounds for teaching a School in the Parish of Sussex for six months ending January one thousand eight hundred and forty two.

P. O'Neil.

To Mary M. Leggett the sum of twenty pounds to compensate her for long and faithful services as a Schoolmistress.

M. M. Leggett.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty nine pounds fifteen shillings, to be applied to the payment of a balance due Jonathan Lunn on a Contract on the Road leading from Fredericton to Petitcodiac made in one thousand eight hundred and forty two; to be taken from the Grant for the improvement of that Road.

Jonathan Lunn,
balance on a Road
Contract.

To the Joint Committee of the Legislative Library such sum as will procure a Bill of Exchange for two hundred pounds sterling towards the purchase of Books.

Legislative Library.

To Edward Jagoe the sum of twenty pounds to remunerate him for his services in teaching a School at Saint George for twelve months ending January last.

Edward Jagoe.

To Henry Chubb and Company the sum of forty five pounds five shillings to provide for printing the Geological Reports for one thousand eight hundred and forty two.

H. Chubb & Co.
Geological Report.

To Lieutenant Colonel Whannell, of Her Majesty's thirty third Regiment, the sum of seventy nine pounds nineteen shillings and eleven pence to reimburse the Officers of the Mess of that Regiment Duties on Wines, &c. consumed the past year.

Lieut. Col. Whan-
nell, return Duties
on Wine.

To David S. Kerr, Esquire, Barrister at Law, the sum of seventy five pounds for reporting and towards the expenses of printing the Decisions of the Supreme Court.

D. S. Kerr,
Reporting Decisions
of the Supreme
Court.

Mechanics' Institute, Saint John.

To the Mechanics' Institute at Saint John, the sum of seventy five pounds towards the support of its Educational Establishment, and to enable that Corporation to make it more extensively useful in all its operations.

A. S. Phair, for preparing Public Accounts.

To Andrew S. Phair, of Fredericton, the sum of fifteen pounds, being a balance due him for preparing certain Public Accounts.

Protection of the Revenue.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one thousand five hundred pounds towards the protection of the Revenue the present year.

Index to Laws.

To John Gregory the sum of ten pounds, being an amount due him for preparing an Index to the Laws.

Dr. G. P. Peters, Vaccine Establishment, Saint John.

To Doctor G. P. Peters, Surgeon to the Vaccine Establishment, Central Board, at Saint John, the sum of twenty pounds for his services for the year one thousand eight hundred and forty four.

Adjutant General of Militia.

To the Adjutant General of the Militia Forces the sum of eighty five pounds for his services and contingencies for the year one thousand eight hundred and forty five.

Province Treasurer for an additional Clerk.

To the Province Treasurer the sum of one hundred and twenty five pounds to provide for the services of an additional Clerk in his Office the present year.

Establishment on Sheldrake Island.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds towards the support of the Establishment on Sheldrake Island, in the County of Northumberland, under the direction of the Board of Health for the Counties of Gloucester and Northumberland.

Dr. J. C. Pinquet, Vaccination at Madawaska.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifty pounds for services performed by Doctor J. C. Pinquet in vaccinating five hundred and eighty persons at the Madawaska to prevent the spread of the Small Pox.

Expenses from Small Pox at Madawaska.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds ten shillings and one penny to provide for expenses incurred at Madawaska during the prevalence of Small Pox in that Settlement the past year.

Government House Repairs.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and nine pounds seventeen shillings and one penny to reimburse the Commissioner of Government House the amount over expended by him the past year.

Repairs of Province Hall and Offices.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty two pounds fourteen shillings and seven pence to provide for expenses incurred in one thousand eight hundred and forty four for the repairs of the Province Hall and Offices.

African School, Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds in aid of individual subscription for the support of the African School in the City of Saint John.

Canal between South Bay and the River St. John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for deepening and improving the Canal between South Bay and the River Saint John, in the County of Saint John.

Hon. T. Baillie, Report on Boundary between Canada and New Brunswick.

To the Honorable Thomas Baillie, Surveyor General, the sum of one hundred and fifty pounds for extra services in preparing a Map of the Province, and his Report on the Boundary Line between Canada and New Brunswick.

Reuben Norton, for a Grist Mill on the Digdeguash.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding fifteen pounds towards paying the purchase

purchase money of one hundred acres of Land, to include a Mill Site, on Jones' Brook, Digdeguash, to be granted to Reuben Norton, provided he erect a Grist Mill on the said Site, and put the same in operation on or before the first day of January next.

To James P. A. Phillips, Publisher of the Farmer's Manual, the sum of forty pounds towards encouraging the continuance of the said Publication.

J. P. A. Phillips,
Farmer's Manual.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding seventy five pounds for each County in the Province, for the support and encouragement of Agricultural Societies, according to the terms and conditions of the Grant of a like nature passed in the year one thousand eight hundred and forty three.

Agricultural So-
cieties.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds, to be divided into four equal parts, and to be appropriated in aid of individual subscription towards purchasing and importing four Stallions of approved breeds, for labour and general purposes, to be distributed for the use of the following Districts:—

Improvement of
Breed of Horses.

One for Carleton, York, Sunbury and Queen's ;

One for Charlotte and Saint John ;

One for King's and Westmorland ;

One for Northumberland, Kent, Gloucester and Restigouche.

To the Commissioners of the Alms House of the City and County of Saint John the sum of ninety pounds eight shillings to reimburse them for expenses incurred in support of sick and distressed Emigrants during the year one thousand eight hundred and forty four ; and the further sum of twenty five pounds to remunerate Doctor W. Bayard for medical attendance during the same period ; the same to be taken from the Emigrant Fund.

Distressed Emi-
grants at St. John.

To the Commissioners of the Alms House of the County of York the sum of seventeen pounds seventeen shillings and one penny for expenses incurred by them in support of Emigrants during the year one thousand eight hundred and forty four ; to be taken from the Emigrant Fund.

Distressed Emi-
grants in York
County.

To Thomas Graham the sum of twenty pounds in full for medical attendance on distressed Emigrants, agreeably to the report of the Committee ; to be taken from the Emigrant Fund.

Thomas Graham,
for attendance on
distressed Emi-
grants.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of eleven pounds seventeen shillings and six pence, for expenses incurred by them in providing a Constabulary Force at Partridge Island, to prevent the spread of Small Pox in October last ; to be taken from the Emigrant Fund.

Constabulary Force
at Partridge Island.

To George J. Harding, Health Officer at Partridge Island, the sum of seventy five pounds in full for his services for three years in that capacity ; to be taken from the Emigrant Fund.

George J. Harding,

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eighty pounds towards paying a Courier for carrying the Mail once a week between Fredericton and Saint Andrews.

COURIERS
Between Frederic-
ton and Saint
Andrews ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to enable him to pay a Courier for carrying the Mail once a week between Fredericton and the Finger Board.

Fredericton and
the Finger Board

To the Deputy Postmaster General the sum of one hundred pounds to defray the expense of a Semi-Weekly Courier between Petitcodiac and Newcastle, to deliver and receive Mails at the different Post Offices and Way Offices on the Line.

Petitcodiac and
Newcastle ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to enable him to pay a Courier for

Madawaska Post
Office and the River
Saint Francis ;

for

for carrying the Mail once a week between the Madawaska Post Office and the River Saint Francis.

Mouth of Nerepis
and Head of Long
Reach ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds in aid of a Courier to carry the Mails between the mouth of the Nerepis and the head of the Long Reach, through the Parishes of Westfield and Greenwich.

Saint John and
Quaco ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to pay a Courier for running once a week between the City of Saint John and Quaco.

Long Creek, on
the Washademoak,
and Sussex Vale ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds, for the purpose of remunerating a Courier between Long Creek, on the Washademoak Lake and Sussex Vale.

Gagetown and
Salmon River ;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to enable a Courier to run once a week from Gagetown to Salmon River, through the Parishes of Waterborough, Chipman, and Canning, in Queen's County, the present year.

Bathurst and Pokemouche,
via Shippegan ;

To the Justices of the Peace for the County of Gloucester the sum of thirty pounds to enable them to remunerate a Courier to run between Bathurst and Pokemouche, by way of Shippegan, for the year ending first day of June one thousand eight hundred and forty five.

Miramichi and
Pokemouche.

To the Deputy Postmaster General the sum of thirty pounds for the support of a Courier between Miramichi and Pokemouche, *via* Tabusintac and Tracaday.

Packet between
Grand Manan,
Campo Bello and
Saint Andrews.

To Commissioners to be appointed by his Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to enable the inhabitants of Grand Manan to establish a Weekly Packet to run between Grand Manan, Campo Bello, and Saint Andrews, under such regulations as the Commissioners to be appointed may deem necessary.

Packet between
Prince Edward
Island and Bay
Verte, touching at
Bedeque and Charlottetown.
William Weeks.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of a Packet between Prince Edward Island and Bay Verte, in the County of Westmorland, to be paid to William Weeks on a satisfactory Certificate being produced that the said Packet has run at least once a fortnight during the Season, touching at Bedeque and Charlottetown each alternate voyage.

Packet between
Shediac and
Bedeque.
A. Simpson.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of a Packet between Shediac and Bedeque, the same to be paid Anthony Simpson on a Certificate being produced that the said Packet has been at all times fit to carry Passengers, and that she has been running at least once a week from the opening of the Navigation to the close thereof.

J. Stevens.

To John Stevens, of Bathurst, the sum of five pounds for having taught a School in the Parish of Bathurst for three months ending the twenty third day of October last.

J. Pendlebury,
Light House
Keeper.

To John Pendlebury, Keeper of the Light House in the Harbour of Saint Andrews, the sum of ten pounds in addition to the sum of thirty pounds already granted for his services in that capacity ; to be taken from the Light House Fund.

J. Connelly,
Light House
Keeper.

To John Connelly, Keeper of the Light House on Machias Seal Island, the sum of ten pounds for extra services performed by him in attending to the Warning Gun in foggy weather ; to be taken from the Light House Fund.

Acting Superintendent
of Light Houses in the Bay
of Fundy.

To the Commissioners of Light Houses in the Bay of Fundy the sum of one hundred and seven pounds eight shillings and six pence to provide for the services

services of the Acting Superintendent of Light Houses to the thirty first day of December one thousand eight hundred and forty two ; to be taken from the Light House Fund.

To the Commissioners of Light Houses for the Bay of Fundy the sum of one hundred pounds for extra services performed by them to the thirty first day of December one thousand eight hundred and forty four ; to be taken from the Light House Fund.

Commissioners of Light Houses in the Bay of Fundy, extra services.

To Elizabeth Munson, Widow of the late James Munson, Keeper of the Light House on Cape Enrage, the sum of six pounds five shillings, being that amount short paid him on his Quarter's Salary from the first day of January to first day of April one thousand eight hundred and forty three ; to be taken from the Light House Fund.

E. Munson.

To Thomas Lamb, Keeper of Thrum Cap Light House, the sum of ten pounds for expenses incurred in assistance rendered to Shipwrecked Crews and Vessels in distress ; to be taken from the Light House Fund.

Thomas Lamb, Light House Keeper.

To the Commissioners of Escuminac Light House the sum of eighty seven pounds nineteen shillings and three pence, being amount expended by them for Oil and other contingencies the past year ; and the further sum of seventy five pounds towards the contingencies of the present year.

Escuminac Light House Contingencies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to enable His Excellency to employ a person to run the Division Line between the Counties of Sunbury and York.

Division Line between Sunbury and York.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twelve pounds ten shillings for the purpose of aiding in carrying the Mail between Saint Andrews and Saint Stephen twice a week for one year from the first day of April one thousand eight hundred and forty five.

Conveyance of Mails between St. Andrews and St. Stephen.

To Alexander Munro the sum of fifty pounds towards the expenses incurred by him in the publication of a valuable Treatise on Land Surveying.

Alex. Munro, Treatise on Land Surveying.

To Anthony B. Tayte the sum of ten pounds in consideration of his trouble in preparing an Arithmetical Treatise.

A. B. Tayte, Arithmetical Treatise.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to enable His Excellency to cause the Division Line between the Counties of Northumberland and Gloucester to be run and established.

Division Line between Northumberland and Gloucester.

To the Overseers of the Poor for the Parish of Saint Stephen the sum of twenty five pounds to reimburse them for expenses incurred during the past year for the support of sick and indigent Emigrants ; to be taken from the Emigrant Fund.

Distressed Emigrants, Saint Stephen.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds to enable His Excellency to pay the Government Postages for the year one thousand eight hundred and forty five.

Government Postages.

To Ann Hatfield, Widow of the late David Hatfield, who served his Country faithfully in the Revolutionary War with America, the sum of ten pounds.

Ann Hatfield.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy pounds to remunerate the three Queen's Counsel employed by His Excellency Sir John Harvey, in prosecuting certain individuals for a libel, in pursuance of a Joint Address of this House and the Legislative Council.

Queen's Counsel, Prosecution for Libel.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty seven pounds ten shillings to remunerate

J. M'Lean, Dredging Machine.

remunerate John M'Lean for taking the Dredging Machine to Saint John, and other expenses, under an order to that effect from the late Provincial Secretary; and a further sum not exceeding forty pounds to provide for indispensable repairs upon her at Saint John.

Provincial Lunatic Asylum.

To the Commissioners of the Provincial Lunatic Asylum the sum of one hundred and fifty seven pounds nine shillings and eight pence, being the balance over expended by them for the year ending thirty first day of December one thousand eight hundred and forty four.

Provincial Lunatic Asylum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds towards the support of the Provincial Lunatic Asylum for the year one thousand eight hundred and forty five.

J. Simpson, Printing Journals,

To John Simpson, Queen's Printer, the sum of one hundred and twenty three pounds seventeen shillings and six pence, being amount of his Account for Printing the Journals of the Legislative Council for the year one thousand eight hundred and forty four.

Publications in the Royal Gazette,

To John Simpson, Queen's Printer, the sum of two hundred and forty four pounds twelve shillings and six pence to provide for certain publications in the Royal Gazette the past year.

Laws, Journals, Reports, &c.

To John Simpson, Queen's Printer, the sum of five hundred and sixty four pounds ten shillings, being the balance of his Account for Printing and Stationery for Laws, Journals, Reports, &c. to the thirty first December last, in full.

B. C. Chaloner, Gauger and Weigher at Saint John.

To B. C. Chaloner, Gauger and Weigher at Saint John, the sum of one hundred pounds for his services the past year.

Conveyance of T. O'Leary, a Prisoner, to England.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty three pounds thirteen shillings and eight pence to provide for the expenses incurred in conveying Patrick O'Leary, a prisoner, to England.

Central Bank, advances.

To the President and Directors of the Central Bank the sum of fifty one pounds sixteen shillings to reimburse them for a short appropriation made in one thousand eight hundred and thirty seven, in providing for certain Public services in that year.

T. M'Gaghie, services at Grand Manan.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to remunerate Thomas M'Gaghie in full for any claim he may have for services performed in attending a Commission to proceed to Grand Manan to investigate the circumstances attending upon the burning of the Episcopal Church on that Island in one thousand eight hundred and thirty nine.

Towards amount due on Bonds given by the Corporation of Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two thousand five hundred pounds, and the further sum of seven hundred and fifty pounds, to enable His Excellency to cancel two Bonds given by the Corporation of the City of Saint John, for money advanced to that Body, to enable them to employ the indigent and distressed labouring Poor, after the calamitous fire which took place in one thousand eight hundred and forty one, upon the payment by the said Corporation into the Treasury of the Province of three hundred and seventy pounds of the aforesaid advance, which sum was not expended by them for the purpose aforesaid.

Relief of John Kerr, Surety for late Deputy Treasurer Campbell.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred and eighty pounds to enable him to relieve John Kerr, one of the Sureties of the late Deputy Treasurer Campbell, of so much that he is liable for as such Surety on his Bond to the Crown, the said relief not to be extended until the remaining balance of one hundred and

and sixty nine pounds twelve shillings and two pence due from the said Kerr for such liability be first paid into the Provincial Treasury, and that he also pay all costs which may have accrued, arising out of proceedings taken against him to secure the Crown.

To the Commissioners of the Public Buildings the sum of one hundred and fifty pounds towards the repairs for the year one thousand eight hundred and forty five; and the further sum of seventy five pounds for the Commissioners' services for the year one thousand eight hundred and forty four. Public Buildings.
Remuneration of Commissioners.

To Peter M'Ewen, a licenced Schoolmaster, the sum of six pounds six shillings and eight pence to remunerate him for teaching a School in Saint George for four months ending in March one thousand eight hundred and forty four. P. M'Ewen.

To E. W. Miller, Esquire, Sheriff of the County of York, the sum of one hundred and fifty pounds in full for all claims against the Province. E. W. Miller,
Sheriff of York.

To Henry W. Baldwin, Esquire, High Sheriff of the County of Gloucester, the sum of ten pounds to remunerate him for actual labour in completing a very elaborate statistical return of Agricultural Produce raised in the County of Gloucester in the year one thousand eight hundred and forty four. H. W. Baldwin,
Statistical Returns.

To Sarah Creekmore, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances. S. Creekmore.

To the Postmaster at Fredericton the sum of three hundred and thirty four pounds nineteen shillings and ten pence, being the amount of Postages of the Legislature during the present Session. Postages of the Le-
gislation.

To the Clerk of the House of Assembly the sum of two thousand two hundred and forty five pounds eleven shillings and seven pence, being the Contingencies of the present Session. Contingencies of
the Legislature.

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 the Administrator of the Government 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 payments may be made at the same. Money to be paid
by Warrant.

CAP. LXXXIV.

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

Passed 14th April 1845.

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 Administrator of the Government for the time being shall appoint, in addition to the sums already granted, the following sums for the purposes hereinafter mentioned, that is to say:—

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to be expended in procuring an exploration of a Road from Chaplin's Island Road, in the County of Northumberland, towards the Pabino Falls in the County of Gloucester. Exploration
Chaplin's Island
Road towards the
Pabino Falls.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand four hundred pounds for the Road from Saint John to the Nova Scotia Line; seven hundred pounds of which to be applied for the improvement of the Great Marsh in the vicinity of Saint John; thirty four pounds fourteen shillings and ten pence to be paid Alexander Goodfellow, late Supervisor, balance due him for over expenditure on said Road; Saint John to the
Nova Scotia Line.

thirty

thirty pounds for the improvement of the old Westmorland Road ; four hundred pounds for that part of the Road leading from Hayward's Mills to the Nova Scotia Line, of which such part to be laid out on the old Road across the Tantamar Marsh as may be required to keep the same in a good state of repair ; four pounds to be paid Charles Godsoe, balance due him on a contract taken by P. M'Mannus ; and two hundred and thirty one pounds five shillings and two pence remaining to be laid out on the Road leading from the Great Marsh to Hayward's Mills.

Saint John to Saint Andrews, and Bridge over the Bocabec.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and sixty pounds for the Great Road from Saint John to Saint Andrews, and a new Bridge over Bocabec ; twenty five pounds of which to be applied in repairing the Approaches to the Steam Boat Landing in Carleton ; and twelve pounds ten shillings to be paid Joseph L. Messinett for materials furnished for repairs of Magaguadavic Bridge.

Fredericton to Saint John, *via* Nerepis.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds for the Great Road from Fredericton to Saint John *via* Nerepis ; the sum of three hundred pounds to be expended between Fredericton and Corry's Inn ; and the sum of one hundred pounds between Corry's Inn and the Yorkshire Tavern ; out of which latter sum seven pounds to be paid John Stevens for repairs on South Bay Bridge, and twenty five pounds for the repairs of the Approaches to the Steam Boat Landing in Carleton.

Nerepis to Gagetown.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty five pounds for the Road from Nerepis to Gagetown.

Dorchester to Shediac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eighty pounds for the Road from Dorchester to Shediac.

Shediac to Petitcodiac.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the Road from Shediac to Petitcodiac.

Richibucto to Chatham.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds for the Road from Richibucto to Chatham and for the Bridges on the said Road.

Newcastle to Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and twenty five pounds for the Road from Newcastle to Bathurst.

Bathurst to Campbelltown.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred and fifty pounds for the Great Road from Bathurst to Campbelltown ; one hundred pounds of which to be appropriated towards the repairs of the Bridge over Ferguson's Mill Stream.

Fredericton to Woodstock.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred pounds for the Road from Fredericton to Woodstock Corner ; thirty pounds of which, if necessary, to be expended on the North side of the River.

Woodstock Corner to Arestook.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for the Road from Woodstock Corner to Arestook.

Arestook to Grand Falls.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for the Road from the Arestook to the Grand Falls.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for the Road from Fredericton to the Finger Board.

Fredericton to the
Finger Board.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy five pounds for the Road from Bellisle to Saint John.

Bellisle to Saint
John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of six hundred pounds for the Road from Fredericton to Newcastle; twenty five pounds of which to be paid to John Wilson for a Team Ferry Boat across the North and South West Branches of Miramichi River in the year one thousand eight hundred and forty four, upon its being certified by Alexander M'Laggan and Thomas N. Underhill, Esquires, that the duty has been faithfully performed.

Fredericton to
Newcastle.

Team Ferry Boat.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for the Road from Fredericton to Saint Andrews.

Fredericton to
Saint Andrews.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds for the Road from Salisbury to Harvey; thirty five pounds of the same to be applied to the rebuilding of Crooked Creek Bridge.

Salisbury to
Harvey.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred pounds for the Road from Shediac to Richibucto.

Shediac to Richi-
bucto.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds for the Road from Woodstock to Houlton; five pounds of which to be paid Agnes Beardsley for damages sustained in the removal of the Arestook Bridge from her land in June last.

Woodstock to
Houlton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds for the Road from Waweig to Saint Stephen; sixty three pounds fifteen shillings and seven pence of which to be paid Hugh Morrison balance due him on the Waweig Bridge.

Waweig to Saint
Stephen.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and twenty pounds for the Road from Oromocto to Gagetown; eighty pounds of which to be expended in repairing Street's Causeway, and in cutting down the Hill or altering the Road between the Causeway and Berton's lower line.

Oromocto to Gage-
town.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and twenty five pounds for the Road from Oak Bay to Eel River; forty pounds of the same to be expended between the little Digdeguash and the Howard Settlement.

Oak Bay to Eel
River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and twenty five pounds for the Road from Fredericton to the Bend of Petitcodiac; twenty five pounds of which, if necessary, to be expended between Fredericton and Little River; one hundred and twenty five pounds between Little River and Newcastle; and seventy five pounds between New Canaan and the Great Road leading from the Bend to Saint John.

Fredericton to
Bend of Petitcodiac

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds for the Road from the Grand Falls to the Canada Line, not to extend beyond the Grand River; one hundred pounds of which to open and improve a newly explored Line of Road past the Grand Falls.

Grand Falls to the
Canada Line.

To

Bathurst to Miramichi, *via* Pokemouche.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for the Road from Bathurst to Miramichi, *via* Pokemouche; one hundred pounds to be expended in erecting a Bridge and Approaches on Pokeshaw River, in the County of Gloucester, and the other one hundred pounds in the County of Northumberland.

Forks of Marsh, Saint John, to Quaco.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and twenty five pounds for the Road from the Forks of the Marsh, Saint John, to Quaco.

Hampton to Bellisle.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for the Road from Hampton to Bellisle.

Bridge over the Arestook.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred and fifty pounds towards the erection of a Bridge over the Arestook.

J. Purtell's to the Mechanics' Settlement in Westmorland and King's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy five pounds for the new Line of Road to the Mechanics' Settlement, so called, in the Counties of Westmorland and King's; the same to commence at J. Purtell's, thence to the Mill Bridge, thence to Jones' Corner, thence South one and a half miles, until it intersects the Road laid out and completed by William Potts, and from Jones' Corner towards the Pollett River.

Stanley to Campbeltown.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for the Road from Stanley to Campbeltown, and for erecting Bridges over Rivers crossing the same.

Campbeltown to Boiestown, re-appropriation.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds towards improving the Line of Road from Campbeltown to Boiestown; being a re-appropriation of the same amount granted in one thousand eight hundred and forty one, and not drawn, to open a Line of Road upon the South West Branch of the River Miramichi, from Porter's Brook to the upper Settlement on the Division Line between the Counties of York and Northumberland.

Floating Bridge over Red Bank Creek.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to be applied to the erection of a Floating Bridge over Red Bank Creek, Parish of Chipman, in Queen's County, it being the re-appropriation of the said sum granted in one thousand eight hundred and forty two to open a new Road from Salmon River Mills to Coal Creek Mills.

Drake's Dock to Dark Harbour;

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds; the same having been granted in one thousand eight hundred and forty two, and not drawn from the Treasury, for the Road from Drake's Dock Landing to Dark Harbour, in the Island of Grand Manan, to be re-appropriated as follows, viz:—Fifteen pounds for the Road from Drake's Dock Landing towards Dark Harbour, and twenty five pounds for the Hill Road between the Southern Line of Bingham's Grant and Daniel Young's, towards the Grand Harbour, in the Parish of Grand Manan.

Drake's Dock to Dark Harbour;

Bingham's towards Grand Harbour.

Bridges at Long's Creek, Chocolate Cove, &c. West Isles.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds granted in one thousand eight hundred and forty one, and not drawn from the Treasury, for repairing damages occasioned by high Tides at Fountain Cove, on Deer Island, to be re-appropriated as follows, viz:—For building and repairing Bridges at Long's Creek, Chocolate Cove, Highland Cove, and in William M'Kenzie's Field, in the Parish of West Isles.

To

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds granted in one thousand eight hundred and forty one, and not drawn from the Treasury, for the Road from Currie's Cove to Head Harbour, in the Island of Campo Bello, to be re-appropriated for the Road from Charles Mulholland's to Dick's Pond, in the Parish of Campo Bello.

Charles Mulholland's to Dick's Pond.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds granted among the Bye Road Appropriations of one thousand eight hundred and forty one to improve the Public Landing over the Flats at the entrance of Milkish Creek, in the Parish of Westfield, King's County, (and which sum was not drawn from the Treasury or expended,) be re-appropriated and applied to improve the Road leading along the North West side of the Milkish Creek, principally between M'Coy's Bridge and Fenwick's upper line.

N. W. side Milkish Creek between M'Coy's Bridge and Fenwick's.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds for improving the Road from Wayland's, on the Menzie Road, towards the Yorkshire Road, in the Parish of Greenwich, King's County, and which sum was granted among the Bye Road Appropriations of one thousand eight hundred and forty two, and omitted by mistake in the Road Bill of that Session, be re-appropriated, and applied towards clearing out the Channel and improving the Approaches to the Public Landing at Jones' Creek, in the said Parish.

Clearing Channel, &c. Jones' Creek, in Greenwich.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of nineteen pounds for the Road leading to Owen's and Duncan's Mill, and thence on the line beyond it as far as it is settled, and the further sum of six pounds to provide for expenses actually incurred by Noah Disbrow, Esquire, as Commissioner on certain Bye Roads in the County of Saint John, it being a re-appropriation of twenty five pounds granted on the same line of Road in one thousand eight hundred and forty two, and not drawn from the Treasury, the said Road being the one laid out by John Hooper, as expressed in the Grant of one thousand eight hundred and forty two.

Road to Owen and Duncan's Mill.

N. Disbrow.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty five pounds to open a Road from the mouth of the Tobique River up said Stream, three pounds ten shillings of which to be paid to Walter Hay, Commissioner, balance due him; a part of the above sum may also be appropriated towards rebuilding the Bridge across the Munic River.

Mouth of Tobique upwards.

W. Hay.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the improvement of Bye Roads:

QUEEN'S COUNTY.

Five pounds to improve the road at John Syphers' Hill.

Seven pounds ten shillings to repair the Winter Bridge at Indian Point.

Seven pounds ten shillings for the road from the Maquapit Lake to the Neighbourhood Road on the line between Samuel and Moses Denton's Land.

Bye Roads in Queen's County.

Five pounds for the road from Little River to Syphers' Pond, to intersect the Public Road.

Ten pounds to build a Bridge over the Stream at Calkin's Key-hole, so called.

Ten pounds for the road from Hardwood Ridge to Baillie's Point.

Ten pounds for the road from Michael Dillon's to James Kirkpatrick's.

Twenty

Queen's County
Bye Roads,
Continued.

- Twenty pounds for the road from the North side Maquapit Lake to Newcastle.
 Seven pounds ten shillings for the road from Buzza's to Brown's Mills.
 Twenty pounds for the road from Coal Creek to James M'Donald's.
 Twenty pounds for the road from Salmon Creek to Gaspereaux, at Langan's Mill.
 Seventy five pounds to build a Bridge over the Gaspereaux at Langan's Mill.
 Ten pounds for the road from David Dougherty's to Salmon Creek.
 Ten pounds to build a Bridge at Murray's Saw Mill.
 Ten pounds for the road through the M'Farlane Settlement from the Forks of the road at R. Holmes'.
 Five pounds for the road from the Cross Road at the foot of the Hill levelled last year from Long Creek Bridge to the English Settlement.
 Five pounds for the road from A. Stuart's new Bridge where the road was altered to the old road.
 Ten pounds for the road from Waterloo Settlement to the new Line of Post Road on A. Cochran's South Line.
 Ten pounds for the road from King's County Line to John Johnston's.
 Seven pounds ten shillings for the road from Murray's Mill to John Johnston's.
 Ten pounds to build a Bridge over the Stream which divides the Parishes of Studholm and Johnston.
 Seven pounds ten shillings for the road from William Perry's to Thomas Worden's.
 Seven pounds ten shillings for the road from Willett Worden's to Lawrence Watts' lower line.
 Seven pounds ten shillings for the road from Richard Thorn's to John A. Starkey's.
 Seven pounds ten shillings to open the road from George Parker's to Cole's Creek.
 Ten pounds for the road from Corcoran's to Thomas Wetherall's Mill.
 Five pounds for the road from the Grand Lake Shore to the Main Road near Robert Snell's.
 Ten pounds for the road from Wiggins' Mill to Wasson's Mill on the Line laid out by J. Earle, Esquire.
 Thirteen pounds for the road from Dykeman's Bridge to Cox's Mill.
 Five pounds for the road from David Lipsitt's to James Spence's.
 Five pounds for the road from George Elkin's to Cumberland Bay Bridge.
 Five pounds for the road from M'Lean's Mill to the Settlement South side Cumberland Bay.
 Five pounds for the road leading from the front road to the Settlement in the rear of William Wiggins' and John Roberts' Land.
 Seven pounds ten shillings for the road from Cox's Point to George Elkin's.
 Seven pounds ten shillings for the road from George Elkin's to Joseph Barton's.
 Seven pounds ten shillings for the road from Cox's Point to Conrad Miller's.
 Ten pounds to raise the Bridge at number twenty Brook at Cornelius M'Namara's.
 Fifteen pounds for the road from Foster's Settlement on the Line between John Elsworth's and Richard Stephen's until it intersects the Post Road.
 Ten pounds for the road from Young's Cove to Washademoak near Widow Jenkins'.
 Ten pounds for the road from the Forks of New Canaan to M'Donald's Mill.
 Eighty pounds to open a road from Cole's Island, on East side Washademoak River, to the New Canaan Settlement, on as straight a line as practicable.

Ten pounds for the road from Phillips' Settlement to the road at George Parker's.

Five pounds for the road from Shaw's Mill to the Scotch Settlement.

Seven pounds ten shillings for the road from Shannon Settlement to Henderson Settlement.

Five pounds for the road from Captain Bulyea's East line to Lewis' Cove.

Seven pounds ten shillings for the road from Alison Henderson's to Lewis' Cove.

Ten pounds for the road from Robert Golding's to Dickey's Mill, and thence to the County Line.

Seven pounds ten shillings for the road from Murdock's to Samuel London's old place.

Ten pounds for the road from the Public Landing, North East Branch of Lewis' Cove, to the Post Road, by way of Samuel Foster's Grist Mill.

Five pounds for the road leading from Reuben Vantassel's to the Waterloo Road.

Ten pounds for the road from Washademoak Lake to the Shannon Settlement, on the line between Lands owned by Thomas E. M'Donald and Samuel G. Cain.

Fifteen pounds for the road from the Saint John River to the Victoria Settlement on the Line between Sunbury and Queen's County.

Five pounds to repair the Public Wharf near Gagetown.

Ten pounds for the road from Lounsberry's Ferry to Currie's Mill and to the Highway.

Fifteen pounds for the road from Vail's Ferry to Dingee's Mill.

Fifteen pounds for the road from the Forks of the road near John Gaunce's Farm to M'Allister's on the Nerepis.

Fifteen pounds for the road from Reuben Fox's Farm to the Oatnabog Road.

Twenty five pounds for the road from Tyng's Brook Bridge to Michael Martin's, and thence through Clark's Farm to Gagetown.

Fifteen pounds for the road from Tyng's Brook Bridge to the Oatnabog, and thence to Carleton Peter's Farm.

Fifteen pounds for repairing the road leading from the Oatnabog Bridge, over the South West Branch of the Oatnabog Stream, until it intersects the Road leading to the New Ireland Settlement.

Fifteen pounds for the road from Andrew Hughson's to William Burges' corner, and thence to Sanburn's Mill.

Ten pounds for the road from Thomas Harrison's corner, in Jerusalem Settlement, King's County Line, near Moore's.

Twenty pounds for the road from Little River to Jerusalem and Summer Hill Settlements, commencing at the North West Hollow, at the Forks of the Road leading through to C. M'Conkey's.

Ten pounds for the road from Parks' corner, in Jerusalem Settlement, to the Gagetown Road in Summer Hill.

Ten pounds for the road from the old School House, in New Ireland Settlement, through by Delong's and Lawrey's, and continuing to the Road leading from Jerusalem to Andrew Hughson's.

Ten pounds for the road from Thomas Boyd's to the English Settlement, by the way of John Henderson's.

Ten pounds for the road from the Landing at Long Creek to King's County Line.

Ten pounds for the road from the County Line, near Maxwell's, to Widow Boyd's.

Queen's County
Bye Roads,
Continued.

Ten pounds for the road from the Washademoak Lake, on the Line of Lots number nineteen and number twenty, between Cox and White, to Foster's Settlement.

Ten pounds for the road from the Church to Darby Gillan's.

Ten pounds for the road from the Nerepis Road to the Patterson Settlement.

Ten pounds for the road from the George Lyon's Road to Polley's corner, and building a Bridge in Jerusalem Settlement.

Ten pounds for the road from Mahood's corner to Gagetown.

Ten pounds for the road from Dunn's corner on the Gagetown Road until it intersects the Nerepis Road.

Ten pounds for the road leading to the Butler Settlement, West side of Nerepis Road.

Fifteen pounds for the Bridge on Redstone Stream and the Road to Gabriel Fowler's.

Twelve pounds ten shillings for the road from the County Line to Nerepis.

Ten pounds for the road from the George Lyon Road through Hopewell.

Ten pounds for the road commencing at the side line of Charles Hamilton's and running through Dudley Johnston's Farm.

WESTMORLAND.

Thirty pounds for the road from Landries' to William Read's.

Ten pounds for the road from William Read's to Thomas Ayer's.

Fifteen pounds for the road on the Sackville Great Marsh to Point Migic.

Twenty pounds for the road from Thomas Oulton's to the Emigrant Road.

Ten pounds for the road from Tedish to Great Shemogue.

Ten pounds for the road from John Anderson's to Cadman's.

Thirty pounds for the road from Sackville to Aboushagan.

Sixty pounds for the Gaspereaux Bridge and Emigrant Road.

Fifteen pounds for the road from E. Raworth's to Cape Spear.

Twenty pounds for the road from Wood Point to the Joggins.

Twenty five pounds for the road from John Wells' to Point Migic.

Ten pounds for the road from Dorchester Road to Crossman's.

Fifteen pounds for the road from Webster's to Lezere.

Thirty five pounds for the road from Benjamin Tingley's to Kouchibouguac River.

Fifteen pounds for the road from Dobson's to H. Ward's.

Five pounds for the Bridge and Causeway to Toler's Island.

Fifteen pounds for the road from George Lunn's to D. Cook's.

Ten pounds for the road from Log Lake to Towse's.

Ten pounds for the road from Charters' to Landrie's.

Ten pounds for the road from Baxter's Cove, on the North side of Shediac River, to John M'Dougal's.

Fifteen pounds for the road from Guiton's, up the East side of Memramcook.

Ten pounds for the road from second Westcock Hill to Grand Aunce.

Ten pounds for the road near Gaspereaux Bridge to Otter Creek.

Ten pounds for the road in Shediac to the French Settlement.

Ten pounds for the road from Newman's Mills, North side of Shediac River, to Peter Babinot's.

Ten pounds for the road from Bay Verte to Tignish.

Fifteen pounds for the road from Gaspereaux to the Great Shemogue.

Ten pounds for the road from William Kinnear's to Fairfield.

Bye Roads in
Westmorland.

- Five pounds for the road from the Sackville Church to the British Settlement.
- Fifteen pounds to build a Bridge over Kouchibogouac near John Galong's.
- Five pounds for the road from the Barrichœ to the Ohio Settlement.
- Ten pounds for the road from George Richardson's to Crossman's.
- Ten pounds for the road from Edward Chappel's past Gooden's.
- Ten pounds for the road over Cormea's Marsh.
- Fifteen pounds for the road from Townsend's, on the Bay Verte Road, to the Gaspereaux Bridge.
- Five pounds for the road on Beach Hill, in Sackville, to be expended in front of G. Bowser's Farm.
- Seven pounds ten shillings for the road from James Purdy's to Cook's.
- Seven pounds ten shillings for the road from Cook's to the Joggins.
- Fifteen pounds for the road from Thomas Colpitt's Mill to Coverdale River.
- Ten pounds for the road from near Mrs. Smith's to Powell.
- Ten pounds for the road from Robert Colpitt's to King's County Line.
- Thirty pounds for the road from Henry Steves', through the Irvine Settlement, to Turtle Creek.
- Five pounds for the road from Henry Steves' to Round Hill, and thence to Duffy's.
- Ten pounds for the road up Beaver Brook by Edgett's.
- Fifteen pounds for the road up Pine Brook to the Pulcifer Settlement.
- Fifteen pounds for the road over Germantown Marsh by Tingley's.
- Five pounds for the road to Ebenezer Wilbour's.
- Ten pounds for the improvement of the Caledonia Hill at Baltimore.
- Fifteen pounds for the road from Gilbert Forsyth's to Cape Enrage.
- Five pounds for the road from William Fillmore's to Daniel Copp's.
- Thirty five pounds for the road from Germantown to Point Wolf.
- Fifteen pounds for the road from New Ireland to Salmon River.
- Ten pounds for the road from Ezra Peck's, through the Haley Settlement.
- Ten pounds for the road from Reuben Stiles' to Crooked Creek.
- Ten pounds for the road through the Memel Settlement.
- Twenty five pounds for the Great Road through the Caledonia Settlement.
- Fifteen pounds for the road from Hayward's to Hopewell.
- Thirty five pounds for the Great Road near M'Latchey's to Gunning's.
- Twenty pounds for the road from Chapman's, up Turtle Creek, to Mitten's.
- Ten pounds for the road from Abraham Steves' to the Great Road; five pounds of which to be paid to Abraham Steves towards remunerating him for rebuilding a Bridge over Weldon's Creek last year.
- Fifteen pounds for the road from Hayward's to Hillsborough.
- Ten pounds for the road from George Colpitt's to Coverdale River.
- Thirty pounds for the road from the Bend to Irishtown and to the French Settlement.
- Twenty pounds for the road from Shediac Road through the French Minudie Settlement.
- Ten pounds for the road from the Great Road to Butternut Ridge.
- Ten pounds for the road from Bellevous Village to Dover.
- Twenty pounds for the road from Ralph Carter's to the Petitcodiac River.
- Seven pounds ten shillings for the road from Gabriel Herbert's to Dover.
- Seven pounds ten shillings for the road from Budrot's Village to Indian Town on the Petitcodiac.
- Ten pounds for the road from the Butternut Ridge Road to Corn Hill Settlement.

Westmorland
Bye Roads,
Continued.

Twenty five pounds to alter the course of the Stream above the Bridge over the North River in Salisbury ; ten pounds of which to be applied in paying James Price for Intervale required for the New Cut.

Ten pounds for the road from Alexander Kinnear's to Joseph Chapman's.

Seven pounds ten shillings for the road from Hall's Creek to the Mountain Settlement by Michael M'Farling's.

Thirty pounds to build a Bridge over the Petitcodiac near James Haslet's.

Seven pounds ten shillings for the road from Bellevous Village to Budrot's.

Twenty pounds for the road from the Bend to the Mountain Settlement.

KENT COUNTY.

Bye Roads in
Kent.

Fifteen pounds for the road round the Cocagne Cape and through the same to the Gulf.

Twenty pounds for the road on the South side of the Cocagne River ; seven pounds ten shillings of which to be expended through the New Settlement near the County Line.

Twenty pounds for the road from Cocagne River through the Ohio Settlement to Buctouche River.

Ten pounds for the road on the South side of Buctouche River to the second tier of Lots.

Twenty five pounds for repairs of the Bridge over Little Buctouche River and the Road on the North side thereof.

Twenty pounds for the road on the South side of Great Buctouche River leading to the Mill at the head of the Tide.

Thirty pounds for the Bridge over Mill Creek and the Road leading up the North side of Great Buctouche River.

Fifteen pounds for the road from N. Beckwith's to the new Settlement in rear of the Indian Line.

Twenty pounds for the road from the Post Road to the second tier of Lots in the Chase Settlement.

Ten pounds for the road from the head of the Chockpish River to the East Branch of Saint Nicholas River.

Ten pounds for the road from the Mill on Chockpish River to Mark Myer's.

Twenty five pounds for the road to the new Settlement between the West and South Branches of the Saint Nicholas River.

Twenty five pounds for the road from the East Branch Bridge (including the Bridge) to Coal Branch.

Twenty pounds for the road from Coal Branch Bridge to intersect the Harley Line of Road.

Twenty five pounds for the road on the South side of Richibucto River, from Bell's Creek, downwards.

One hundred and forty pounds for the road on the North side of the Richibucto River, from Richibucto to where the Harley Road crosses said River ; five pounds of which to be expended on the Bridge on the South side of Bass River ; and four pounds to be paid to William Chandler, Esquire, for exploring the said Road.

Ten pounds for the road to the new Settlement on the North West River.

Twenty five pounds for the road on the South side of Kouchibouguacis River, from the Rapids up.

Eighteen pounds for the road on the North side of Kouchibouguacis above the Post Road.

Twenty pounds for the road from Point Sapin to Kouchibouguac River.

Ten

Ten pounds for the road from Point Edward up the North side of Kouchibouguac River. *Kent Bye Roads,
Continued.*

Fifteen pounds for the road on the North side of Kouchibouguac River above the Post Road.

Twenty pounds for the road on the South side of the Kouchibouguac River below the Post Road.

Ten pounds for the road from New Galloway to the East Branch of Saint Nicholas River.

Ten pounds for the Road from the Richibucto River to the West Branch near Johnston's Mill.

SUNBURY COUNTY.

Fifteen pounds for the road from George Boone's to Ralph Seeley's.

Ten pounds for the road from Daniel Timmins' to a new Settlement past Peter Kane's. *Bye Roads in
Sunbury.*

Five pounds for the road near Walter Patterson's to William and Joseph Parson's.

Thirty five pounds for the road from Hartt's Mills to the Rushagonis, through a Settlement at Three Tree Creek ; four pounds fifteen shillings of which to pay John DeWitt balance due him for building a Bridge over the Oromocto.

Ten pounds for the road from the above to the Oromocto, past Mott's Mills.

Seven pounds ten shillings for the road from Hartt's Mills to the Diamond Square Settlement.

Ten pounds for the road from Widow Kirkpatrick's, through the Douglas Valley.

Five pounds for the road from South Branch Road to John M'Laughlan's.

Twenty pounds for the road from Scoullar's Mills to a new Settlement, past Charles DeWitt's.

Five pounds for the road from South Branch Road to Patrick M'Laughlan's.

Forty pounds for the road from Jeremiah Tracey's, Junior, through a new Settlement towards the Rushagonis, past Joshua Thomas'.

Seven pounds ten shillings for the road from Solomon Tracey's to John M'Claskey's.

Fifteen pounds for the road from John M. Wilmot's Farm to John Grass'.

Thirty pounds for the road from John Grass' to Rushagonis Road, near J. Peabody's.

Sixty pounds for the road from French Lake Road to the Little River Mill, in the Parish of Sheffield, and to pay the balance for building a Bridge over the Blind Thoroughfare.

Twenty pounds for the road from the Highway in Burton, at or near Jacob Smith's, through the Gordon Settlement, to the Nerepis Road.

Fifteen pounds for the road from the Nerepis Road to a new Settlement past William A. Carr's, towards the Victoria Settlement.

Twenty pounds for a new road from the Gordon Settlement through the Whitlock Grant to the Queen's Bridge over Swan Creek.

Forty pounds for a new road from the Petitcodiac Road through the Carlow Settlement on the line between Hand's and Lang's.

Twenty five pounds for a new road from the Little River Mills to a new Settlement above said Mills.

Sixty pounds for the road from the River near the County Line between Queen's and Sunbury through the Victoria Settlement.

Twenty pounds for the road from D. Dougherty's to Thomas Williams' on the Hardwood Ridge Road, Parish of Sheffield.

Twenty

Sunbury
Bye Road,
Continued.

Twenty pounds for the road from D. Dougherty's to Summers' upper line on the Salmon Creek.

Ten pounds for the road from the Upper Mills, Newcastle, to Lewis Allbright's.

Ten pounds for the road from Thomas Smith's to Alexander Morgan's on the South side of the North Stream of Rushagonis.

Fifteen pounds for the road from Thomas Hartt's to Thomas Mersereau's through the Alexander Settlement.

Ten pounds for the road near William Shanks' in the Shirley Settlement to the Highway near Street's Farm.

Ten pounds to T. O. Miles, to pay a balance due him for over expenditure on the Road between the Counties of York and Sunbury.

NORTHUMBERLAND COUNTY.

Bye Roads in
Northumberland.

Two hundred and fourteen pounds thirteen shillings and six pence to Alexander Goodfellow, Esquire, to reimburse the following sums over expended by him:—

On the road from Bartibog to Tabusintac,.....	£93 3 7
On the road from Moorfield's to Russell's Mill,.....	0 13 6
On the road from Neguac to Stymest's Mill,.....	2 12 6
On the road from Moodie's Point to the head of the Tide,	0 13 4
On the road from Patrick Hall's to Bartibog,.....	2 0 10
On the road from Bathurst Road to M'Carthy's,.....	0 15 6
Sundry Commissions,.....	0 12 9
Exploring the line of road from Porter's Brook to the upper Settlement on the South West Branch,.....	6 8 0
Balance due on Taxes River Bridge,.....	107 13 6

£214 13 6

Thirteen pounds fifteen shillings and three pence to Richard Sutton and Alexander Goodfellow, Esquire, over expended by them on Barnaby's River Bridge.

Thirty six pounds four shillings to James Laurie over expended per Audit in one thousand eight hundred and forty one.

Fifteen pounds to John M'Allister to reimburse the amount expended by him in one thousand eight hundred and forty two on the road from Hogan's Farm to M'Allister's, per Account and Vouchers now on file in the Audit Office.

Ten pounds for the road from the lower Highway, Newcastle, to the River at Strawberry Point.

Five pounds for the road from the West end of Bartibog Bridge to Bathurst Road near Russell's Mill.

Seven pounds ten shillings to explore and open a road in rear of the late William Abram's place to the second tier of Lots.

Ten pounds for the road in rear of the front Lots in Chatham, commencing at John Henderson's upper line and continuing until it reaches the line joining the Parish of Nelson.

Seven pounds ten shillings to aid and assist in raising the two Bridges across the two Branches of Napan River and improve the approaches leading thereto on the Road from Saint John Church, Chatham.

Ten pounds to improve the road leading from the rear of Hannah's clearance to the Welfield Settlement.

Ten pounds for the road from the Settlement in rear of Moorfield's to the Bathurst Road near Russell's Mill.

Ten

Ten pounds towards improving the road on the North side of Renous River between Lee's Farm and Indian Town.

Northumberland
Bye Roads,
Continued.

Thirty pounds for the road from Patrick Whalen's to James Donaldson's on the North side of Renous River.

Ten pounds for the road from Bartholomew's Mill to the new Settlement on the Dungarvon.

Ten pounds for the road from John Bassiet's clearance to the South West Road.

Thirty pounds for the road from M'Laggan's Mills to the Emigrant Settlement on Bartholomew's River, known as the Breadalbane Settlement.

Fifteen pounds for the road from Doak and M'Laggan's Mills to the upper Settlement on the Bartholomew River.

Ten pounds for the road from Bartholomew's Mills to the Forks.

Ten pounds for the road from the Horse Shoe on Cains' River to the Main South West, agreeably to Saddler's Line.

Twenty pounds towards improving the new line of road on Cains' River to Sabbie's Mills.

Ten pounds towards improving the road from Cains' River on the South West Branch of Miramichi up till it strikes the Road to the Settlement on Cains' River, coming out on the South West.

Thirty five pounds to continue the new line of road from Matchet's on the North side of the North West towards the Peabody Farm.

Ten pounds to explore and open a road from Richard M'Mahon's to the head of the North West Meadows.

Ten pounds to explore and open a road from John Ryan's to the head of the Big Hole Meadows, and from thence on the Line of Road to Henderson's and Estey's Farm.

Ten pounds towards erecting a Bridge across the Little Sevogle at Hogan's Farm.

Ten pounds to explore and open a road from James Johnston's on the North West, to John Menzie's Farm on the Little South West, and from thence up the Little South West on the North side, to Felix Mackee's Farm.

Five pounds to explore and open a road from the North West Mill Stream up said Stream to Currie and Curtis' Farm on the South side of said Stream.

Fifty pounds for the Chaplin Island Road; forty pounds of which sum to assist in completing the Road from Trout Brook, on the Chaplin Island Road, to Copp's Settlement on the North West.

Five pounds to assist in opening a road from the Main North West Road to the Shore near Jeremiah Crowley's.

Twenty pounds to improve the road from Cuppage and White's to James Holmes' Farm on the Little South West, and from thence upwards.

Ten pounds to improve the road from Beaubair's Point to Cuppage and White's.

Ten pounds to improve the road from the North West to the South West Branch of Miramichi, through the Williamstown Settlement.

Five pounds to improve the road from Jared Tozer's upper line of the North West to the lower Williamstown Settlement.

Five pounds to explore and open a road from Williamstown Settlement at Harrington's Farm to the South West, opposite Barnaby's River.

Ten pounds to explore and open a road from the upper Settlement on Bartholomew's River to the South West Branch of the Miramichi, coming out near Swim's Ferry.

Five pounds to open and improve the road from the Highway through Lot 55, South side of South West to the Bank of the River, passing the House of William Byron Ludlow.

Twenty

Northumberland
Bye Roads,
Continued.

Twenty pounds to improve the road from Barnaby's Island Bridge to Tobin's Farm, thence towards Indian Town, on the South side of the South West.

Ten pounds to improve the road on the East side of Barnaby's River to Hutchinson's Farm.

Five pounds to improve the road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

Five pounds to improve the road on the South side of Barnaby's River to the Semiwagan Ridge.

Ten pounds towards erecting a Bridge across Barnaby's River, to connect the road leading from the Semiwagan Ridge on that River with the Main Road on the East side of Barnaby's River.

Fifteen pounds to improve the road from Nowlan's to Ryan's, from Ryan's to Murphy's, and from thence to the Road leading along Barnaby's River.

Ten pounds towards improving the road from John M'Donald's, Esquire, Farm to Kingston's, and from thence towards Bay du Vin River Mills.

Twenty pounds towards improving the road from Williston's Farm to Eel River.

Five pounds towards improving the road from Carrol's Brook to Serjeant's upper line, on the Line of Road surveyed by Deputy Saddler.

Seven pounds ten shillings towards improving the road on the North side of Black River, from the Richibucto Road upwards, a distance of one and a half miles, on the line laid out by Deputy Peters.

Five pounds to open and assist in making a road to the Settlement in rear of Andrew M'Ginnes' Lot, Napan.

Ten pounds to improve the road from Horten's Creek to Ullack's Farm, Bay du Vin.

Five pounds to improve the road from Sergeant's Road to Sullivan's Line, lower Bay du Vin.

Ten pounds to improve the road from Dicken's place to the Settlement on Bay du Vin River, two and a quarter miles above the Richibucto Road.

Seven pounds ten shillings to improve the road and repair the Bridges situate between Black River Bridge and the Little Branch Bridge, Glenelg.

Seven pounds ten shillings to improve the road between the Little Branch School House and the upper Settlement.

Ten pounds to improve the road from Horten's Creek to John M'Donald's, Esquire, Farm.

Ten pounds to assist in erecting a Bridge over a Brook between the residence of Archibald Sinclair and the upper Settlement, and to improve the Road leading thereto.

Fifteen pounds to explore and open a road from Point Aux Car to Black River Church.

Ten pounds to improve the road from M'Night's Mill, Napan, to Black River Bridge.

Ten pounds to improve the road from Placide Casey's upper line to the County of Kent, at Escuminac.

Twenty five pounds to improve the road from Taylor's Creek towards Point Aux Car.

Ten pounds to improve the road from Patrick Hall's Farm, in a Westerly direction towards Bartibog.

Fifteen pounds to aid and assist in building a Bridge on the North side of Tabusintac, across Red Pine Island Brook, near the residence of James Johnston.

Ten pounds to improve the road on the South side of the Tabusintac, crossing M'Leod's

M'Leod's Mill Dam, and from thence through the upper Settlement leading to Stymest's Mill.

Northumberland
Bye Roads,
Continued.

Ten pounds to explore and open a road from the Emigrant Settlement forming in front of the fourth tier of Lots on the South side of Tabusintac River.

Ten pounds to explore and open a road on the North side of Tabusintac River, commencing at the Public Landing at the mouth of the River, extending up until it joins the road leading to James Johnston's.

Ten pounds to assist in completing the Bridge on the North Branch of Cow-assiget Creek, leading to the Mill.

Ten pounds to improve the road from Lower Neguac to Stymest's Mill.

Seven pounds ten shillings to open and improve the road from Simpson's, down the North side of Burnt Church River, to the Farm occupied by William Morrison.

Seven pounds ten shillings to improve the road laid out from the angle on the Line between Lots three and four, Burnt Church Settlement, down to Burnt Church Point.

Nine pounds seventeen shillings and three pence to explore and open the road in the rear of Nowlan's Settlement, from M'Namarra's and John Wallace's, to the most distant Settlement, extending about two miles.

Ten pounds to improve the old road from Blissfield Mills to the Hovey Settlement, through Price and Wilson's Settlement on the South West.

KING'S COUNTY.

Ten pounds for the road from the late Judge Perry's towards Kingston Court House.

Bye Roads in
King's County.

Five pounds for the road from Elias Flewelling's to M'Allary's.

Fifteen pounds for the road from Brittain's Mills to the Long Reach.

Fifteen pounds for the road between Coffee's and Lowel's in the Midland.

Twenty five pounds for the new road by the point of the Mountain from Snider's to Puddington's.

Fifteen pounds for the road from White's Mills, Kennebecasis, to Henry Williams', Long Reach; one half thereof to be expended between White's and the Midland Road, and the remainder between the Midland Road and Williams'.

Ten pounds for the neck road from Seeley's Point, Long Reach, to the Kennebecasis.

Ten pounds for the road along the West side of Long Island.

Fifteen pounds for the road from Pickett's Mills to Ketchum's.

Ten pounds for the road leading from the Perry Brook to the Ketchum Road, by R. Nutter's.

Ten pounds for the Pequokit Road.

Ten pounds for the road from the Fowler Settlement to that of Mitchell and others in the third tier of Lots in rear of Grand Bay.

Ten pounds for the road from John Stephenson's in the Finlay Settlement to the Post Road.

Ten pounds for the road through the second tier of Lots from Greenwich Parish Line to Cheyne's.

Ten pounds for the road leading from the second tier of Lots to Stephen Cronk's in the third tier.

Ten pounds for the road leading from the Long Reach to the Cheyne Settlement.

Fifteen pounds for the Winter road near James B. Lyon's, and the Road thence to the Milkish.

King's County
Bye Roads,
Continued.

Ten pounds for the road from the School House near Harding's to the Lands End.

Ten pounds for the road leading from the neck road to Worden's and thence towards Harrison's.

Fifteen pounds for the road leading from Lands End to the Mouth of the Mil-kish, and thence up the Creek.

Ten pounds for the Crabbe Road, to be expended principally between Henry Lawson's and D. Herrington's.

Ten pounds for the road leading from Thomas Wallis' towards the front.

Twenty five pounds to repair the large Bridge over Jones' Creek in Greenwich.

Ten pounds for the road from the Widow Lynch's to Hickey's.

Ten pounds for the road from Hickey's to A. Hamilton's, and thence to the Queen's County Line, near Moore's.

Ten pounds for the Menzie Road, to be expended principally between the Wayland place and Paul's.

Ten pounds for widening and repairing the Bridge near Thos. B. Flewelling's.

Ten pounds for the Road from the East Scotch Settlement, to intersect the Post Road near Cromwell's by way of Stewart's.

Ten pounds for the road from the West Scotch Settlement to the Kirk, by John Gow's.

Ten pounds for the road from the Queen's County Line to Barzilla Kierstead's.

Ten pounds for the road from the Henderson Settlement to Weeden Wetmore's.

Five pounds for the road from Queen's County Line to the West Scotch Set-
tlement.

Five pounds for the road from Queen's County Line to the East Scotch Set-
tlement, by E. Maxwell's.

Ten pounds for the road from David Muire's to David M'Night's.

Seven pounds for the road leading from the English Settlement to that of Paul
Kingston's and others.

Ten pounds for the road from Francis Galagher's to William Pearson's.

Forty pounds for the new line of road from Springfield to Hampton Ferry to
be expended upon the North end of the said road.

Eight pounds for the road from John Foster's to the Back Settlement, near D.
Wilson's.

Five pounds for the road from James M'Laggan's to the Back Settlement.

Ten pounds for the road from Perry's to George Keith's, on Springhill.

Ten pounds for the road from William D. Coat's to R. Stockton's.

Fifteen pounds for the road from Butternut Ridge to Smith's Creek.

Ten pounds for the road from Perry's to the County Line.

Fifteen pounds for the road from Jessie Allward's to Galey's.

Fifteen pounds for the road from Lockhart's to New Canaan.

Ten pounds for the road from Graham's to John King's.

Ten pounds to open a road from Caurie's to Lands granted to Gavin Smith.

Ten pounds for the road from the Jordan Mountain to Coat's Mill.

Ten pounds to open a road from Smith's Creek to the Corn Ridge.

Ten pounds for the road from the Settlement of Connel O'Donnel and others
to the Mill Stream Road.

Ten pounds for the road from E. Darling's to Roach's, by way of G. Ryan's.

Five pounds for the road from Robert Manning's to Robert White's.

Ten pounds for the road from William Baskin's to William Lockhart's, in the
Donnegal Settlement. Ten

Ten pounds to improve the road from Dutch Valley to Mrs. Patton's, Shepody Road.

Ten pounds for the road from M'Larren's Brook to the Cross Road near Cassedy's.

Five pounds for the road from Drummond's to Carson's and others in the Back Settlement.

Ten pounds for the road from Dennis Leary's to Hugh Patterson's above Hayward's Mill.

Ten pounds for the road from Patrick Welch's, Shepody Road, to M'Lauchlan's.

Twenty pounds for the road to the Victoria Settlement and Vaughan's Mill, leading to the South Branch.

Ten pounds for the road from John Fryer's to the Campbell Settlement, by Ratter's.

Ten pounds for the road from Henderson's towards the Campbell Settlement, by way of Law's.

Ten pounds for the road from R. Kirk's and others to the River near Gilead Secord's.

Fifteen pounds to assist in repairing the Bridge near Major Evanson's.

Ten pounds for the road from Jeffrey's Mill to John Linden's, Piccadilly.

Twenty pounds to improve the worst parts of the new road between Sherwood's Mill, in Upham, and the Church in Sussex.

Ten pounds for the road from Lackey's Brook to Edward Mackin's West line.

Ten pounds for the Bridge near Brown's.

Twenty pounds to assist the inhabitants in erecting a Bridge on the Road leading from James Upham's to Henderson's Mill.

Ten pounds for the road from Godsoe's to Herrett's.

Ten pounds for the road from Gregory's to Schoals' Mill.

Ten pounds for the Road from Gregory's to the County Line.

Ten pounds for the road from Aaron Scott's to Michael M'Mackin's.

Ten pounds for the road from Godsoe's to the Road near the Baptist Meeting House.

Five pounds for the road from Henderson's Mill to the County Line.

Ten pounds for the road from William Scott's to William Drummond's, Shepody Road.

Twenty pounds for the road from the Settlement on Mount Theobald to the County Line near the old Quaco Road, as explored by Deputy O'Keleher.

Ten pounds for the road from the Campbell Settlement to Hammond River, by Sherwood's Mill.

Ten pounds for the road from Godsoe's Farm on Golden Grove Road to the head of the large Lake Lomond.

Ten pounds for the road from the County Line to the School House in the Golden Grove.

Ten pounds for the road leading from the Golden Grove to the late James Smith's Mill.

Ten pounds for the road from the South Stream Bridge to the County Line, towards Milligan's.

Ten pounds for the road from Gondola Point to the School House, near James Wetmore's.

Ten pounds to open a road from the Settlement of James Hill and others to the Post Road.

King's County
Bye Roads,
Continued.

Ten pounds to open a road from Colonel Wetmore's to the Post Road, near Mains'.

Ten pounds for the road from James M'Cready's and others, to intersect the Road leading to Loch Lomond, near T. Palmer's.

Ten pounds to open the road from William M'Cready's to Smith's Mill.

Twenty pounds to assist in repairing a Bridge near Stewart's Mill.

Fifteen pounds to open and improve the road leading to the Settlement of Dysart and others to Thomas Earl's, by William Matthew's.

Seven pounds for the road from J. Tomilson's to Newton Smith's.

Ten pounds for the road from the Parish Line to William Baxter's.

Ten pounds to assist in erecting a Bridge across Moose Horn Brook, near P. Dean's, on the Road to William Ross'.

Ten pounds to open a road from the new Settlement on the Island of Woods to the Post Road.

Five pounds for the road from John Scott's and others, to the Road near Coates' Mill.

Seven pounds for the road from Widow Conner's towards the M'Comb Settlement.

RESTIGOUCHE.

Twenty pounds for the road to the Settlement in rear of Sugar Loaf Mountain.

Forty pounds to open a road leading in at Walker's Brook to the new Settlement at Lily Lake.

Twenty pounds for the road to the Colebrooke Settlement.

Seventy pounds for the road from the Crooked Bridge towards Eel River Settlement.

Thirty pounds for the road to the new Settlement at Marl Lake.

Fifteen pounds for the road leading to the Mountain Brook Settlement.

Fifty pounds to open a Road to the new Settlement formed on the North Branch of River Charlo, as laid off by the Commissioners of Roads last Season, on the Line leading in between James M'Pherson's Lot and Francis Gerreau's.

Eight pounds to open a road laid off by the Commissioners of Highways, leading from the Great Road to the Settlers on the Bay Shore, in the Parish of Colbourn.

Twenty pounds for the road to the Settlement in rear of Hervie's, at Nash's Creek.

Twenty pounds for the road to the Doyle Settlement.

Twenty pounds for the road leading to the Belledune Point, near James Rority's.

Fifty pounds to open a road to a new Settlement, in rear of Black's and Archibold's, near Jacquet River.

Twenty pounds for the road leading in near James Christopher's to the new Settlement in rear.

Ninety pounds to open a road from Eel River Forks, to connect that Settlement with the Colebrooke Settlement.

Forty seven pounds for a Bridge and Approaches on the North Branch of Eel River, near Parrent's.

Thirty pounds for the new road leading from Bonamie's Point towards Dalhousie.

GLOUCESTER COUNTY.

Twenty pounds towards repairing the Main Road from the Northumberland Line to Joseph Sewell's, at Pokemouche. Fifteen

Bye Roads in
Restigouche.

Bye Roads in
Gloucester.

Fifteen pounds for the road from Joseph Sewell's towards the head of the Tide.

Fifteen pounds for the road from Joseph Sewell's to the Landing at the Widow Landry's, and thence to the Wough Bridge.

Forty pounds for a Bridge over the Wough, on the Blackhall Portage, and Approaches.

Forty pounds for the road from the Blackhall Portage towards the Little Gully at Shippegan, by the North side of Pokemouche Harbour.

Fifty pounds for the road from Captain Sevrett's to Pascal Landry's, by Saint Simon's Inlet.

Twenty pounds for the road from Grand Shippegan to Little Shippegan.

Sixty pounds for the Approaches to End's Bridge, and repairing the same.

Twenty pounds for the Main Road from Thomas Knowles' to James Murphy's.

Fifty pounds for the road from the Town of Bathurst to the Babino River.

Twenty pounds for the road from Henry Getty's, up the South side of the Big Nepisiquid River.

Thirty pounds for the road through the Little River Settlements.

Thirty pounds for the road through the Middle River Settlements.

Ten pounds towards improving the road from the Dumfries Settlement to the front.

Fifteen pounds for the road through the Dumfries Settlement from the Parish Line towards the Mill Stream.

Thirty pounds for a Bridge over the Mill Stream above the old Mill, on the Line leading from Kinsale towards Nigadow, and the Approaches.

Twenty pounds for the road from Petit Roche towards the second Concession in the rear, on the Line between John B. Roi's and Maran Godin's.

Fifty pounds for the Road from the Bridge at Blackstock's Mills towards the Upper Dunlop, including a Bridge over Saint Peter's River, to be expended in Kinsale Settlement.

Thirty five pounds for the roads leading through the Settlement on the South side of the Tettagouche River.

YORK.

Fifty pounds for the road lately opened to and through the Hayward Settlement; of which ten pounds to explore and open the Road to connect the new Settlement on Eel River.

Seven pounds for the road leading to the Rosborough Settlement; two pounds of which on the Road to Joseph Love's.

Twenty five pounds to open the road leading from Montgomery's old place to William Duncan's, in connection with the two Churches.

Ten pounds to improve the soft parts of the Road from Waterloo Bridge to Wilson's Mills, and beyond.

Ten pounds for the road leading to the Lake, past Trainer's; a small part, if necessary, may be expended beyond Moodie's.

Forty pounds for the road leading to Hamilton's, near the Dam, beyond the Magaguadavic Settlement; three pounds of which towards James Brown's, and a small sum on each of the Roads leading to Edmunson's and the Settlement in rear of the Blaney Ridge.

Twenty pounds for the road leading to the Saint Andrews Road through the Smithfield Settlement.

Twelve pounds for the road to the rear of the Garden Creek Settlement.

Fifteen pounds for the road leading from the Alms House to the New Mary-land Settlement.

Gloucester
Bye Roads.
Continued.

Bye Roads in
York County:

York County
Bye Roads,
Continued.

Seven pounds for the road from the New Maryland Road, downwards.

Twelve pounds from Morgan's to the Beaver Dam Settlement; five pounds of which, if more required, for the road passing Phillips', downwards.

Seven pounds five shillings for the road leading to the Glebe.

Seven pounds ten shillings for the old road leading to Spring Hill.

Fifty pounds for the road near the Little Settlement to the Saint Andrews Road.

Four pounds fifteen shillings to remunerate Andrew Blair balance due him when Commissioner.

Thirty pounds to assist in paying the balance due the Contractor for the Bridge erected over the Mactaquack.

Five pounds for the new road leading to the Keswick, and to assist in repairing the Bridges.

Thirty three pounds to open the road from the Campbell Settlement to Trout Creek; five pounds of which, if necessary, for the upper road leading to the River Saint John.

Seven pounds to open a road from the Nackawick to the Mill.

Five pounds to remunerate Jacob M'Keen a balance due him when Commissioner for erecting the lower Bridge at the mouth of the Mactaquack.

Ten pounds for the road to and through the Upper Caverhill Settlement and through the Lower Settlement, towards the Springfield Settlement.

Eighteen pounds for the road from Stewart's to the River Saint John.

Fifty pounds for the road to the Caverhill Settlement through the Springfield Settlement.

Twenty pounds for the road from Moore's to the Mactaquack.

Five pounds for the road from King's to the old Bear Island Road.

Five pounds for the road from the Keswick to the Tripp Settlement, passing Harris'.

Fifteen pounds for the road to Morris'.

Fourteen pounds for the road to the upper Settlement forming on the Keswick, to be appropriated to the several Settlements now forming there, as the Commissioner may deem most required.

Twenty pounds for the road leading from the North Line to William Boone's, commencing at the North Line.

Seven pounds for the road from the Keswick to the Bird Settlement, passing Harris'.

Twenty pounds to remunerate Richard Dunn part of the balance due him for erecting the Market Wharf.

Five pounds for the road from the Penniack Mills to Goodspeed's.

Twenty pounds for the road leading to Mount Hope, and to assist in building a Bridge thereon.

Thirty pounds for the road on the Eastern side of the Nashwaak.

Twenty two pounds for an embankment on the River Saint John, in aid of the Statute Labour, to complete, if possible, the work commenced last season.

Seven pounds to remunerate George Hayward for money paid the Contractor for erecting a Bridge across Bullin's Creek; and two pounds to be paid to George Beattie for work done on the Royal Road, so called.

Ten pounds for the road from M'Laggan's to Stanley.

Eight pounds for the road leading to M'Pherson's on the East side of the Nashwaak; four pounds of which to be expended on the other road leading to Stuart's and Stinson's on the other side.

York County
Bye Roads,
Continued.

Twenty five pounds for the road leading to Stanley, past Doctor Jacob's Farm.
Nine pounds for the road to the M'Leod Hill Settlement.

Twenty pounds for the Royal Road and the Bridges thereon.

Twenty pounds for the Road from Boyd's to Stanley, past Mick's; one half of which to be expended beyond Mick's.

Ten pounds for the road to the Fredericksburgh Settlement; of which four pounds for the road beyond Delucry's to the Temple Settlement.

Eleven pounds for the road to and through the Humphries Settlement on the Nashwaaksis.

Seven pounds ten shillings to assist in erecting a Bridge over the Nashwaaksis in aid of the Statute Labour.

Ten pounds for the road from the Nashwaak to the New Durham Settlement.

Twenty four pounds to pay part of the balance due for the Taxes River Bridge; the remainder to be provided by the Northumberland Bye Roads.

Forty pounds for the road from Miramichi to the Nashwaak.

Twelve pounds for the road from Hugh's to the Taxes River.

Ten pounds to pay the balance due Thomas O. Miles for the Road leading to the Petitcodiac Road, on the County Line; Sunbury Bye Roads to pay the remainder.

Seven pounds to remunerate Stone and Kirk for erecting a Bridge in the Tay Creek Settlement last Summer.

Five pounds to open a road from the Harvey Settlement, near Nisbet's, to the Frog Lake.

Twenty one pounds to repair Keswick Bridge, if practicable, in aid of the Statute Labour.

Four pounds to pay William M'Farlane for work performed on the Nackawick Bridge.

Five pounds for the road from Kingsclear, near Captain Maclauchlan's Farm, to the Hanwell.

Twenty four pounds for the road from the Saint Andrews Road to the Flume Ridge; fifteen pounds of which for the purpose of erecting a Bridge over the River on the road leading to M'Cormic's.

Five pounds for the road from Wilson's, in Harvey, to William Patterson's.

Five pounds for the road from Piercy's to the Little Settlement in rear of Harvey.

Seventeen pounds for the road from Wynne's in the Teetotal to the Roach Settlement; two pounds of which for the road towards Mrs. O'Brien's, in Hanwell.

Forty pounds for the road from the Great Road to Saint Andrews to Essensa's, passing Ross' Mill; out of which the expense of exploring the same, and the work done last Fall, to be paid.

Twelve pounds for the road from Hanson's to the Church on the Nashwaak.

CARLETON.

Twenty pounds to improve and open the road from the Main Highway, near Robert Clark's, through the O'Donnell Settlement, to Ivey's; seven pounds of this sum for the road near O'Donnell's, running in a Southerly direction between the second and third tier.

Five pounds to improve the road through the Spear Settlement leading to Oak Mountain.

Seven pounds to open and improve a road from the Hodgden Road in a Southerly direction in rear of Dibblee's and Ketchum's.

Twelve

Bye Roads in
Carleton.

Carleton
Bye Roads,
Continued.

Twelve pounds to improve the road from Patrick M'Intyre's, to intersect the road leading from the Scotch Corner to William M'Kenzie's; five pounds of this sum to improve the road from Widow Beardsley's to a back Settlement.

Ten pounds to open a road from M'Norland's land on Eel River, to Woolford Chapman's, and up the said Stream.

Thirty five pounds to improve the road from William M'Kenzie's corner, past Woodward's and Gidney's, to Eel River; five pounds of which to improve the road between the fifth and sixth tiers of Lots, through the land granted to the Scotch Kirk.

Fifteen pounds to improve the road from Duff's to Davis' Grist Mill; ten pounds of this sum to improve the road from Green's to the farther end of the Settlement.

Fifteen pounds to open the road near John Curry's, running in a Southerly direction to the Hodgden Road; ten pounds of this sum for the road from George Debeck's Mill to Isaac Gidney's.

Thirty five pounds to improve the road from Hilman's to the Maduxnikik; ten pounds of this sum to improve the road from John M'Lennan's, past Jackson's, to the Falls.

Forty pounds to build a Bridge and open a road from Elisha Baker's to the Curran Farm.

Five pounds to improve the road from the School House in the Irish Settlement, past Daly's, to the Hodgden Road.

Twenty pounds to improve the Road and Bridges from the County Line to Daniel Shaw's.

Thirty five pounds to open a road near John Shea's, to the Newburgh Settlement.

Fifteen pounds to open the road from M'Kinney's in a Southerly direction to the end of the Newburgh Settlement.

Thirty three pounds to improve the road from D. Shaw's Creek, to the Becaguimec; out of this sum, five pounds three shillings to be paid B. Noble, balance due him for erecting Approaches to the Bridge at the Public Lot, and to finish the Bridge at the Deep Creek.

Sixty pounds to pay for the erection of the Bridge over the Becaguimec Stream, as soon as the same is finished to the satisfaction of the Commissioners.

Twenty two pounds to open a road from Joseph Swim's to Stephen Orser's, in a new Settlement; twelve pounds of which to pay for the repairs of the Bridge over the Cold Stream, when the same is finished according to contract.

Seven pounds to improve the road from Allbright's, in a Southerly direction, until it intersects the road at the Cross Creek.

Ten pounds to open and improve the road from the Becaguimec, on the South side, to the Bridge at the Cold Stream, and to repair the said Bridge.

Twenty pounds to open and improve the road from the mouth of the Cold Stream up the same to the end of the Settlement; half of which sum to improve the road from the Cold Stream to the River Saint John.

Twelve pounds to improve a cross road in the back Settlement in rear of Lloyd's; seven pounds of this sum to improve the road near M'Isaac's to a back Settlement.

Fifty pounds to improve the road and Bridges from the Monquat to Tobique; ten pounds of this sum to be expended on the road from Monquat to the back Settlement; and also four pounds to be paid Thomas Hotham balance due him for building a Bridge near Squires'.

Sixty

Sixty pounds to open and improve a road from the mouth of Tobique up said River; ten pounds of this sum to be laid out on the road from Hopkins' to the Boundary Line. Carleton
Bye Roads,
Continued.

Fifteen pounds to improve the road from Pickard's Store to the American Line.

Twelve pounds to improve the road from Thomas Gee's to a back Settlement in a Southerly direction until it intersects a road leading from Kerr's to Wakeham's.

Fifty pounds for the road from Boyers' Mill, past Tracey's Mill, to the Boundary Line; fifteen pounds of which for the road from Kerr's past Elliot's to Lloyd's.

Ten pounds for the road from Tracey's Mill through the Cronk Settlement.

Twenty pounds for the road from James Jones' to Dennis M'Cafferty's and to open a road thence to the Presque Isle, as laid out by the Commissioners.

Forty seven pounds for the road from Ketchum's Mill, on the Little Presque Isle, to the Big Presque Isle; seven pounds of this sum to open a road from S. Bridges' through J. F. Winslow's Land to the end of the Settlement.

Forty pounds for a road from Ketchum's Mill, on the Little Presque Isle, between the fifth and sixth tiers of Lots, as laid out by Commissioners in Good Settlement.

Twenty six pounds for the new road from Ketchum's Store to Buxton's; ten pounds of which sum for the road leading from Mallory's, past the Mill, to James Phillips'; and a further sum of ten pounds to be paid to R. L. Harding for materials for the Bridge at Simonson's.

Thirty seven pounds to open and improve the road from Curran's Lot to Briggs' corner; seven pounds of this sum for the road from M'Graw's, past Chapman's, to Emery's.

Sixty two pounds for a new road from Alexander Lindsay's, in a Northerly direction, through the New Ireland Settlement; twelve pounds of this sum to open a new road near Lindsay's, past Charles Coldwell's Farm, to intersect the Williamston Road near Moses Hannah's.

Twenty two pounds for the road from Lindsay's, past M'Lauchlin's, to Sweet's; seven pounds of this sum from M'Graw's corner to a new Settlement.

Seventeen pounds to improve the road from Sharp's to Wilson's, and thence to Bell's.

Fifty pounds to open a new road from the Little Falls in Madawaska to the River Saint Francis.

CHARLOTTE.

Five pounds to improve the road from John Crickett's towards the Parish Church, Pennfield. Bye Roads in
Charlotte County.

Seven pounds ten shillings to improve the road from Spears' corner, past William Wilson's Farm, Pennfield.

Ten pounds to improve the road from John Crickett's Line to the head of Sturgeon's Cove, Pennfield.

Five pounds to improve the road from Woodland's to the top of the Hill near the same, on the Road to M'Kay's, Pennfield.

Five pounds to improve the road from the Hill near Woodland's to Bucknam's Mills, Pennfield.

Twelve pounds ten shillings to improve the road from the County Line, Dipper Harbour, through the Mace's Bay Settlement, to Little Lepreaux, Pennfield.

Five pounds to improve the road from James Shaw's Farm to the Saint John Road, near Fisher's, Pennfield.

Five pounds to improve the road from William Boyd's corner to Dunbar's Farm, Pennfield.

Charlotte County
Bye Roads,
Continued.

Twenty two pounds ten shillings to alter and improve the road from Dowd's Cove to the Saint John Road, near the New River Bridge, in Pennfield.

Seven pounds ten shillings to repair the Bridges on the Road from Woodbury's to the Parish Church, Pennfield.

Thirty five pounds to improve the Public Landing at the head of Tide Navigation, in the Town of Magaguadavic, in Saint George.

Twelve pounds ten shillings to open the new road from the junction of the Redstone and Old Saint Andrews Roads near Hanson's, to the West end of the Bridge above the first Falls of the River Magaguadavic, Saint George.

Five pounds to improve the road from Widow Sutherland's Farm towards Helm's Landing, Saint George.

Twenty five pounds to improve the Roads and Bridges between Le Tete and Bullock's Hill, Saint George.

Seven pounds ten shillings to improve the Road and Bridges between John Steen's Barn and King's Watering Place, in Saint George.

Twenty pounds to assist in building a new Bridge over the Canal, and improving the Roads connected by the same, in Saint George.

Seven pounds ten shillings to improve the Road from Archibald M'Vicar's Farm to Robert Patterson's, in Saint George.

Five pounds to improve the road from the Upper Mills to the Red Rock Settlement, in Saint George.

Seven pounds ten shillings to improve the road from Pomeroy's Bridge to David Corning's Farm, Saint George.

Ten pounds to improve the road from the Upper Mills to the old Fredericton Road, Saint George.

Seven pounds ten shillings to improve the road from Pomeroy's Bridge, by the Flume Ridge, to the County Line, Saint George.

Twelve pounds ten shillings to remunerate Robert Ash for extra expense incurred by him, (over subscription received,) in making repairs on the Pomeroy Bridge in one thousand eight hundred and forty four, Saint George.

Five pounds to improve the road between Archibald M'Vicar's Line and Henry Cook's Farm, Back Bay, Saint George.

Five pounds to improve the road from Pleasant Ridge Road to Leary's Farm, Saint George.

Seven pounds ten shillings to improve the road from Sommerton's, by the Redstone, to Irish Town, Saint George.

Nine pounds to improve the road from Bridges' Farm to Pomeroy's Bridge, Saint George.

Five pounds to improve the road from M'Carrol's corner to Seelye's Mill, Saint George.

Fifteen pounds for the road from the Kirk in Saint James to the Gleason Settlement.

Fifteen pounds for the Chandler Road from Sprague's Falls in Saint Stephen, to the Little Ridge Road, and for a Bridge across the Moannes Stream.

Fifteen pounds for the road from M'Gaw's to and beyond the Canous Stream, in Saint James.

Fifteen pounds for the road from Alexander Campbell's to the road leading to Hitching's Mill, in Saint James.

Twenty pounds for the road from the late James Simmon's to the farthest extremity of the Little Ridge in Saint James; one half to be laid out on either side of the Moannes Stream after repairing the Bridge.

Twenty pounds for the road from the Cove in Saint Stephen to the Basswood Ridge in Saint James.

Charlotte County
Bye Roads,
Continued.

Fifteen pounds for the road from Peake's to the Baillie Settlement in Saint James.

Twenty pounds for the road from Potter's Hill to the Kirk in Saint James, and to repair the upper Bridge on the Moannes.

Fifteen pounds for the road from Spence's to Clark's Point in Saint James.

Ten pounds for the road from the Kirk to Oak Hill in Saint James.

Ten pounds for the road from the Kirk in Saint James, past John Pomeroy's, to the Little Ridge.

Eleven pounds ten shillings to Martin J. Hall, to remunerate him in part for losses sustained in making a Causeway on the Basswood Ridge Road.

Ten pounds to repair the lower Moannes Bridge in Saint Stephen, and the Approaches thereto.

Ten pounds for the road from the Woodstock Road to John Arbuckle's in Saint James.

Ten pounds for the road from the Baillie Settlement to the Anderson Settlement in Saint James.

Ten pounds for the road from the Thompson Settlement to the Pinkerton Settlement in Saint James.

Ten pounds for the road from the Thompson Settlement to the Lynnfield Settlement in Saint James.

Ten pounds for the road from James Maxwell's to Oak Hill in Saint James.

Six pounds for the cross Road leading from the Basswood Ridge Road, passing near Rogers' place in Saint Stephen.

Ten pounds for the road from William Albee's to Colin Campbell's East corner in Saint James.

Six pounds for the road from Hitchings' Mill to the Little Ridge in Saint James.

Eight pounds for the road from the Burnt Land to the Bowery Settlement in Saint James.

Twelve pounds ten shillings for the road from the Saint John Road through the School Lands in the Parish of Saint Andrews.

Twenty five pounds for the Frye Road, to improve the same towards the road to Saint Stephen, in the Parish of Saint Andrews.

Three pounds ten shillings for repairing Bridges on the Indian Point Road in Saint Andrews.

Six pounds five shillings for improving the road to Chamcook Lake on the line between Mowat's and Carlow's Farm, in Saint Andrews.

Twelve pounds ten shillings for the road from M'Dole's Farm to the road leading to Samuel Curry's, in the Parish of Saint Andrews.

Six pounds for the road from the Frye Road to Maxwell Murray's Farm in Saint Andrews.

Five pounds for the road leading to Joe's Point, to repair a Bridge thereon, in Saint Andrews.

Twelve pounds ten shillings to widen and improve the entrance of the Frye Road from the Saint John Road, in Saint Andrews.

Fifteen pounds for turnpiking the Bog Road, so called, in the Parish of Saint Patrick.

Seven pounds ten shillings for the road from the Fredericton Road towards Edwin Foster's, in Saint Patrick.

Ten pounds for the road from Samuel M'Farlane's Tannery to Charles Walker's, in Saint Patrick.

Ten

Charlotte County
Bye Roads,
Continued.

Ten pounds for building a Bridge near M'Farlane's Tannery, in Saint Patrick.
Seven pounds ten shillings for repairing the road from John Connick's to Cathcart's, in Saint Patrick.

One hundred pounds for the Glenelg Road, commencing beyond James Linton's and terminating at the Glenelg Bridge, near Robert Cockburn's, in Saint Patrick.

Eighty two pounds ten shillings for the road from Matthew Stephenson's to the Pleasant Ridge, by Patrick Reddington's; twelve pounds ten shillings of which to be paid to Robert Pagan, M'Farlane, and Maguire, for completing the Glenelg Bridge and Approaches, in Saint Patrick.

Twenty six pounds three shillings for the road from the Glenelg Bridge towards Matthew Stephenson's, in Saint Patrick.

Twenty pounds for the road from Abraham Matthew's to Head Harbour, in the Parish of Campo Bello.

Twelve pounds ten shillings for the road from Charles Mulholland's to Poor's Gully, in the Parish of Campo Bello.

Twenty pounds for the Seal Cove Road between Spruce Hill and Southern side of Seal Cove Heath, in the Parish of Grand Manan.

Fifteen pounds for the road from Northern Harbour to the Pond Hole, so called, in the Parish of West Isles.

Twelve pounds ten shillings for the road from the Pond Hole Bridge towards Samuel Lambert's, in the Parish of West Isles.

Twelve pounds ten shillings for the road from Randall's Farm to the Public Landing, North West side of Clam Cove Head, in the Parish of West Isles.

Twenty pounds for the Road from Whitmore's corner to the Woodstock Road, in Saint David.

Thirty five pounds five shillings and eight pence for the road from Moore's Mills towards the Woodstock Road, in Saint David, on the line from Brockway's to Saint Stephen.

Fifteen pounds for the road from the Bridge at Smith's Mill towards Moose Brook, in the Parish of Saint James.

Twenty pounds for the road from Devoy's corner to Moses Reid's, in Saint David.

Ten pounds for the road from Cotterell's Mill to the Head of Oak Bay, in Saint David.

Eight pounds six shillings and four pence for the Bridge near Michael Young's, in Saint David, to enable Asa Benson, Parish Commissioner, to pay three small sums of money due to persons for labour on the same last year.

SAINT JOHN.

Bye Roads in
St. John County.

Twenty pounds for the road from Black Settlement Road to Emerson's Creek, Mountain Road.

Forty pounds in aid of individual subscription, from Henry Anthony's to Ball's, and thence to M'Kenzie's Chair Manufactory.

Fifteen pounds for the road from Little River to Loch Lomond.

Sixty pounds for the road from Little River to Black River; thirty pounds of which to be paid to Robert Power for advances made by him on said road.

Seventeen pounds for the road opened by Brown and others past Brown's Mill.

Fifteen pounds for the road from Black River to Emerson's Creek, and thence to Gardner's Creek.

Ten pounds for the road from Quaco Road to the County Line, near Read's Farm.

Fifteen

Fifteen pounds for the road from Black Settlement Road to Quaco Road ; seven pounds ten shillings of which to be expended from East corner of Ratcliff's clearing towards Arthur Sloan's.

St. John County
Bye Roads,
Continued.

Ten pounds for the road from Quaco Road through the Ryan Settlement to Shepody Road.

Fifteen pounds for the road from Quaco to the County Line, near Tabor's, old Road.

Ten pounds for the road past John Davidson's to old Quaco Road.

Ten pounds for the road from Quaco Road to Tynemouth past John Brown's.

Fifteen pounds for the road from Quaco Road to the County Line, Mill and Church Road.

Thirty pounds for the road from Cody's to an old building, formerly a School House, in Hibernia Settlement.

Twenty pounds for the road from the old building, formerly a School House, in the Hibernia Settlement, to the Forks of the Road opened by Brown and others.

Ten pounds for the road from Maher's West line to Harding's Mill.

Thirty pounds for the road from Fork's of M'Brittany Road to Tynemouth, by Frazer's Mill.

Ten pounds for the road from Tynemouth, past Powers' Farm, to Quaco.

Ten pounds for the road explored from Stanley's to West Beach.

Ten pounds for the road from Hibernia Settlement to the Quaco Road.

Twenty five pounds for the road from the Westmorland Road through the Golden Grove Settlement.

Ten pounds for the road from West Beach to Black River Road, Dowd's Road, so called.

Fifteen pounds to assist the inhabitants in opening a road from County Line near Tabor's at Hammond River, through Town Plat at Quaco.

Forty pounds for the road from Dipper Harbour School House to the Saint Andrews Road.

Ten pounds for the road from the Spruce Lake to the Landing Place at Pisirinco.

Twenty five pounds for the road from Saint Andrews Road to Maces' Bay, near Hanson's Mill.

Ten pounds for the road from the Settlement in rear of Menzie's Lake, forming a connection between that and Saint Andrews Road.

Ten pounds for the road from Four Mile Road towards Millican's, Valley Road.

Twenty pounds for the road from old Quaco Road to the County Line, Mount Theobald Settlement Road.

Thirty pounds to build a Bridge across Brown's Mill Stream, Eastern section of Quaco.

Thirty pounds for the road from Aaron Delong's to Great Salmon River Mills.

Thirty pounds for the road commencing at Barry's East Line, in Quaco, to the County Line towards Shepody Road, Brown's Road, so called, until it meets Lot number twenty seven, Northwardly.

Ten pounds for the road from Frenchman's Creek to Saint Andrews Road from Peter M'Lauchlan's to Dipper Harbour.

Fifteen pounds for the road from Boar's Head to the Kennebecasis Road leading from M'Kay's Mill.

Fifteen pounds for the road from Highway at Delany's to the Kennebecasis.

Twenty pounds for the road from Indian Town Road to Kennebecasis, opposite the Brothers'.

Twenty pounds for the road from M'Kay's Mill to the Kennebecasis.

Fifteen

St. John County
Bye Roads,
Continued.

Fifteen pounds for the road leading to Sand Point.
Twenty five pounds from Great Salmon River, one mile from mouth to Little Salmon River.

Twenty three pounds to reimburse in part W. H. Craft for completing a Bridge at Dipper Harbour Creek in one thousand eight hundred and forty one.

Twelve pounds to pay Deputy O'Keleher in part for exploring a line of road from Vaughan's Creek to Shepody Road.

Four pounds to pay Richard Nowlan, late Commissioner, balance due him for building a Bridge near Croft's Mill Stream.

Money to be expended under the direction of Commissioners appointed by the Governor with advice of Council.

Duty of Commissioners in expending money.

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 Administrator of the Government for the time being, 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 sums of money are 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 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 to be performed, and also the place, day and hour, when and where the same will be let by 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 at Auction, it shall be the duty of 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 Commissioners shall severally keep an exact account of such monies, and shall produce Receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as Vouchers of such payment, and render an account thereof upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office on or before the first day of December next, 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 the before mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which Warrant no fee or deduction shall be demanded or taken from the persons in whose favour 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

said money so intrusted to them respectively, together with a reasonable compensation for actual labour and work performed by them on the said several Roads and Bridges.

V. And be it enacted, That the said Commissioners shall expend the said 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, swamps, trees or other obstructions.

Money to be expended before the 1st day of October.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the Roads, unless such alterations shall have been first duly laid out and recorded.

No money to be expended on alterations not recorded.

CAP. LXXXV.

An Act to amend the Act to regulate Sales by Public Auction.

Passed 14th April 1845.

WHEREAS the Duty of two and one half per cent. at present chargeable 'by Law on Goods sold by Public Auction, has been found so oppressive and burthensome on Trade as to greatly limit and prevent Public Sales;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the second section of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate Sales by Public Auction*, be and the same is hereby suspended for the period of two years; and in lieu thereof,

1 W. 4, c. 42, s. 2, suspended.

II. Be it enacted, That there be 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 Rate and Duty hereinafter mentioned on Goods sold by Auction or Public Outcry, that is to say: on all goods, chattels, wares, merchandize and effects whatsoever, sold by Public Vendue, Auction, or Outcry, within this Province, the sum of one pound for every one hundred pounds in value sold as aforesaid, and at and after the same rate for every greater or lesser sum; subject nevertheless to the exceptions contained in the third section of the said recited Act: Provided always, that the Auction Duties imposed by this section, shall not extend to any Teas imported direct from China.

Duty of one per cent. granted on Goods sold at Auction,

Teas imported direct from China excepted.

III. Be it enacted, That no licenced Auctioneer shall be called upon for the payment of any dues to the County in which he may reside, unless he shall have actually made sales at Auction within the year in which such local dues could be claimed.

No County dues to be exacted if no sales be effected within the year.

CAP. LXXXVI.

An Act to repeal an Act, intituled *An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy*, and to substitute other enactments in lieu thereof.

3 W. 4, c. 30.

Passed 14th April 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intituled *An Act to amend an Act to provide for maintaining Light Houses within the Bay of Fundy*, be and the same is hereby repealed; and in lieu thereof,

3 W. 4, c. 30, repealed.

II. Be it enacted, That there be and are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the support of Light Houses already

Duty granted on Vessels arriving at any Port within the Bay of Fundy.

Rates.

2 W. 4, c. 9.

already erected, or which may hereafter be erected upon any of the Coasts of the Bay of Fundy, or upon any of the Islands or Rocks in or adjacent thereto, a Duty of three pence per Ton, for each and every Ton, which each and every Vessel shall admeasure agreeably to their Registers, which shall arrive at any Port or or place within the Bay of Fundy, excepting Coasters and Fishing Vessels, and new Vessels not registered; and for registered Coasters and Fishing Vessels as defined and described in and by an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act for maintaining Light Houses within the Bay of Fundy*, when under thirty five Tons, twelve shillings per annum, from thirty five to fifty Tons, twenty five shillings per annum, from fifty to seventy five Tons, thirty shillings per annum; and for all such Vessels over seventy five Tons, thirty five shillings per annum: Provided always, that Vessels arriving from any Port or place without the Bay of Fundy shall not be liable to pay the Duties herein imposed more than once, notwithstanding they may, in order to complete their voyages, have occasion to visit several Ports or places within the said Bay: And provided also, that no Ship or Vessel shall be liable to pay the Light Duties herein imposed more than six times in any one year.

Duties to be collected and applied as in Act 2 W. 4, c. 9.

III. And be it enacted, That the several Rates and Duties imposed by this Act shall be levied, collected, paid, received, recovered and applied as directed in and by the provisions of the Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for maintaining Light Houses in the Bay of Fundy*.

CAP. LXXXVII.

An Act to make provision for the regulation of Seamen shipped on board of or belonging to all Ships or Vessels registered in or belonging to the Province of New Brunswick, while such Ships or Vessels shall be within the precincts thereof.

Passed 14th April 1845.

Preamble.

WHEREAS by an Act of Parliament made and passed in the seventh and eighth years of the Reign of Her Majesty Queen Victoria, intituled *An Act to amend and consolidate the Laws relating to Merchant Seamen, and for keeping a Register of Seamen*, it is in and by the sixty first section thereof, among other things, enacted, that the said Act shall not extend or apply to any Ship registered in or belonging to any British Colony having a Legislature, or to the Crew of any such Ship while such Ship shall be within the precincts of such Colony; by reason whereof, the provisions of the said Act, so far as the same relate to Ships or Vessels registered in or belonging to this Province of New Brunswick, or to the Crew of any such Ship while such Ship shall be within this Province, do not extend to the same;

3 V. c. 62, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of the Reign of Her present Majesty, intituled *An Act to make more effectual provision for the regulation of Seamen in this Province*, be and the same is hereby repealed.

No Capias for a debt contracted without the allowance of the Master of the Vessel, while within the precincts of the Province, to have effect against a Seaman belonging to a Provincial Vessel, until after the voyage.

II. And be it enacted, That immediately after the passing of this Act, if any person or persons in this Province shall trust or give credit to any Mariner or Seaman belonging to any Ship or Vessel registered in or belonging to this Province, while such Ship shall be within the precincts of this Province, without the knowledge or allowance of the Master or Commander thereof, no Capias or other process of arrest of the person of such Mariner or Seaman, for any debt so contracted, shall be issued against or secured upon the person of such Mariner or Seaman,

Seaman, until he shall have performed the voyage which he may be then entered upon, and be discharged of the same; and every such process so issued shall be deemed and adjudged utterly void in Law; and any one Justice of the Court from which such process shall issue, or Justice of the Peace, in case the debt demanded may not exceed five pounds, to whom it shall be made to appear that any Mariner or Seaman is committed or detained, upon process granted for any such debt, contracted while he was engaged and actually entered and on pay on any voyage, shall forthwith order his release.

III. And be it enacted, That if any Mariner or Seaman having shipped himself on board of any such Ship or Vessel so within this Province, or which hath been launched, or is actually preparing for Sea, to proceed on any voyage, and upon pay, shall neglect his attendance or refuse to do his duty on board, or shall absent himself without leave from his said service, upon complaint thereof made on oath or affirmation (in the case of persons allowed by Law to affirm), by the Owner, Consignee, or Master, or other Officer of said Ship or Vessel, to any Justice of the Peace within the said County, such Justice is hereby empowered to cause such Mariner or Seaman to be forthwith brought before him by Warrant, and upon conviction of his neglecting his attendance, or refusing to do his duty on board, or absenting himself without leave as aforesaid, to commit such Mariner or Seaman to prison, that he may be secured and forthcoming to proceed on the voyage he has so agreed for, and to be delivered by order of the Justice who committed him, or some other Justice in the same County; and all necessary charges attending his being so secured, and which have been actually paid by the said Owner or Master, may be deducted from such Mariner's or Seaman's wages, as the same may become due; and it shall be the duty of the Owner or the Master, or the Officer, or the Consignee, of such Ship or Vessel, complaining as aforesaid, to supply for the use of the said Mariner or Seaman, all necessary bedding, provisions, and maintenance, during the time of his detention in prison as aforesaid, and pay to the Gaoler of said prison his lawful fees on receiving and discharging such Mariner or Seaman, and in default thereof the said Gaoler may make the supplies aforesaid, and maintain an action therefor, together with the fees aforesaid, against the Owner of the said Vessel, or the Master, or the Officer or Consignee complaining as aforesaid, in any Court of Record, or if the sum shall not exceed five pounds, before any Justice of the Peace, according to the provisions of the Act, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*.

Seamen refusing to do duty, &c. may be committed to gaol by Warrant of a Justice of the Peace.

Charges may be deducted from wages.

To be supplied with bedding and maintenance; and Gaoler's fees paid.

IV. And be it enacted, That if any Master or Commander of any such Ship or Vessel, or any other person or persons, shall hire, or engage, harbour or conceal any Mariner or Seaman who shall have signed any former contract or articles, knowing him to have deserted from, or to belong to any other Ship or Vessel in the Province, registered in and belonging to this Province, every such Master, Commander, or other person or persons so offending, and being thereof convicted before any two of Her Majesty's Justices of the Peace for the County where the offence is committed, upon the oath or affirmation (in the case of persons allowed by Law to affirm), of one or more credible witness or witnesses, or confession of the party charged, shall forfeit and pay such sum as the said Justices shall adjudge, not exceeding ten pounds and not less than two pounds, to be levied by Warrant of distress and sale of the offender's goods, under the hands and seals of such Justices; and when recovered, one moiety to be paid to the person so prosecuting for the same, and the other moiety to the County Treasurer where the offence is committed, for the use of such County; and if there

Hiring or concealing articulated Seamen, knowing them to be deserters.

Penalty.

Application.

Deserting Seaman to forfeit wages earned on board of Vessel afterwards entered by him, in addition to the penalties.

there be no goods or chattels of such offender whereon the said penalty may be levied, it shall and may be lawful for such Justices, by Warrant under their hands and seals, to commit such offender to the Gaol of the County where such offence shall be committed, there to remain for a space of time not exceeding sixty days, and not less than ten days; and such Mariner or Seaman who shall desert at any time during the voyage on which he is engaged by written contract or articles, shall, over and above the penalties and forfeitures to which he is now by Law subject, forfeit all the wages he may be entitled to on board the Vessel entered by him after such desertion, to be detained by the Master or Owner of such Vessel, to and for the use of the Owner of the Vessel from which he deserted, or to be sued for and recovered from him by such last mentioned Owner by action of Debt, or on the case in any Court of Record, or before any Justice of the Peace, if the sum claimed do not exceed five pounds, agreeably to the above recited Act for regulating the proceedings in Civil Suits.

A Warrant to search for deserting Seamen may be issued on application made on oath.

V. And be it enacted, That if proof be made upon oath, or affirmation (in the case of persons allowed by Law to affirm), by the Owner, Agent, or Master of any such Ship or Vessel, before any of Her Majesty's Justices of the Peace in this Province, that any Seaman or Mariner belonging to such Ship or Vessel, and who may have deserted or absented himself from the same, be kept or concealed on board of any other Ship or Vessel within any of the Harbours of this Province, or in any Tavern, Pot House, or other house or place within the County, for which such Justice shall be appointed; or if oath, or affirmation (in the case of persons allowed by Law to affirm), be made, that such Owner, Agent, or Master, hath good reason to suspect, and doth verily believe, that such Seaman or Mariner is so concealed as aforesaid, it shall and may be lawful for such Justice to issue his Warrant to any of the Constables or Peace Officers within the said County, to make search on board such Ship or Vessel, or in such Tavern, Pot House, or other place; and if such Seaman shall be found in such suspected place, that such Justice shall cause such Seaman to be delivered over to the Owner or Master of the Ship or Vessel to which such Seaman shall belong, to be carried on board such Ship or Vessel, or to be committed to prison, as directed in the third section of this Act.

The giving or receiving money for procuring Seamen for Vessels prohibited.

VI. 'And whereas the practice of enticing Seamen to desert their Ships is greatly promoted by the encouragement given to the Tavern Keepers and others, 'by giving large sums to them for procuring Seamen;' Be it enacted, That from and after the passing of this Act, it shall not be lawful for any Owner, Master or Agent of any Ship or Vessel registered in or belonging to this Province, or other person, either directly or indirectly, to pay or give any money, hire, or reward, to any Inn Holder, Tavern Keeper, Shop Keeper, or other person or persons, for the procuring of any Seaman or Seamen for any Ship or Vessel; and that it shall not be lawful for any Inn Holder, Tavern Keeper, Shop Keeper, or other person or persons, to receive any money, hire, or reward, either directly or indirectly, for the procuring such Seaman or Seamen; and that any money so to be paid shall be considered as paid without consideration, and may be recovered back by action or suit in any Court having competent jurisdiction; and that all bonds, notes, bills, agreements, promises, or engagements, for paying or giving any money, hire, or reward, for the above mentioned purposes, shall be absolutely null and void to all intents and purposes whatsoever.

Money so paid to be considered as paid without consideration.

No Seaman to be bound by shipping himself, unless the agreement be in writing.

VII. Provided always, and be it enacted, That no Mariner or Seaman shall be bound by entering or shipping himself on board of any Ship or Vessel belonging to and registered in this Province, while such Ship or Vessel shall be within the precincts

precincts thereof, unless the agreement shall be in writing, and declare what wages such Mariner or Seaman is to have for so long a time as he shall ship himself for, and also shall express the voyage for which such Mariner or Seaman was shipped, any thing hereinbefore contained to the contrary notwithstanding.

VIII. And be it enacted, That if any person or persons shall aid, entice or assist any Seaman to desert from any such Ship or Vessel, or shall provide or procure, or cause to be provided or procured, for any Seaman, the means or assistance to desert from any such Ship or Vessel, or shall aid or assist any Seamen in the removal of their hammocks, clothing, or apparel, from on board of any such Ship or Vessel, or shall convey any Seaman from any such Ship or Vessel, without the sanction of the Master or Commander of such Ship or Vessel, such person or persons so offending for either of the said causes, shall, upon conviction thereof, be liable to the same penalties and forfeitures as contained in the second section of this Act, to be recovered and applied as hereinbefore provided.

Enticing or aiding Seamen to desert.

Penalty.

IX. And be it enacted, That if any person shall detain any Seaman or Mariner's clothes, chest, hammock, or other property, it shall and may be lawful for any two of Her Majesty's Justices of the Peace, upon complaint made to them by any such Seaman or Mariner on oath, or affirmation (in the case of persons allowed by Law to affirm), to issue their Warrant directed to any Constable of the County in which such Justices shall have jurisdiction, requiring the said Constable to bring such clothes, chest, hammock, or other property before them, and to summon the person so detaining the same to appear before them to answer for such detainer; and upon a full hearing of the case, on the oath, or affirmation (in the case of persons allowed by Law to affirm), of the parties and their witnesses, taken *vivâ voce*, or on proof that the person required to be summoned could not be found, and that a copy of such Warrant was left at his last place of abode, the said Justices shall and may make such order touching the articles mentioned in the said Warrant, and so brought before them, and the delivery thereof to the party complaining, or the restoration thereof to the party charged with detaining the same, as may be reasonable and just; and in case the articles cannot be found, on proof thereof, and on the appearance of the party charged, and hearing all parties as aforesaid, or proof of the service of a copy of the said Warrant as aforesaid, then the said Justices shall and may order payment of the value thereof, together with the costs of prosecution, if the same shall to them appear reasonable and just, to be levied by Warrant of distress and sale of the goods and chattels of the party upon whom such order shall be made, to the use of the said Seaman or Mariner; and in default thereof, the said person so detaining the same to be committed to Gaol, there to remain until the payment of the sum so ordered, and costs aforesaid: Provided always, that no proceedings shall be had unless the value of the articles alleged to be detained shall not exceed ten pounds; and provided also, that no Inn Holder or Tavern Keeper, or other such person, shall be allowed to make any claim before the said Justices for any lien on the said articles mentioned in the said Warrant, or any debt due from the said Seaman or Mariner, if it shall appear that the said Seaman or Mariner was at the time of such application a deserter from or belonging to any Ship or Vessel.

Proceedings to recover clothes, chest, hammock, &c. of Seaman, when detained by any person.

X. And be it enacted, That all prosecutions instituted for the recovery of any of the penalties imposed for the breach or breaches of any of the provisions of this Act, may be brought in the name of the Owner or Owners, Master, Agent, or Consignee, of the Ship or Vessel to which such Mariner or Mariners at the time of such breach or breaches shall belong, on account of whom such penalty or penalties shall be incurred.

Prosecutions for penalties may be brought in the name of Master, &c. of the Vessel to which the Seaman belonged.

Act not to prevent any Seaman from entering the Royal Navy.

XI. Provided always, and be it enacted, That nothing in this Act, or in any agreement, contained, shall prevent any Seaman or person belonging to any Ship or Vessel whatever, from entering or being received into the Naval Service of Her Majesty; nor shall any such entry be deemed a desertion from the Ship or Vessel; nor shall such Seaman or other person thereby incur any penalty or forfeiture whatever, either of wages, clothes, or effects, or other matter or thing; and no Master or Owner shall insert or introduce, or permit to be inserted or introduced, into any Articles or Agreement, any clause, engagement, or stipulation, whereby any Seaman or other person shall or may incur any forfeiture, or be exposed to loss in case he shall enter into Her Majesty's Naval Service, and if inserted, the clause, engagement, or stipulation, shall be void.

On entering into the Royal Navy, Seaman, not being a deserter, to be entitled to his clothes and wages from Vessel left.

XII. And be it enacted, That when any Seaman shall quit any such Ship or Vessel as aforesaid, in order to enter into Her Majesty's Naval Service, and shall thereupon be actually received into such Service, not having previously committed any act amounting to and treated by the Master as desertion, he shall be entitled immediately upon such entry, to have all his clothes and effects on board such Ship or Vessel delivered to him, and to receive from the Master the balance of the proportionate amount of his wages, up to the period of such entry, after deducting therefrom all charges such Seaman may then be liable to, under the provisions of this Act, to be paid either in money or by a bill on the Owner; all which clothes, effects, money, or bill, such Master is hereby required to deliver and pay to him accordingly; but in case the Master shall have no means of ascertaining the balance, he shall make out and deliver to such Seaman a certificate of the period of his service, and the rate of wages he is entitled to, producing at the same time to the Commanding or other Officer of Her Majesty's Vessel, the agreement with the Seamen; and every such Master, upon the delivery of such clothes and effects, and the settlement of such wages, in manner herein mentioned, shall receive from the Officer in command of the Vessel into which the Seaman shall have entered, a certificate of such entry, endorsed on the agreement, and signed by the said Officer, which such Officer is hereby required to give.

Limitation.

XIII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. LXXXVIII.

An Act further to amend the Law relating to Bankruptcy.

Passed 14th April 1845.

Preamble.

6 **W**HEREAS it is expedient further to amend the Law relating to Bankruptcy;

Execution on Judgments in favor of Bankrupt Plaintiffs may issue, the Attorney endorsing the fact of being issued for the Assignee.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in cases where parties Plaintiff have or may become Bankrupt in any action, whether before or after Judgment, in all actions where the sum recovered may form part of the Estate of such Bankrupt, Execution may issue upon such Judgment against the person or property of the Defendant in such Judgment, or both, as the case may be, in the name of the original Plaintiff, in the same manner as if such Plaintiff had not become Bankrupt; provided that the Attorney issuing such Execution shall endorse thereon that such Execution is issued for the Assignee of such Bankrupt, when such is the case; provided that nothing herein contained shall operate to prevent the proceeding to Judgment and Execution in the name of the original Plaintiff for the benefit of any party beneficially interested in such proceeding, when such party shall have been so interested before granting of the Fiat.

II.

II. And be it enacted, That in all cases of the sale of the interest of the Creditors in the outstanding debts of any Bankrupt or Bankrupts, it shall and may be lawful for the Commissioners to whom the Fiat is directed, to order such sale to be made in such and so many lots of the debts, and the interest of the Creditors therein, as he may in his discretion deem expedient, and on completion of such sale to grant a Certificate thereof to each purchaser or purchasers of such debt or debts, in all other respects subject to the provisions of the Laws now in force relating to Bankruptcy: Provided always, that the Commissioner shall have power to direct the Assignee in Bankruptcy to retain any particular debt or debts for the benefit of the Bankrupt's Estate, when the interest of the Creditors of the said Estate shall be promoted thereby.

Sale of outstanding debts to be made at the discretion of the Commissioner.

III. And be it enacted, That the purchaser of any debt or debts shall be deemed and taken to be the Assignee of the Estate and Effects of the Bankrupt or Bankrupts of whose outstanding debt or debts he shall become the purchaser, for the purposes of any suit or action brought for the recovery of such debt or debts.

Purchaser of the debts to be deemed the Assignee of the Estate of the Bankrupt for the purpose of recovery.

IV. And be it enacted, That in all suits or actions brought or to be brought by any purchaser for the recovery of such debt or debts, proof of the Fiat in Bankruptcy, and the production of the Certificate of the Commissioner in Bankruptcy, shall be deemed and taken in all respects to be good and sufficient evidence of his or their title to sue as such Assignee.

Certificate of the Commissioner to be deemed evidence of title to sue.

V. And be it enacted, That in all actions brought or to be brought by any person for the recovery of any personal property purchased from the Assignee of any Bankrupt's Estate, proof of the Fiat in Bankruptcy, of the Warrant appointing the Assignee in Bankruptcy, and of the Execution of the assignment of the Assignee, of the personal property for the recovery whereof such action is brought, shall be deemed evidence of the title of the Plaintiff in such action, to recover the title and interest such Bankrupt had in the said personal property, at the time the title of the Bankrupt became divested out of him by operation of Law.

Proof of title of Plaintiff to sue for recovery of personal property purchased from the Assignee defined.

VI. And be it enacted, That the Fiat may be proved by the production thereof, or an examined copy thereof, or a copy certified by the Commissioner, on the ordinary proof of the hand writing of such Commissioner, and proof of the Warrant appointing the Assignee may be made in the same manner: Provided always, that nothing herein contained shall be construed to dispense with the proof of the Fiat by the production of the Royal Gazette, as now provided by Law.

Proof of Fiat of Bankruptcy and Warrant appointing the Assignee, defined.

VII. And be it enacted, That in cases where the interest of the Creditors in the outstanding debts shall be of small value, or in cases where no claims are proved, the Commissioner may, if he deem it advisable, after the lapse of twelve months from the date of the Fiat, order a sale of the said debts, having previously given due notice thereof in some Newspaper published in the County in which he resides, or if there be no such Newspaper, then in the Royal Gazette.

Commissioner may order the sale of the outstanding debts in certain cases.

VIII. And be it enacted, That the Assignee, with the consent of the major part in value of the Creditors may compound with any debtor to the Bankrupt's Estate, and take any reasonable part of the debt in discharge of the whole, or may give time or take security for the payment of such debt, or may submit any dispute between such Assignees and any person concerning any matter relating to such Bankrupt's Estate to the determination of Arbitrators to be chosen by the Assignee and the party with whom they shall have such dispute, and the award of such arbitrators shall be binding on all the Creditors, and the Assignee is hereby indemnified for what he shall do according to the directions aforesaid; provided that in cases where delay shall be deemed injurious to the

Assignee may with consent compound or submit to arbitration debts due to the Bankrupt's Estate.

interests

interests of the Creditors, the Assignee shall have power, with the consent of the Commissioner, testified in writing under his hand, to do any of the matters aforesaid without the assent of the Creditors.

Bankrupt's Books may be sold or assigned to the Bankrupt in certain cases.

IX. And be it enacted, That when one person shall purchase all the outstanding debts, the Assignee shall have power, by the order of the Commissioner, to sell or otherwise dispose of the Books of Account of the Bankrupt to such person, or in case no claim shall be proved against any Bankrupt within one year after the issuing of the Fiat, the Assignee shall, with the assent of the Commissioner testified in writing, have power to assign the said Books of any Bankrupt or Bankrupts to such Bankrupt or Bankrupts, together with the right to recover any sum or sums of money, debt or demand due thereon, and for which purpose the said Bankrupt or Bankrupts shall be restored to his first and former estate in the same.

Defendants may set off debts in actions brought by an Assignee of estate or debts.

X. And be it enacted, That in all actions brought or to be brought by the Assignee of any Bankrupt, or of the debt or debts of any Bankrupt, the Defendant or Defendants in such action may set off any debt, payment or demand which he or they could have set off in any action brought for the recovery thereof by such Bankrupt before the granting the Fiat in Bankruptcy, subject to the same rules and regulations in all respects as to pleading or giving notice thereof, or evidence as in other cases of mutual debts between Plaintiff and Defendant.

Register of Court of Chancery may assign Bonds given for securing costs in proceedings in Bankruptcy.

XI. And be it enacted, That the Register of the Court of Chancery shall have power, and he is hereby authorized to assign to such person as may be entitled thereto, any Bond heretofore given for securing the costs of proceeding in Bankruptcy, by endorsing and attesting it under his hand and seal, in presence of a credible witness, and the Assignee after such assignment shall have power to sue therefor and bring an action in his own name, and shall recover such sum as may be certified by the Commissioner to be due him for costs taxed by such Commissioner or expenses incurred in the prosecution of the Fiat in payment of Printers' bills, Assignee's fees, Commissioner's fees, Solicitor's fees, or any of the said charges and expenses not exceeding the whole penalty of the said Bond: Provided, always, that the Certificate of the Commissioner certifying the amount of such costs or expenses shall be deemed evidence of such costs or expenses and the correctness thereof.

Time for confirming or applying for confirmation of Certificates of conformity limited.

XII. And be it enacted, That every Certificate of conformity, whether absolute or conditional, ordered under the Acts relating to Bankruptcy, shall be confirmed, or the confirmation of the same shall be applied for agreeably to the provisions of the said Acts within six months from the time of such order; provided that in all cases where orders may already have been made for such Certificate, and the time aforesaid may have expired, three months further time shall be allowed in such cases from and after the passing of this Act; and if the said Certificate shall not be confirmed or the same applied for as aforesaid within such time, the said Certificate shall be deemed and taken to be finally refused within the meaning of the twenty fourth section of the Act made and passed in the fifth year of Her present Majesty's Reign, intituled *An Act relating to Bankruptcy in this Province*.

5 V. c. 43.

Construction of this Act.

XIII. And be it enacted, That this Act shall be subject to the same rules of construction in all respects as are prescribed by the Act relating to Bankruptcy in this Province, which rules shall also apply to all the Laws now in force relating to Bankruptcy.

CAP. LXXXIX.

An Act to incorporate the Saint John Gas Light Company.

Passed 14th April 1845.

‘WHEREAS the establishment of a Company for the purpose of erecting Preamble.
 ‘ Gas Works in the City of Saint John in order to furnish the means
 ‘ of lighting the said City and its vicinity in a superior manner would be an
 ‘ object of public utility ;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council Company incor-
 and Assembly, That James Kirk, Frederick A. Wiggins, John Duncan, Alfred porated.
 Smithers, William Parks, Duncan Robertson, William Henry Scovil, Robert L.
 Hazen, Thomas Daniel, Lemuel A. Wilmot, James Taylor, Charles Fisher, John
 A. Street, George S. Hill, and James Boyd, their Associates, Successors and
 Assigns, shall be and they hereby are erected into a Body Politic and Corporate
 by the name of ‘ The Saint John Gas Light Company,’ and shall have all the
 general powers and privileges made incident to a Corporation by Act of Assembly
 in this Province, for the purpose of lighting the City of Saint John and its vicinity
 with Gas, and for all necessary works therewith connected.

II. And be it enacted, That the Capital Stock of the said Corporation shall be Capital to be
 twenty thousand pounds of current money of New Brunswick, and shall be £20,000, with
 divided into two thousand shares of ten pounds each, to be paid in at such times power to increase it
 and in such instalments as the business of the said Company shall require, provided to £30,000.
 that fifteen per centum of the said Capital Stock, amounting to three thousand
 pounds, shall be actually paid in and invested in the business of the said Corpo-
 ration in one year from the passing of this Act ; and provided also, that the said
 Corporation shall, when necessary, have leave to extend the said Capital Stock to
 the sum of thirty 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 to incur any debts until
 the said fifteen per centum of the Capital Stock as aforesaid shall be paid in. £3000 to be paid in
within one year.

III. And be it enacted, That the first meeting of the said Corporation shall be First meeting of
 held at the City of Saint John, and shall be called by James Kirk, Esquire, or in the Corporation for
 case of his death, neglect or refusal, by any two of the said Company, by giving establishing Bye
 notice in one or more of the public Newspapers printed in the said City, at least Laws and choosing
 twenty days previous to such meeting, for the purpose of establishing Bye Laws, Directors.
 choosing nine 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.

IV. And be it enacted, That a general meeting of the Stockholders of the said Annual meeting for
 Corporation shall be held at the City of Saint John on the first Monday in May choosing Directors
 in each and every year, for the purpose of choosing nine Directors and such other and other Officers
 Officers as may be necessary for the management of the affairs of the said Corpo- to be held on the
 ration ; which Directors so chosen, shall remain in office for one year, or until others first Monday in
 are chosen in their stead, and shall at the first meeting after their election choose May.
 one of their number President of the said Company : Provided always, that not
 less than five Directors do form a quorum for the transaction of business, and in
 case of the absence of the President, the Directors shall have power to appoint
 one of their number Chairman for the occasion. Directors to choose
a President.

Qualification of Directors.

V. And be it enacted, That no person shall be eligible as a Director unless such person is a Stockholder and holds not less than twenty Shares of the Capital Stock of the said Corporation, and is of the full age of twenty one years.

Votes of Stockholders regulated and limited.

VI. And be it enacted, That the number of votes to which each Stockholder shall be entitled on every occasion, when in conformity to the provisions of this Act the votes of the Stockholders are to be given, shall be, 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 four Shares above ten and not exceeding thirty, one vote, making ten votes for thirty Shares; for every eight Shares above thirty and not exceeding seventy, one vote, making fifteen votes for seventy Shares; for every twelve Shares above seventy and not exceeding one hundred and thirty, one vote, making twenty votes for one hundred and thirty Shares; which said number of twenty votes shall be the greatest any Stockholder shall be entitled to have; and that all Stockholders may vote by proxy, such proxy being a Stockholder, and producing sufficient authority in writing from his constituent.

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 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 and Shares in the said Company, he shall cease to be a member of the said Corporation.

Vacant Directorships to be filled up by the Stockholders.

VIII. And be it enacted, That 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 Directors shall serve until another is chosen in his room.

Liability for the Debts of the Corporation.

IX. And be it enacted, That the Joint Stock or Property of the said Corporation shall alone, in the first instance, be responsible for the debts and engagements of the said Corporation, and that no creditor, or person or persons having any demands against the said Corporation, for or on account of any dealings with the said Corporation, shall have recourse against the separate property of any Shareholder on account thereof, except in case of deficiency, or where the Joint Stock of the said Corporation shall fall short of or not be equal to the payment of any debt due, or demand against the same, that then and in such case the goods and chattels, lands and tenements of each Shareholder shall and may be levied upon and seized respectively, to satisfy such debt or demand, to the extent of double the amount of the Share or Shares or interest of such Shareholder in the Joint Stock of the said Corporation, but no more, and that such double amount, or so much as may be necessary to satisfy such debt, due or demand, shall and may be levied and seized by process of execution, in the same suit in which such debt, due or demand may be recovered against said Corporation.

Number of Shares to be held by subscribers to the Stock limited.

X. And be it enacted, That the Stock Subscription List shall be left at some public place in the City of Saint John, notice of which shall be given in two or more of the public Newspapers published in the said City; and that no individual, either by himself or his agent, shall be allowed to subscribe for more than fifty Shares until after the expiration of two months from the date of such notice, at the expiration of which time, should the Stock in said Corporation be not all taken up, then any person may be allowed to take any number of Shares he may see fit until the said Stock is all taken up.

XI. And be it enacted, That the said Company shall have power to levy and collect assessment upon 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 assessment shall be made by the said Company, it shall be the duty of the Treasurer to give notice thereof in two or more Newspapers 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 assessment upon his Shares at the time prescribed, it shall be the duty of the Treasurer to advertize all such delinquent's Shares for sale at Public Auction, giving at least thirty 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 advertizing 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.

Shares may be assessed, on a vote of the Stockholders.

Delinquent Shares may be sold by Public Auction.

XII. 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 one or more Newspapers printed in the City of Saint John, seven days at least before the time of such meeting, and that special meetings may be called by the Secretary under the authority of the Directors, or by Shareholders representing not less than two hundred and fifty Shares of Stock, upon giving the like notice.

Mode and power of calling meetings.

XIII. And be it enacted, That it shall and may be lawful for the said Company, at a proper and convenient depth under each and every of the Streets and Roads leading into and through the said City and its vicinity, to lay down, set and place such and so many pipes, leaders and other apparatus for the said Gas as they shall find to be necessary for conveying the same to any or every building or lamp post in the said City or its vicinity; and from time to time, as often as the said Company shall think proper, to lay down such pipes, leaders and other apparatus, or shall have occasion to alter, amend or repair the same, it shall also be lawful for said Company to break up and open any part whatsoever of the said Roads and Streets, or of the Covering, Pavement or Side Walks thereof, and the same to keep open and uncovered during the time necessary for said purposes: Provided always, that before the said Company shall break up or open any such Road, Street, Covering, Pavement or Side Walks, they shall give previous notice of their intention so to do to the Mayor, Aldermen and Commonalty of the said City, and shall receive their permission in writing therefor, and not otherwise; and provided also, that the said Company shall and do, at their own proper costs and charges, and to the satisfaction of the said Mayor, Aldermen and Commonalty, and without unnecessary delay, repair and amend the said Roads, Streets, Covering, Pavements or Side Walks, in every part where they shall be so broken up and opened as aforesaid, to the condition in which they were before breaking up or opening the same; provided that nothing in this Act contained shall be construed to authorize such Corporation to injure or interfere with the excavations or works of the Saint John Water Company, without the consent of such Company first had in writing.

Authority given to lay down the necessary pipes and apparatus under the Streets and Roads, with the consent of the City Corporation.

Not to interfere with the Works of the Saint John Water Company:

XIV. And be it enacted, That if the said Company shall not repair the said Streets, Roads, Covering, Pavement or Side Walks, or any of them so broken up, to the satisfaction of the said Mayor, Aldermen and Commonalty, it shall be lawful for the said Mayor, Aldermen and Commonalty to cause the same to be repaired,

City Corporation may repair the Streets broken up, when not done by the Company to their satisfaction.

repaired, and to sue for and recover the expense incurred therein from the said Company, in the Supreme Court of the Province.

Company to provide sufficient leaders for the Public Lamps, at the expense of the Corporation, or forfeit the privilege granted by this Act.

XV. And be it enacted, That the said Company do and shall in every Street or Road through which their said pipes shall be laid, make and provide proper leaders and apparatus for supplying the public Lamps in the several Streets with Gas, and shall do and provide such apparatus, and at such distances from each other, as the Mayor, Aldermen and Commonalty, in Common Council convened, shall from time to time direct and appoint, under penalty of forfeiting the privileges and immunities granted in and by this Act: Provided always, that the said Mayor, Aldermen and Commonalty shall pay any additional expense that may be incurred by the making of such leaders and apparatus for supplying of Gas.

Noxious refuse of coal tar, &c. not to be drained into the Harbour, &c.

XVI. And be it enacted, That from and after the passing of this Act, the said Company, or any person or persons who may in any way be employed by them, shall not throw, drain, or cause, suffer or permit any person or persons to throw or drain into any part of the Harbour of the City of Saint John, or into any Bay, Cove, Creek or Stream falling into the said Harbour, any refuse of Coal Tar or other noxious substance that may arise from said Gas Works, under the penalty of twenty pounds for each and every offence.

Certificate of payment of £3000 to be filed in Provincial Secretary's Office within one year.

XVII. 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 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 is hereby authorized 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 shall be terminated at the expiration of the said one year.

City Corporation may control the acts of the Company so far as these affect the health or comfort of the inhabitants.

XVIII. And be it enacted, That the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, shall at all times have power to regulate, restrict and controul the acts and doings of the said Gas Company, which may in any manner affect the health, safety or comfort of the inhabitants of the said City of Saint John, and to pass such Bye Laws relative thereto from time to time, as the circumstances of the case may require, and to enforce obedience to the same by such penalties as they may deem necessary, not exceeding the sum of twenty pounds for any one offence.

CAP. XC.

An Act to amend the Act to incorporate the Fredericton Boom Company.

Passed 14th April 1845.

Preamble,

7 V. c. 34.

‘ **W**HEREAS it is expedient to amend the Act made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled ‘ *An Act to incorporate the Fredericton Boom Company*, to increase the Capital Stock and enlarge the powers of the said Company;’

Capital Stock may be increased to £4,000.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Stockholders of the said Corporation shall be and they are hereby empowered and authorized from time to time hereafter, at any general meeting to be for that purpose called and holden, to increase the Capital Stock of the said Company to an amount not exceeding in the whole four thousand pounds; which additional Stock shall be divided into Shares of twenty five pounds each, making the whole Capital Stock of the said Company, when called in, to consist of one hundred and sixty Shares, and which shall be disposed of in such manner and subject to such rules and regulations as the said Stockholders may prescribe and determine.

II.

II. And be it enacted, That all and every the additional Shares in the Capital Stock of the said Company created under and by virtue of the provisions of this Act, and the holders thereof, shall at all times be subject and liable to all and singular the rules and regulations, clauses and provisions of the Act incorporating the said Company and the Law of this Province.

Additional Shares to be subject to the Act 7 V. c. 34.

III. And be it enacted, That the said Corporation shall be liable to pay to the owner or owners thereof, the fair value of any Timber, Masts, Spars, Logs, or other Lumber which they shall have furnished the said Corporation, or their Agent or Agents with the marks, agreeably to the Act incorporating the said Company, and which shall be found below the Booms of the said Corporation at any time after the thirty first day of August in each year; provided the person or persons so claiming payment shall prove the property in the said Timber, Masts, Logs, Spars or other Lumber for which they claim payment, and also that the marks thereof had been furnished to the said Corporation, or their Agent or Agents, in due and sufficient time to have enabled the said Corporation to secure such Timber, Masts, Spars, Logs and other Lumber.

Corporation to be liable to pay for Timber, &c. committed to their charge, and found below the Booms after the 31st of August.

IV. And be it enacted, That the said Corporation shall drive the said Timber, Logs, Masts, Spars and other Lumber from Crock's Point into the Boom with as little delay as possible, and shall use all due diligence in rafting the said Timber, Logs, Masts, Spars and other Lumber of each individual owner separately, according to the marks thereon.

Due diligence to be used in driving and rafting Timber, &c.

V. And be it enacted, That if the owner or owners of any Timber, Logs, Masts, Spars and other Lumber shall not within three days after the same has been rafted and surveyed, either by himself or his agent, pay the boorage thereon to the said Corporation, or their Agent or Agents, and take the possession and charge thereof, the said Company shall be entitled to receive a reasonable compensation for the keeping of the said Timber, Logs, Masts, Spars or other Lumber which shall be deemed to be at the risk of the owner or owners thereof, or they are hereby authorized, if they see fit, to send the said Timber, Logs, Masts, Spars and other Lumber to Saint John at the risk of the owner, and then, after ten days personal notice, or thirty days notice in a Newspaper published in Fredericton, to sell so much thereof as shall be sufficient to pay the Boorage, together with the usual freight to Saint John, expense of keeping, expenses of the sale, and all other incidental expenses, rendering the overplus, (if any,) to the owner, and the remaining part of such Timber shall be kept till required by the owner, at his risk and expense.

Timber not taken charge of within three days after being rafted and surveyed, may be sent to Saint John by the Corporation, and charged extra.

VI. And be it enacted, That the said Corporation shall have power to collect together, raft, and carry to Saint John, all Timber, Logs, Masts, Spars or other Lumber which shall pass out of and below the Boom by force of the current or other inevitable accident; and when the same arrives at Saint John, to hold the said Timber, Logs, Masts, Spars and other Lumber subject to the payment of the freight and other expense mentioned in and subject to the provisions of the fifth section of this Act, or dispose thereof, or part thereof, for the purpose and in the manner prescribed by the said section.

Timber, &c. accidentally passing the Boom, may be conveyed to Saint John and held there subject to Boomage, &c.

VII. And be it enacted, That all Timber, Logs, Masts, Spars and other Lumber shall be measured by a competent Surveyor, duly sworn, who shall be employed and paid by the said Corporation, whose Survey shall be conclusive upon all parties, unless the owner or owners of such Timber, Logs, Masts, Spars and other Lumber shall, by themselves or their Agent or Agents, give notice to the said Corporation, their Agent or Agents, within three days after the said Timber, Logs, Masts, Spars and other Lumber have been rafted and surveyed, of their dissent

Survey of Timber, &c. to be made by a sworn Surveyor, and be obligatory on all parties unless dissent be entered.

dissent to such Survey, then and in such case the difference shall be settled and determined in the manner prescribed by the twelfth section of the Act to incorporate the said Company.

Corporation may extend its operations to the Grand Falls.

VIII. And be it enacted, That the said Corporation shall have full power and authority to drive all Timber, Logs, Masts, Spars and other Lumber that may be run over the Grand Falls or come out of any of the Tributaries of the River Saint John below the Grand Falls, down the said River from the said Falls to Crock's Point.

Rate of charges for driving Timber, &c. run over the Grand Falls or out of the Tributaries below the same.

IX. And be it enacted, That if the said Corporation shall undertake to drive the Timber, Logs, Masts, Spars and other Lumber of any person or persons down the River Saint John to Crock's Point, it shall be the duty of the said Corporation after the owner or owners thereof shall have furnished the said Corporation, or their Agent or Agents, with the marks thereof, to drive all such Timber, Logs, Masts, Spars and other Lumber that may come over the Grand Falls, or out of any of the Tributaries of the Saint John below the Falls, on or before the first day of July in each and every year for which they shall so undertake to drive the same, at and for a sum not exceeding seven pence half penny per ton for every ton of Square Timber that shall pass over the Grand Falls, and at and for a sum not exceeding two shillings per thousand superficial feet for every thousand feet of other Lumber; and for every ton of Square Timber that shall run out of any of the other Tributaries of the Saint John below the Falls, a sum not exceeding six pence per ton, and a sum not exceeding one shilling and eight pence per thousand feet for every thousand superficial feet of other Lumber; and after the marks shall have been so furnished to and received by the said Corporation, the said Timber, Logs, Masts, Spars and other Lumber shall be deemed to be under the full controul of the said Corporation and liable to the charges hereinbefore mentioned.

Corporation to use all due diligence to keep the Islands, &c. between the Falls and Crock's Point clear of Timber.

X. And be it enacted, That if the said Corporation shall undertake to drive the said Timber, Logs, Masts, Spars or other Lumber, it shall be the duty of the said Corporation to drive all such Timber, Logs, Masts, Spars and other Lumber which shall come over the Grand Falls, or out of any of the Tributaries of the Saint John below the Falls, on or before the first day of July in the year for which they shall so undertake to drive the same, and shall use all due diligence in keeping clear all the Islands, Bars and Shores in the River Saint John between the Grand Falls and Crock's Point, from such Timber, Logs, Masts, Spars and other Lumber, except the Basin below the Grand Falls and the eddies in the Falls, which they shall clear whenever the water permits, in the year for which they so undertake to drive.

Periods within which the Timber, &c. is to be driven to Crock's Point specified.

XI. And be it enacted, That it shall be the duty of the said Corporation, and they are hereby required to drive all such Timber, Logs, Masts, Spars and other Lumber down the River Saint John to Crock's Point, on or before the first day of August in the year for which they so undertake to drive the same, if possible; and if it shall happen that any of the said Timber, Logs, Masts, Spars and other Lumber shall be left behind, and not driven below Crock's Point on or after the fifteenth day of October in the year for which they shall so undertake to drive the same, the said Corporation shall be liable to pay the owner or owners thereof the fair value of such Timber, Logs, Masts, Spars and other Lumber which they shall so neglect to drive, such value to be estimated by the Market price thereof in Saint John, after deducting the expense of floating the same to Saint John; provided the owner or owners thereof shall prove their property in such Timber, Logs, Masts, Spars and other Lumber before they shall be entitled to receive payment therefor.

XII.

XII. And be it enacted, That the said Corporation shall have a lien upon all the Timber, Logs, Masts, Spars and other Lumber which they shall so drive to Crock's Point, in the manner hereinbefore mentioned, for such driving, and the charge therefor provided by this Act shall be added to the Boomage, and secured, recovered and collected in the same manner in all respects as Boomage is collected by this Act. Lien granted to secure the charges.

XIII. And be it enacted, If the said Corporation shall, for the convenience of any person or persons, agree to drive down any of the Tributaries of the Saint John, below the Grand Falls, into the Saint John, any Timber, Logs, Masts, Spars, and other Lumber, at and for a certain price to be agreed upon therefor, the price so agreed upon shall be also added to the Boomage, and shall and may be recovered and collected with the Boomage in the same manner in all respects and subject to the same provisions as are in this Act provided for the collection of Boomage. Corporation may drive Timber down the Tributaries of the Saint John. Charges to be secured with the Boomage.

XIV. And be it enacted, That nothing contained in this Act, or in the Act to which it is an amendment, shall be construed to authorize the said Corporation, or their Agent or Agents, to interfere with, or abridge in any manner, the rights and privileges heretofore enjoyed by the owners or occupiers of any land fronting on the said River Saint John. Corporation privileges not to abridge the right of owners of land fronting on the Saint John.

XV. And be it enacted, That this Act shall continue and be in force so long as the said Act to which this is an amendment continues in force, and no longer. Limitation.

CAP. XCI.

An Act to continue and amend the Act to incorporate the Arestook Boom Company.

Passed 14th April 1845.

WHEREAS some of the provisions of the Act to incorporate the Arestook Boom Company are defective, and an amendment is necessary to attain the objects of the Corporation; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fifth section of the Act made and passed in the seventh year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Arestook Boom Company*, as prescribes the mode of determining the time of opening the Boom by the votes of the Timber holders, be and the same is hereby repealed; and that the mode of determining the time shall be provided for and regulated by such Bye Laws as the Corporation shall from time to time make for that purpose. 7 V. c. 49, s. 5, in part repealed.

II. And be it enacted, That the first meeting of the said Corporation shall be called by William J. Bedell, Esquire, or in case of his death or refusal to act, by any other Member of the said Corporation, after ten days notice in a Newspaper published in Fredericton, for the purpose of organizing the said Corporation; which meeting shall be held at the time and place mentioned in such notice. Time for opening the Boom to be regulated by the Corporation Bye Laws. First Meeting for organizing the Corporation to be called on Public Notice.

III. And be it enacted, That the said Corporation shall have power to unite with the Fredericton Boom Company under such rules, regulations and restrictions as may be agreed upon between the said Corporation, and such union shall be deemed to have taken place and been perfected, when the said Corporation shall severally declare, by a Bye Law to be for that purpose made, the fact of such union; and from and after such union, the Fredericton Boom Company shall be deemed to be clothed with all the powers and privileges granted to the Arestook Boom Company, in the Act incorporating the said Company, as fully and effectually as if the said Company had been vested therewith by Law, and shall be authorized and empowered to carry out all the objects provided for in the Company authorized to unite with the Fredericton Boom Company.

the Act to incorporate the Arestook Boom Company, as fully and effectually as if the provisions of the said Act had been incorporated in the Act to incorporate the Fredericton Boom Company, and the several tolls and charges therein shall be added to any Boomage which Logs, Masts, Spars and other Lumber would be liable to pay, and secured and collected in the same manner and subject to the same provisions in all respects.

Limitation.

IV. And be it enacted, That this Act shall continue and be in force so long as the said Act to which this is an amendment continues in force, and no longer.

CAP. XCII.

9 G. 4, c. 28.

An Act to extend the provisions of an Act, intituled *An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Towns, and for other purposes therein mentioned*, to the Town of Bathurst, in the County of Gloucester.

Passed 14th April 1845.

Preamble.

‘ **W**HEREAS it is expedient and necessary that provision should be made for the appointment of Firewards and the better extinguishment of Fires in the Town of Bathurst, in the County of Gloucester;’

Town of Bathurst defined for the purposes of this Act.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That for the purposes of this Act the Town of Bathurst shall be deemed and taken to extend to and include the Town of Bathurst, properly so called, and also the Village commonly called Saint Peters’, on the North side of Bathurst Basin, in the Parish of Bathurst, in the said County, comprehending those portions of the Lots numbers eleven, twelve, thirteen, fourteen, fifteen, and sixteen, which lie within one mile of Bathurst Harbour.

9 G. 4, c. 28, extended to the Town of Bathurst.

II. And be it enacted, That from and after the passing of this Act, an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned*, and all the provisions thereof, be and the same are hereby extended to the Town of Bathurst, including the said Village, in the County of Gloucester.

CAP. XCIII.

An Act to authorize the extension of the Gaol Limits in the County of Gloucester.

Passed 14th April 1845.

reamble.

‘ **W**HEREAS it is deemed advisable to extend the Limits of the Gaol of the County of Gloucester so as to include the Roman Catholic Church and Burial Ground, and Saint Luke’s Church, situate in Saint Peter’s Village, on the North side of the Basin in the Parish of Bathurst, in the said County;’

The Justices in Sessions authorized to extend the Gaol Limits within certain bounds.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for Her Majesty’s Justices of the Peace for the County of Gloucester, at any General Sessions of the Peace, or at any Special Sessions to be for that purpose holden, to extend the Limits of the Gaol of the said County so as to include the present Town Plat of Bathurst, the Bridge communicating with the Village of Saint Peter’s, and that part of the said Village lying within the limits herein described, that is to say, commencing at the northwestern termination of the said Bridge, and running thence northerly and westerly by the edge of the water until it comes to a point or place where a line drawn from the southern Bank or shore of Doucett’s Cove, and being sixty rods in the rear of the house at present occupied by the Roman Catholic

Missionary

Missionary and Saint Luke's Church aforesaid, will strike the said water, thence by said line to the said southern Bank of the said Cove, thence by the said southern Bank of the said Cove, crossing the same at its mouth, northerly, to the place of beginning.

CAP. XCLV.

An Act to explain and amend the Act to afford relief to persons unfortunate in business in certain cases.

Passed 14th April 1845.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing in the seventh section of an Act made and passed in the seventh year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to afford relief to persons unfortunate in business in certain cases*, shall extend or be construed to extend to make void the arrest of any person or persons for debt, until after the publication of the Notice mentioned in the said section.

Nothing in 7. V. c. 32, s. 7, to make void an arrest until after publication of Notice.

II. And be it enacted, That no composition Deed, Agreement, or other written Discharge, made or to be made under the authority of the said Act, between any Debtor or Debtors and his and their Creditor or Creditors, shall extend or be construed to extend to or affect any security upon any real or personal property *bonâ fide* given or entered into by any Debtor or Debtors, prior to the publication of the first Notice required to be published under the provisions of the said Act, for the securing the payment of any debt or sum of money by him or them due and owing, before the entering into any such composition Deed or Discharge made under the provisions of the said Act, any thing in the said Act contained to the contrary thereof notwithstanding.

No composition Deed to affect any security given *bonâ fide* previous to the publication of Notice required by 7 V. c. 32.

III. And be it further enacted, That the Clerk of the Peace mentioned in the said Act shall be and is hereby authorized to withhold the transmission of the papers taken on the examination before him to the Master of the Rolls, until all the Fees due and payable to him on such examination shall be first paid.

Transmission of papers may be withheld until Fees be paid.

CAP. XCV.

An Act to amend an Act to repeal an Act, intituled *An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof*.

7 V. c. 42.

Passed 14th April 1845.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the second section of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to repeal an Act, intituled 'An Act to provide for the greater safety of Passengers on board Steam Boats, and to make further provision in lieu thereof'*, be and the same is hereby repealed.

7 V. c. 42, s. 2, repealed.

II. And be it enacted, That from and after the passing of this Act, no British Boat or Vessel propelled by Steam, shall be permitted by the Captain or Owner thereof to depart from any Port or place in this Province to any Port or place within or without this Province, to Sea with Passengers, without having on board or attached to such Boat or Vessel in a convenient manner, good and efficient Boats properly equipped as follow: For every such Steamer of the registered tonnage of two hundred tons and upwards, not less than four good Boats; of one hundred tons and upwards, not less than three good Boats; under one hundred tons, not less than two good Boats, with a sufficient number of good oars and other tackle necessary therefor; and every such Boat upon an average of a sufficient capacity to carry at least twenty adult Passengers, exclusive of the Crew: and no such Vessel shall be permitted by the Captain or Owner thereof to navigate

No British Steam Vessel to depart from any Port in this Province without Passengers without a specified complement of Boats.

navigate in any of the Rivers or Inland Waters of this Province with Passengers, without having on board or attached to such Boat or Vessel, in a convenient manner as aforesaid, at least two good and efficient Boats properly equipped with oars and other tackle as aforesaid, of sufficient capacity to carry in the whole at least thirty adult Passengers, exclusive of the Crew.

Fire Buckets to be provided.

III. And be it enacted, That the Owner or Captain of every British Steam Boat or Vessel departing from this Province to any Port or place within or without the same by Sea with Passengers, shall provide and have on board, in some convenient place, not less than twenty four good and sufficient Fire Buckets, either leathern or otherwise, any thing in the fourth section of the said recited Act to the contrary notwithstanding.

Limitation.

IV. And be it enacted, That this Act shall continue and be in force so long as the said recited Act to which this is an amendment.

CAP. XCVI.

An Act further to continue the Acts relating to Parish Schools.

Passed 14th April 1845.

6 V. c. 33, continued.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to revive and continue the Acts relating to Parish Schools*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty seven.

CAP. XCVII.

An Act to incorporate the Fredericton Society of Saint Andrew.

Passed 14th April 1845.

The Fredericton Society of Saint Andrew erected into a Corporation with the general powers incident to Corporations.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Robert Fulton, Charles M'Pherson, William A. M'Lean, John M. Brook, John F. Taylor, Andrew Inches, and Thomas R. Robertson, their associates and successors, be and they are hereby erected into a Body Corporate for the purpose of affording relief to the distressed natives of Scotland, their families and descendants, by the name of 'The Fredericton Society of Saint Andrew,' and for that purpose shall have and enjoy all the general powers made incident to Corporations, by the Act of the General Assembly of this Province made and passed in the sixth year of the Reign of His late Majesty King William the Fourth: Provided that the Real Estate which the said Corporation may hold at any one time shall not exceed two thousand pounds in value.

Real Estate to be held, limited.

CAP. XCVIII.

An Act to revive the Act relating to the Inspection of Fish for Home Consumption and Exportation.

Passed 14th April 1845.

5 W. 4. c. 43, revived.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That 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 the Inspection of Dry and Pickled Fish for Home Consumption and for Exportation*, be and the same is hereby revived and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty seven.

CAP. XCIX.

An Act to protect the Grounds and Enclosures around the Province Buildings in Fredericton.

Passed 14th April 1845.

WHEREAS it is necessary to prevent trespasses upon the Grounds enclosed around the Province Buildings in Fredericton, and upon the Enclosure thereof;

Preamble.

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 His Excellency the Lieutenant Governor or Administrator of the Government for the time being, to appoint a person to look after and protect the said Grounds and the Enclosures thereof, and that the said person so appointed shall, during his continuance in office, be deemed and taken for all the purposes of this Act to be in the lawful and exclusive occupation and possession of the said Grounds and Enclosures, for the protection thereof.

The Governor may appoint a person to protect the Grounds around the Province Buildings.

II. And be it enacted, That the said Grounds around the said Province Buildings shall be held and taken to be a Field or Enclosure under lawful Fence, under the sixth section of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to repeal all the Acts in force relating to trespasses, and to make more effectual provision for the same*, and that the same remedies, proceedings, fines and penalties, as are prescribed in and by the said Act, shall be adopted, taken, imposed and levied, in all like cases arising in reference to the said Grounds and Enclosures.

Grounds to be deemed an Enclosure, under 1 W. 4, c. 3, s. 6.

III. And be it enacted, That if any person or persons shall wilfully break down any part of the said Enclosures, or remove any of the Gates thereof, or shall wilfully cut, break down or otherwise remove or destroy any Trees which are now or may hereafter be planted within the said Enclosure, such person or persons, upon conviction thereof before any Justice of the Peace in and for the County of York, shall forfeit and pay the sum of eighty shillings for each and every offence, to be levied by distress and sale of the offender's goods and chattels, and in failure of such goods and chattels, the offender or offenders shall be committed for not less than twenty days to the Common Gaol of the County of York.

Penalties for injuries done to the Gates, &c.

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

Limitation.

CAP. C.

An Act to prevent malicious injuries to Nets and Seines set for taking Fish in this Province.

Passed 14th April 1845.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any person shall wilfully and maliciously damage, cut, break or destroy any Net or Seine lawfully set or placed for the purpose of taking Fish in this Province; or any tackle to such Nets or Seines belonging, and shall be thereof convicted before any one of Her Majesty's Justices of the Peace for the County, or City and County, where the offence may be committed, either by the confession of the party offending, or on the oath of one or more credible witness or witnesses, every such person shall for each and every offence forfeit and pay a sum not exceeding five pounds nor less than twenty shillings, together with costs of suit, to be levied by warrant of distress and sale of the goods and chattels of every such offender; one moiety of which forfeiture, when recovered, shall be paid to the Overseers of the Poor of the Parish or the Commissioner of Alms House of

Persons injuring Nets, Seines, &c. lawfully set for taking Fish to be liable to a penalty.

Application.

the County, or City and County, where the offence may be committed, and the other moiety to be paid to the person who shall prosecute for the same; and for want of goods and chattels whereon the same can be levied, it shall and may be lawful to commit any such offender to the Common Gaol or House of Correction of the County, or City and County, where the offence may be committed, there to remain without bail or mainprize, and to be kept at hard labour, for a term not exceeding one month, unless such forfeiture and costs be sooner paid.

Evidence of Prosecutor to be admissible.

II. And be it enacted, That no person to whom, as prosecutor, any part of the penalty on conviction is hereby directed to be paid, shall, on that account, be prevented in consequence thereof from giving evidence as a witness on any prosecution, but such person shall be deemed and taken to be a competent witness, whose credibility shall be judged of by the Magistrate before whom such prosecution shall be had.

CAP. CI.

An Act relating to the Collectors of Parish and County Rates.

Passed 14th April 1845.

Justices in Sessions may require Collectors of Parish and County Rates to give security.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace in the several and respective Counties of this Province in General Sessions convened, whenever they may deem it necessary, to require that the Collectors of Rates in the several Parishes of their respective Counties do give security for the due and faithful discharge of their duty in a sum not less than two hundred pounds, and for any larger sum, at the discretion of the Justices of the General Sessions of the Peace in and for the several Counties of this Province, such security to be in all cases the Bond of the Party, together with two or more good and sufficient persons as sureties, to be approved of by the said Justices; and such Bond shall be taken in the name of Her Majesty, Her Heirs and Successors, and conditioned for the true and faithful performance of the duties of the said Collectors respectively.

Bonds to be taken in the name of Her Majesty.

Anno Sexto VICTORIÆ Reginae.

CAP. XLIV.

An Act to improve the Law relating to the Election of Representatives to serve in the General Assembly.

Passed 11th April 1843.

WHEREAS it would tend to promote the purity of Election and the diminution of expense if the Poll at all contested elections for Members of Assembly were taken in one day ;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That when any new Assembly shall at any time hereafter be summoned in this Province, as also in case of any vacancy during this present Assembly, there shall be forty days between the Teste and Return of the Writs or Summonses, and that the Clerk of the Crown in Chancery shall issue out the Writs for the election of Members to serve in the same Assembly, with as much expedition as the same may be done, and that as well upon summoning of any new Assembly as also in the case of any vacancy during the present or any future Assembly, the several Writs shall be delivered to the respective Sheriffs; and that every such Sheriff shall upon the back thereof endorse the day he received the same, and within six days after he has received the same Writ, and at least ten days previous to the day appointed for the opening of the respective Polls, shall cause public notice, in writing or by printed handbills, of such Election, to be posted up in three or more of the most public places within each Parish and Ward in his Bailiwick or County, which notice shall contain the time at which such Election shall be opened and declared at the Shire Town or City, as also the day and places at which the Polls are to be opened within the said County or City, and the Districts, Towns, Parishes or Wards, for which such Polls shall be so opened, in case a Poll shall be demanded, as hereinafter mentioned, which day so to be appointed for holding the said Poll in the different Districts, Towns and Parishes within the said County, and Wards in such City, shall not be less than three days nor more than six days after the first day of holding his Court for the said Election, and the said Sheriff shall also give the like notice to two or more of the Constables of each Town or Parish within the County.

Forty days allowed between the Teste and return of Writs.

Sheriffs to endorse date of receipt, and within a specified period to give public notice of places and time of holding the Elections.

II. And be it enacted, That the Sheriffs of the respective Counties shall each be entitled to have and receive for every Election within their respective Counties, for providing the temporary Booths, or other polling places required by this Act, and discharging the duties required of them respectively by this or any other law or custom now in force, the sum of ten pounds for each and every Election; and for each of his Deputies or presiding Officers, appointed under the provisions of this Act to open and hold the Poll at the respective places for that purpose appointed within the County, the sum of twenty five shillings for such Deputy,

Remuneration of Sheriffs for providing Booths, and for services;

Deputies or presiding Officers;

Under

Poll Clerks.

Services in case of a scrutiny.

Expenses of holding Poll to be paid from the Provincial Treasury, and of scrutiny by Candidate losing his Election.

When a Poll is demanded a separate Poll to be opened in each District into which the County, &c. may be divided, to be opened at and for appointed hours.

Sheriff to appoint places for holding Polls in any Town or City divided into Wards for Municipal purposes.

Places appointed in each County for taking the Polls.

In the County of York.

In the County of King's.

Under Sheriff, or presiding Officer, for his services in opening and holding such Poll, and six pence per mile for each mile in travelling to and from the same, till the final closing of the Poll by the Sheriff of the County, and also for returning the Poll Book to such Sheriff; and for each Poll Clerk to be by such Sheriff appointed for taking such Polls in the manner hereinafter directed, at the respective places at which the Poll is by this Act directed to be opened and held, the sum of twenty shillings: and in case of a scrutiny to be granted, as hereinafter mentioned, such Sheriff shall be entitled to have and receive, in addition to the above mentioned allowance, the sum of fifteen shillings per day, for each day the said scrutiny shall continue; which allowance to the said Sheriffs respectively, and to the said Deputies and Poll Clerks for holding the Poll, shall be paid out of the Province Treasury, upon the account thereof being submitted to, and audited by the Assembly at their next Session, but the allowance for holding the Scrutiny shall be paid by the party or parties losing his or their Election upon such scrutiny, and shall be recovered by such Sheriff by action of debt in any Court of Record in this Province having jurisdiction thereof.

III. And be it enacted, That hereafter at every election of a Member or Members to represent any County or City in the General Assembly of this Province, at which a Poll shall have been duly demanded and granted according to Law, a separate Poll shall be opened and held for every District, Parish, Town or Ward as the case may be, into which such County, City or Town may be divided, and the polling shall commence in all the Districts, Towns, Parishes or Wards of such County or City respectively at eight o'clock in the forenoon of the day fixed for taking the Polls for such Election, and such Poll shall be kept open till four o'clock in the afternoon, when it shall finally close.

IV. And be it enacted, That whenever any Town or City in the Province is divided into Wards for Municipal purposes, the Poll for every such Election for such Town or City shall be held at the place in every such Ward which the Sheriff or returning Officer for the time being shall appoint, such place always being the most central, public and convenient place in such Ward.

V. And be it enacted, That there shall be a certain number of convenient places in each County for taking the Poll at all contested Elections hereafter to be held for Members to serve in General Assembly in this Province, at which places respectively within the said County the Poll shall be opened on the same day and between the hours as hereinbefore directed and appointed; and 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 at any future Election shall be opened, and at which votes shall be taken; that is to say:—

In the County of York:

For the Parish of Fredericton, at the Court House.

For the Parish of Saint Mary's, at or near Brown's, on the Nashwaak.

For the Parish of Douglas, at or near the Mouth of Keswick.

For the Parish of Kingsclear, at or near the Lower Village.

For the Parish of Prince William, at or near Marshall's.

For the Parish of Queensbury, at or near Lewis Heustis'.

For the Parish of Dumfries, at or near Asa Dow's.

For the Parish of Southampton, at or near Lenentine's.

In the County of King's:

For the Parish of Kingston, at the Court House.

For the Parish of Sussex, at or near Sheck's.
 For the Parish of Studholm, at or near J. Ryan's.
 For the Parish of Springfield, at or near Will's.
 For the Parish of Upham, at or near J. Wanamaker's.
 For the Parish of Hampton, at or near W. Ketchum's.
 For the Parish of Norton, at or near J. Haye's.
 For the Parish of Greenwich, at or near Oak Point.
 For the Parish of Westfield, at or near Jacob Waters'.

In the County of Charlotte :

In the County of
Charlotte.

For the Parish of Saint James, at or near the Kirk on the Scotch Ridge.
 For the Parish of Saint Stephen, at Salt Water, near the head of Tide Waters.
 For the Parish of Saint David, at the head of Oak Bay.
 For the Parish of Saint Andrew, at the County Court House.
 For the Parish of Saint Patrick, at Digdeguash Mills, and at the Rolling Dam.
 For the Parish of Saint George, at the Lower Falls.
 For the Parish of Pennfield, at the School House, near the Episcopal Church.
 West Isles and Campo Bello, at Indian Island : Grand Manan, at Grand
Harbour.

In the County of Northumberland :

In the County of
Northumberland.

For the Parish of Newcastle, at the Court House in the Shire Town.
 For the Parish of Nelson, at or near M'Gee's Tavern, in said Parish.
 For the Parish of Alnwick, at Lower Neguac.
 For the Parish of Glenelg, at Willock's Farm, Mouth of Bay du Vin River.
 For the Parish of Chatham, at the Town of Chatham.
 For the Parish of Northesk, at or near Cuppage's residence.
 For the Parish of Blackville, at or near Bartholomew's Mills.
 For the Parish of Blissfield, at or near John Decantlin's, in said Parish.
 For the Parish of Ludlow, at or near John Wilson's, in the said Parish.

In the County of Restigouche :

In the County of
Restigouche.

For the District comprising the Parishes of Colborne and Dalhousie, at the
Court House in Dalhousie.
 For the Parish of Durham, at Robert Hannay's.
 For the District comprising the Parishes of Addington and Eldon, at Camp-
belltown.

In the County of Sunbury :

In the County of
Sunbury.

For the District comprising the Parishes of Burton and Lincoln, at the Court
House.
 For the Parish of Maugerville, at or near M'Lean's.
 For the Parish of Sheffield, at or near Tilley's.
 For the Parish of Blissville, at or near Ezekiel Seeley's.

In the County of Kent :

In the County of
Kent.

For the Parish of Richibucto, at the Court House.
 For the District comprising Oak Point and the West Branch of Saint Nicholas
River, in the Parish of Weldford.
 For the Parish of Wellington, on the Great Road between the two Rivers.
 For the Parish of Dundas, near the Bridge over Cocagne River.
 For the Parish of Carleton, at Kouchibouguac Bridge.
 And such places as the Sheriff may name on the day of nomination of the
Candidates for Huskisson and Harcourt.

In

In the County of
Carleton.

In the County of Carleton :

District number one to comprise the Freeholders of the front tier of Lots in the Parish of Woodstock, and the whole Parish of Northampton, and who shall assemble at the Court House in the Shire Town.

District number two to comprise the remaining part of the Parish of Woodstock, and the Freeholders shall assemble at the place commonly called Richmond Corner.

District number three to comprise the Parish of Wakefield, and that part of the Parish of Brighton lying to the southward of the Becaguimic Stream, and the Freeholders thereof shall assemble at the place commonly called Victoria Corner.

District number four to comprise the Parish of Simonds, and the remaining part of the Parish of Brighton lying to the northward of said Becaguimic, and the Freeholders thereof shall assemble at or near Big Presqu' Isle River.

District number five to comprise the Parishes of Wicklow and Kent, and the Freeholders thereof shall assemble at or near Kerr's, opposite the Monquat.

District number six to comprise the Parishes of Andover and Perth, and the Freeholders thereof shall assemble at or near Curry's, opposite the Tobique.

For the Parish of Madawaska, at or near Green River.

In the County of
Queen's.

In the County of Queen's :

For the Parish of Gagetown, at the Court House.

For the Parish of Petersville, at or near Government House.

For the Parish of Hampstead, at or near Roberts'.

For the Parish of Wickham, at or near Robert Golding's.

For the Parish of Johnston, at or near Isaac Worden's.

For the Parish of Waterborough, at or near John Travis'.

For the Parish of Canning, at or near Joshua Calkin's.

For the Parish of Brunswick, at or near Andrew M'Donald's.

For the Parish of New Canaan, at or near John Humphrey's.

In the County of
Westmorland.

In the County of Westmorland :

The Sheriff to name the place of Polling in each Parish, to be as central as may be convenient, and notice to be given thereof at the same time and in the same manner that public notice is given of the Election under the provisions of the first section of this Act: Provided always, that in the Parish of Dorchester, the Court House shall be the place of Polling.

In the County of
Gloucester.

In the County of Gloucester :

District number one, from the Restigouche County Line to Green Point, at or near John Chambers'.

District number two, from Green Point to the Parish Line of Bathurst, at or near the Church in Little Roche.

District number three, from the Beresford Parish Line to the Big Nepisiquit River, at the Court House.

District number four, from Big Nepisiquit River to Teague's Brook, at or near lot number twelve, at Salmon Beach.

District number five, from Teague's Brook to the South Branch of Caraquet River, at or near the Church at Grand Aunce.

District number six, from the South Branch of Caraquet River to Saint Simon's Inlet, and up the North Branch to the Pokemouche Lower Portage, at or near the Church at Caraquet.

District

District number seven, all the remaining territory to the Eastward of Poke-mouche River and the Lower Portage of Caraquet, at or near the Church at Shippegan.

Number eight, the rest of the County, at or near William Louiser's, in Tracady.

In the County of Saint John :

In the County of Saint John.

District number one, to comprise that part of the City of Saint John lying on the East side of the Harbour, and the Freeholders thereof shall assemble at the Court House in the said City.

District number two, to comprise that part of the City of Saint John lying on the West side of the Harbour, and the Freeholders thereof shall assemble at or near the Market House in Carleton.

For the Parish of Portland, at or near the National School House.

For the Parish of Lancaster, at Musquash.

For the Parish of Saint Martin's, at Quaco.

For the Parish of Simonds, the Sheriff to divide the Parish into three Districts, Loch Lomond number one; Black River number two; Red Head number three; the different boundaries to be defined by the Sheriff, and to give notice in the manner prescribed in the first and tenth sections of this Act.

VI. And be it enacted, That at every such Election the resident Electors of such County or City voting at such Election, shall poll their votes for such Election at the Poll which shall be opened for the District, Town, Parish or Ward in which they reside, and at no other, under a penalty of five pounds currency, to be recovered before any Court of competent jurisdiction, with costs of suit, at the suit of the party or parties aggrieved: Provided always, that in cases where the boundary lines between different Parishes or between different Counties are doubtful, the Parish in which the Elector is reputed to reside, or has been accustomed to pay Parish rates, and performing Statute Labour on the Highways, shall be taken and deemed to be the Parish in which such Elector resides, for all the purposes of this Act, any thing contained in this Act to the contrary notwithstanding.

Resident Electors to vote at the Poll opened for the District in which they reside, or in which they pay Parish rates where Parish lines are doubtful.

VII. And be it enacted, That it shall be the duty of the Sheriffs of the respective Counties, and they are hereby respectively authorized and required, immediately before the commencement of any Election, to appoint by Warrant under Seal, a sufficient number of Deputies to preside at the several places appointed for taking the Poll in their respective Counties, and also a sufficient number of Clerks to take the Poll at the Shire Town, and at the several places appointed for taking the Poll in such County, and shall by Precept under his Hand and Seal require each of such Deputies to take the Poll of such Election for the District, Town, Parish, or Ward, as the case may be, for which he has been so appointed according to law, and to return the same to him under his Hand and Seal, by the day to which such Sheriff or presiding Officer shall have adjourned the further proceeding in the said Election; and the Poll Clerks employed at these several places shall, at the close of the Poll, enclose and seal their several Books, and shall publicly deliver them so enclosed and sealed to the presiding Officer at such Poll, who shall give a receipt for the same, and forthwith deliver or transmit the same so enclosed and sealed to the Sheriff of the County, who shall receive and keep all such Poll Books unopened, until the re-assembling of the Court at the County Court House in each County, on the day to which such Court and the proceedings in the said Election shall have been adjourned, and then he shall openly break the seals thereon, and cast up the number of votes as they appear on the said several Books, and shall there

Sheriff to appoint a Poll Clerk for the Shire Town, and Poll Clerks and Deputies for the several polling places.

To issue his Precept to the Deputies.

Poll Clerks at the close of each Poll to seal up their Books and deliver them to the presiding Officer to be transmitted to the Sheriff.

To be opened at the Court at the County Court House, when the votes shall be

cast up and Members declared unless a scrutiny be demanded.

there openly declare the state of the Poll, and shall forthwith make proclamation of the Members chosen, not later than three in the afternoon of the said day, and shall forthwith make Return of such person or persons as have a majority of votes, unless a scrutiny be demanded by any Candidate at such Election, or by five or more Freeholders of the County, in which case it shall and may be lawful for such Sheriff, and he is hereby required to grant the same, and to proceed thereupon within three days after the day of such proclamation, causing the same to be kept open during the continuance of such scrutiny, six hours at the least in each day, between the hours of eight A. M. and four P. M., unless prevented by unavoidable accident, but so as that in all cases of an Election of any new Assembly, or to fill any vacancy in the present or any future Assembly, every Sheriff having the return of a Writ shall close such scrutiny, and make his return upon such Writ, on or before the day on which such Writ is returnable.

How scrutiny of votes to be proceeded with.

VIII. And be it enacted, That whenever a scrutiny shall be granted, as aforesaid, and there shall be more parties than one objecting to votes on such scrutiny, the Sheriff shall decide alternately, or by turns, on the votes given for the different Candidates who shall be parties to such scrutiny, or against whom the same shall be carried on, beginning with the votes objected to by the party first demanding the scrutiny.

Sheriff presiding at a scrutiny authorized to administer an oath.

IX. And be it enacted, That upon every election of any Member or Members to serve in this or any future Assembly, it shall and may be lawful for the Sheriff or Under Sheriff presiding at such scrutiny, if he see cause, and he is in such case authorized during the continuance of any scrutiny which shall be granted, as aforesaid, to administer an oath to any person whatsoever consenting to take the same, touching the right of any person having voted at such Election, or touching any other matter or thing material or necessary towards carrying on such scrutiny.

At the commencement of every Election Sheriff to hold a Court in the Shire Town, when the Candidates shall be nominated and Members declared if no Poll be demanded.

X. And be it enacted, That at the commencement of every election of any Member or Members to serve in this or any future Assembly, the Sheriff of the County or City in which such Election shall be made, either in person or by his sufficient Under Sheriff, shall in the first instance open and hold his Court for such Election at the Court House in the Shire Town of the said County, or in such City, between the hours of ten A. M. and twelve of the clock, at noon, on the day appointed and notified for that purpose, agreeably to the provisions of this Act, and shall continue the same open till the hour of two P. M. on that day, when and where the names of all the Candidates that shall then offer, or be handed in by two or more substantial Freeholders of such County or City, to such Sheriff or Under Sheriff presiding at such Election, shall under the direction of such Sheriff or presiding Officer, be entered and recorded by the Poll Clerk to be appointed at such Election, in the Poll Book to be provided for that purpose, and in case no Poll shall be then and there demanded, it shall and may be lawful for the said Sheriff or presiding Officer at such Election, and he is hereby required then and there to proceed to such Election by a shew of hands, and to declare the Member or Members so chosen, and to finally close the said Election, and to make his return accordingly; and in the event of a Poll being demanded, it shall be the duty of the Sheriff or presiding Officer, and he is hereby required to grant the same, and forthwith by public Proclamation, give notice of the time and places at which the Poll of such Election shall be taken in the several Districts, Towns, Parishes or Wards of such County or City as hereinbefore provided, and shall thereupon adjourn the Court there holden, and the further proceedings in such Election, to some day within four days after the day fixed for taking such Poll in the several Districts, Towns, Parishes or Wards, as aforesaid.

Poll being demanded, proclamation of time and places of holding the Election to be made, and Court adjourned *pro tempore*.

XI. And be it enacted, That it shall not be lawful for the Sheriff, Under Sheriff, or presiding Officer or Officers, at the respective Polling places, in any of the Counties in this Province, or for any of the Poll Clerks at such places, to receive or record the name of any person as a Candidate at such Election, or to receive or Poll any vote or votes at such Election, for any person whatever, unless the name of such Candidate shall have been previously entered and recorded in the Sheriff's Poll Book, at the Court House in the Shire Town or City, according to the hereinbefore mentioned provisions of this Act.

No Candidate's name to be received if not entered at the Court, nor votes received for such.

XII. And be it enacted, That in all cases where from any one or more of the Precepts for taking the Polls in the several Districts, Towns, Parishes or Wards in such City or County not having been returned to the said Sheriff, by the Return day therein named, the said Sheriff shall not be prepared on the day to which he had adjourned the Court, and further proceedings in the said Election, to proceed to sum up, ascertain and declare the state of the General Poll of such Election, such Sheriff instead of proceeding to examine such of the Returns as shall have been already made, shall further adjourn the Court and proceedings in such Election to the following day, and so on from day to day until the said Precepts shall have been all returned: Provided always, that in proclaiming every such adjournment, he shall publicly declare the reason thereof; And provided also, he shall in no case continue such adjournment to so late a day as shall interfere with his being able to return the Writ of Election by the return therein named; And provided also, that he shall in no case adjourn such Court and proceeding in such Election to Sunday, Christmas Day, or Good Friday, but in all cases when such adjournment shall be necessary, adjourn over every such Sunday, Christmas Day, or Good Friday.

Further adjournment of Court to be made when all the returns are not received from the Districts, but not so as to prevent the making of due return to the Writ of Election.

XIII. And be it enacted, That the names of all the Candidates, in the order of their nomination and entry on the Poll Book, shall be posted up in large letters in some conspicuous place on the Polling Booth or other place where such Election is holden, during the day of such Election, at the Shire Town, and in the other Districts, Towns, Parishes or Wards into which the County or City is divided, and also the Districts, Towns, Parishes or Wards, or the limits thereof, in case of Districts or Wards for which such Poll is held, at each and every Polling place in such City or County, into which for the purposes of such Election such City or County shall be divided, and it shall be the duty of the Sheriff and the several Deputies he shall appoint, to hold the Polls in the several Districts, Towns, Parishes or Wards of such County or City, to carry into effect the provisions of this section.

Names of all the Candidates to be conspicuously posted up at the several polling places during the day of Election.

XIV. And be it enacted, That in case any Sheriff or Deputy appointed to hold any Election or take a Poll, after commencing the same, shall, before the final termination of the same, die or become incapacitated by accident or sickness, it shall and may be lawful for his Poll Clerk to act in his stead, who shall be authorized to appoint his Poll Clerk and finish the Election, and make the return in the same way and manner as though he, the said Poll Clerk, had been appointed originally the Sheriff or Deputy: Provided always, that such Poll Clerk, before entering upon his duties as Sheriff or Deputy, shall appoint his Poll Clerk, and who with the said new or acting Sheriff or Deputy, previous to entering upon their duties respectively shall take and subscribe the oaths prescribed, by Law for Sheriff, Deputies or Poll Clerks.

Poll Clerk to act as Sheriff or Deputy where Sheriff or Deputy may become incapacitated from proceeding after having commenced the Election.

XV. And be it enacted, That no Poll shall be opened or held on Sunday, Christmas Day or Good Friday.

No Poll to be held on Sunday, Christmas Day, or Good Friday.

Qualification of
Voters.

XVI. And be it enacted, That the Members to be chosen to serve in such Assembly shall be chosen in every County which hath right to choose, by male persons of the full age of twenty one years, not subject to any legal incapacity, every one of whom shall have a Freehold in such County, of the value of twenty five pounds, in case such persons reside in such County, and in case such persons do not reside in such County, shall have a Freehold in such County of the value of fifty pounds, and shall have respectively possessed the same and have had their titles registered six months before the teste of the said Writ, and such Candidates qualified as by Law is required, as have the greatest number of votes of Electors qualified as aforesaid, shall be returned by the Sheriffs, Members to serve in such Assembly, by Indentures between the said Sheriff and the said Electors: Provided always, that any person who may have mortgaged his Lands and remain in possession of the same shall not be debarred from voting.

Sheriff to be sworn.

XVII. And be it enacted, That every Sheriff shall at the commencement of every Election, immediately after reading the Writ or Precept for the election of such Member or Members, take and subscribe the following oath:—

“I, A. B. do swear, that I have not directly or indirectly received any sum or sums of money, office, place or employment, gratuity or reward, or any Bond, Bill or Note, or any promise of gratuity whatsoever either by myself or any other person to my use, benefit or advantage, for making any return at the present election of Members to serve in Assembly, and that I will return such person or persons as shall to the best of my judgment appear to me to have a majority of legal votes.” And each of the Under Sheriffs or other Officers that shall be appointed by the said Sheriff to preside at or hold a Court for Polling or receiving Votes for the election of any Member or Members to serve in the General Assembly of this Province, and also each and every of the Clerks appointed to take the Poll at the Shire Town, and also at the several places appointed for taking the Poll, shall at the opening of the Poll at the commencement of such Election, and before such Under Sheriff or other Officer or Clerk shall receive any Votes, take and subscribe the following oath:—

Under Sheriffs or
presiding Officers
and Poll Clerks to
be sworn.

“I, A. B. do solemnly swear, that I have not directly or indirectly received any sum or sums of money, office, place or employment, gratuity or reward, or any Bond, Bill or Note, or any promise of gratuity whatsoever, either by myself or any other person to my use, benefit or advantage, for making any return at the present election of a Member or Members to serve in the General Assembly, and that I will well and faithfully discharge my duty at the present Election to the best of my knowledge and judgment,* and I will return to the Sheriff a true and faithful account of the votes polled at the present Court at which I am appointed and authorized to preside:” and the Poll Clerk, instead of the words after the asterisk, shall swear, “and I will faithfully enter and record the votes received at the Polling place I have been appointed to act as Poll Clerk:” which oaths respectively any Justice of the Peace for the County where such Election shall be made, or in his absence, any two of the Electors are hereby authorized and required to administer, and such oath so taken and subscribed shall be prefixed at the time to the Poll Book and form part thereof.

Writ of Election or
certified copy to be
read at the several
polling places.

XVIII. And be it enacted, That every Sheriff, Under Sheriff, Deputy or Officer appointed to preside at such Election, or at any of the Polling places within the City or County for which such Election is held, is hereby required to read the Writ or Precept for such Election, or at any of the places appointed for Polling out of the Shire Town, a true copy thereof, certified under the hand of the Sheriff or Officer presiding at such Election at the Shire Town, who is hereby required,
prior

prior to the opening of the Poll at such Polling places, to furnish each of the Deputies appointed to preside at the respective Polling places with such copy, together with a list of the Candidates whose names shall have been entered in the General Poll Book by such Sheriff at the Shire Town, agreeably to the provisions of this Act, for the purpose of being so publicly read; and the said Sheriff or Officer so presiding at such Shire Town is hereby required, immediately after the reading of such Writ or Precept, or a copy thereof as aforesaid, and taking and subscribing the oaths respectively as aforesaid, to read or cause to be read openly before the Electors then assembled this Act; and the said Deputies or persons so presiding at such Polling places are hereby required and directed respectively to enter and record in their respective Poll Books the names of such Candidates as shall be so furnished as aforesaid to such Deputies or presiding Officers respectively, as directed by this section of this Act, and to state the names of such Candidates to any Elector requiring the same, or who is coming forward to vote.

Act to be read by or by order of the Sheriff.

Names of Candidates to be entered on the several Poll Books, and to be stated to Electors when coming forward to vote, when required.

XIX. And be it enacted, That for the more due and orderly proceeding in the said Poll, the said Sheriff or his Under Sheriff, or person presiding at the Poll at the Shire Town, shall appoint for each Candidate such one person as shall be nominated to him, by or on behalf of such Candidate, to be Inspectors of any Clerk who shall be appointed for taking the Poll; and every Elector at the time of Polling shall distinctly name the Candidate or Candidates for whom he votes, and before he be admitted to poll at the same Election, shall, if required by the Candidates, or any one of them, or in his absence by the substitute for or on behalf of such Candidate, first take the oaths hereinafter mentioned, or any or either of them, viz:—"I do swear that I am a British Subject, and qualified by Law to vote at this Election; and that I have not before polled at this Election, and the place of my abode is at .—So HELP ME GOD."

Inspectors of Poll Clerks may be appointed.

Elector distinctly to state for whom he votes, and before voting may be sworn.

And also the following oath:—

"I swear that I have not received, or had by myself or any other person whatsoever in trust for me, or for my use and benefit, directly or indirectly, any sum or sums of money, office, place or employment, gift or reward, or any promise or security for any money, office, or employment or gift, in order to give my vote at this Election.—So HELP ME GOD:"

or being one of the People called Quakers, shall, if required as aforesaid, solemnly affirm to the effect of each and every of the said oaths which shall be required as aforesaid, and which said oaths or affirmations the Sheriff, or his Deputy, Under Sheriff, or such sworn Clerk by him appointed for taking of the said Poll or Polls, as aforesaid, are hereby respectively authorized to administer; and if any Elector, being thereunto required, as aforesaid, shall refuse or neglect to take the said oaths hereinbefore appointed to be taken, or either of them, or to affirm the effect thereof, as aforesaid, that then the poll or vote of such person so neglecting and refusing shall not be taken, and the same is hereby declared to be null and void, and as such shall be rejected and disallowed; and if any Sheriff, Deputy, Under Sheriff, or Poll Clerk, shall neglect or refuse, when thereunto requested, as aforesaid, to administer the said oaths and affirmations, or shall otherwise offend in the premises contrary to the true intent and meaning of this Act, every such Sheriff, Deputy, Under Sheriff, Sheriff or Poll Clerk shall for every such offence forfeit the sum of fifty pounds, together with full costs of suit, to be recovered by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record in this Province, at the suit of the party or parties aggrieved: Provided always, that nothing herein contained shall alter or affect the oath now required by this Act to be taken by Freemen of the City of Saint John voting at Elections for that

Sheriff, &c. may administer the Oaths.

Votes of Electors refusing to be sworn to be rejected.

Penalty for refusing to administer the Oath when requested.

Recovery.

Not to affect Oath to be taken by Freemen of the City of Saint John.

that City, but that Freeholders voting on their Freeholds at such City Elections, shall be required to take the above oaths, and that such Freeman shall, if required so to do, take in addition to any oath or oaths required by this Act, the oath secondly herein prescribed.

Penalty for corruptly taking a false oath or procuring any person to take the same.

XX. And be it enacted, That if any person or persons shall wilfully, falsely and corruptly take any of the oaths or affirmations appointed and required by any of the provisions of this Act, and be thereof lawfully convicted by indictment or information, or if any person or persons shall corruptly procure or suborn any other person or persons to take the said oaths or affirmations, or either of them, and the person so procuring or suborning shall be thereof convicted by indictment or information, every person so offending shall for every such offence incur and suffer such penalties, forfeitures and disabilities as persons convicted of wilful and corrupt perjury are liable to.

No Elector to be required to take the oaths of allegiance, &c.

XXI. And be it enacted, That no Elector at any Election shall be required to take the oaths commonly called the oaths of allegiance, abjuration and supremacy, nor any oath or oaths required to be taken by any Act of the General Assembly in lieu thereof, any Law or Statute to the contrary notwithstanding.

Penalty for taking any reward, for giving or forbearing to give a vote, or giving or promising to give a reward for voting or forbearing to vote.

XXII. And be it enacted, That if any person or persons who hath or claimeth to have, or hereafter shall have or claim to have any right to vote at such Election, shall take any money or other reward by way of gift, loan or other device, or contract or agree for any money, gift, office, employment or other reward, to give, or forbear to give his vote at any such Election, or if any person by himself, or any person employed by him, doth or shall by any gift or reward, or by any promise or agreement, or security for any gift or reward, corrupt or procure any person or persons to give his or their vote or votes, or to forbear to give his or their vote or votes, or shall by any threats, force or violence, intimidate or compel any person or persons to give his or their vote or votes, or to forbear to give his or their vote or votes at any such Election, such person so offending in any of the cases aforesaid, shall for every such offence forfeit the sum of twenty pounds, to be recovered as before directed in the nineteenth section of this Act, with full costs of suit, and every person offending in the cases aforesaid, in this clause mentioned, from and after judgment obtained against him, in any such action of debt, bill, plaint or information, or being in any otherwise lawfully convicted, shall forever be disabled to vote for any Member or Members of the Assembly of this Province.

Recovery.

Penalty for polling more than once at an Election, or polling once if not qualified.

XXIII. And be it enacted, That if any person shall cause himself or themselves to be polled more than once at the same Election in the same County, or if any person who is not duly qualified to vote and be polled according to the provisions of this Act, shall wilfully vote and cause himself to be polled at any Election for any Candidate, such person so offending in either case aforementioned, shall for every such offence forfeit the sum of fifteen pounds, to be recovered as before directed in the nineteenth section of this Act, with full costs of suit.

Recovery.

Qualifications of Candidates when questioned to be declared in writing within six hours.

XXIV. And be it enacted, That if the qualification of any Candidate at any Election to be hereafter holden, be openly questioned at any time during the Election, the said Candidate, whose qualification is so questioned, shall within six hours after such public questioning, make or cause to be made a declaration in writing of his qualification, in the manner hereinafter prescribed, and in default thereof, the Sheriff or returning Officer shall strike his name from the Poll Book.

Temporary Booths, &c. to be provided at the several polling places.

XXV. And be it enacted, That the Sheriffs of the respective Counties are hereby authorized and required immediately prior to any Election, to erect or to cause to be erected temporary Booths at such of the respective polling places within

within their respective Counties, or of the Shire Town, or to procure any house or houses, or other building or buildings, at the respective places appointed for taking the Poll, as such Sheriffs respectively may and shall from time to time deem necessary and proper.

XXVI. And be it enacted, That every Sheriff who hath the execution and return of any such Writ for electing Members to serve in General Assembly, which shall be issued for the future, shall on or before the day that any future Assembly shall be called to meet, and with all convenient expedition after any Election made by virtue of any new Writ, either in person or by his Deputy, make return of the same to the Clerk of the Crown in Chancery, to be by him filed in the Crown Office, and every Sheriff having execution and return of any such Writ as aforesaid, who shall not make the Returns according to the true intent and meaning of this Act or of the Acts now in force to which this Act is an amendment, shall forfeit for every such offence one hundred pounds, one moiety of which shall go to Her Majesty, and the other moiety to him or them that shall sue for the same, to be recovered by action of debt, bill, plaint or information, in any of Her Majesty's Courts of Record in this Province.

Due return of Writs of Election to be made to the Clerk of the Crown in Chancery.

Penalty.

Recovery.

XXVII. And be it enacted, That in taking any Poll which shall be required as aforesaid, the Sheriff and Clerks, under Sheriffs, Deputies or presiding Officers respectively, or any of them, shall enter in the Poll Book not only the place of the Elector's Freehold, but also the place of his abode as he shall declare the same at the time of giving his vote, and shall also make or enter "Jurat" against the name of every such voter who shall take the oath or oaths herein required to be taken by Electors; and that the said Sheriff or returning Officer shall within the space of twenty days next after such Election, faithfully deliver over upon oath, (which oath any one of the Justices of the Peace of the County in which such Election is held, is hereby authorized and required to administer,) unto the Clerk of the Peace of the same County, all the Poll Books of such respective Elections, without any embezzlement or alteration, to be carefully kept and preserved among the Records of the Sessions of the Peace of and for the said County.

Place of each Elector's freehold and residence, and 'Jurat', if sworn, to be entered in the Poll Book.

Poll Books to be delivered over on oath to the Clerk of the Peace to be filed.

XXVIII. And be it enacted, That all false returns which shall be wilfully made of any Member to serve in the Assembly of this Province are against Law, and hereby prohibited; and in case any person or persons shall return any Member to serve in the Assembly of this Province for any County, City or place contrary to the rights of Elections established in and by the provisions of this Act or of any of the Acts now in force in this Province relating to Elections, such return so made shall and is hereby adjudged to be a false return, and the party aggrieved, to-wit, every person that shall be elected to serve in such Assembly for any County, City or place by such false return may sue the Sheriff or returning Officer, and persons wilfully making and procuring such false return, and every or any of them at his election, in the Supreme Court of this Province, and shall recover the damages he shall sustain by reason thereof, together with his full costs of suit, and if any Sheriff or returning Officer shall wilfully, falsely and maliciously return more persons than are required to be chosen by the Writ or Precept on which any choice is made, the like remedy may be had against him or them, and the party or parties that shall willingly and knowingly procure the same, and every or any of them, by the party aggrieved at his election.

All returns contrary to the right of Election to be deemed false, and suits may be maintained by parties aggrieved.

XXIX. And be it enacted, That the Sheriff, Deputy, Under Sheriff, or person presiding at the respective Polling places at every such Election after such Sheriffs, Deputies, Under Sheriffs, or persons presiding as aforesaid shall have taken

Sheriff and presiding Officer to be conservators of the Peace on the day of Election, and vest-

ed with powers of
Justices of the
Peace.

taken and subscribed the oath required by this Act to be taken by such Sheriffs, Deputies, Under Sheriffs, or persons presiding, shall be during the day and days on which the Election may be held, and they are hereby declared to be Conservators of the Peace, and severally vested with the same powers for the preservation of the Peace and apprehension and committal for trial, or holding to bail, or trying and convicting violators of the Law and good order as are vested in the Justices of the Peace of the Province; and that for the purpose of keeping the Peace and preserving good order at any Election, it shall and may be lawful for any such Sheriff, Deputy, Under Sheriff or person presiding as aforesaid, to require the assistance of all Justices of the Peace, Constables, and other persons present at such Elections, to aid and assist him in doing so; and it shall and may be lawful for any such Sheriff, Deputy, Under Sheriff or person presiding as aforesaid, to commit any person for a breach of the Peace, molesting or threatening any Elector at coming to or returning from the said Election, or for any other violation of good order, to the custody and charge of any Constable or Constables, person or persons, on view, for such time as he in his discretion shall or may deem expedient, or by a writing under his hand to commit to prison for the like offence for any period not extending beyond the close of the Poll, and the day of holding the same; and when thereunto required all Justices of the Peace, Constables and others at the said Election are enjoined to aid and assist such person presiding, and Justice and Justices of the Peace in discharging such duties under pain of being deemed guilty of a misdemeanor and liable to punishment therefor; and all Justices of the Peace residing in the City, Town or Parish wherein the Election is held, shall, upon being notified in writing by such person presiding, attend at such Election for the purpose of aiding in preserving peace and order thereat; and such Justice or Justices or person presiding shall and may when they consider it necessary appoint and swear in any number of special Constables to act as Peace Officers, and assist in maintaining peace and order at such Election: Provided always, that upon the written application of any Candidate or the Agent of any Candidate, or of any two or more Electors, any Sheriff or Deputy shall and he is hereby required to swear in such special Constables.

All Justices of the
Peace and Constables
to be aiding.

All Justices residing
where Elections is held to
attend on being notified.

Special Constables
may be sworn in.

Special Constables
to be sworn in by
Sheriff, &c. on
requisition.

Members of Assembly
may vacate
their seats.

XXX. And be it enacted, That from and after the passing of this Act, it shall and may be lawful for any Member of the Assembly of this Province, legally elected, or who shall hereafter be so, who shall wish to abstain from the performance of the duties imposed on him by his Election, to vacate his seat in the manner hereinafter provided.

After entry in Journal
of notice of intention
to resign, Speaker to
issue his Warrant for
the issue of a new Writ.

XXXI. And be it enacted, That such Member in his place in the Assembly may give notice in writing of his intention of resigning his seat, and immediately after such notice shall have been entered by the Clerk of the Assembly in the Journal, it shall be lawful for the Speaker, and he is hereby required to issue his Warrant to the Clerk of the Crown in Chancery, to cause a Writ to be issued for the election of a Member in the room of the Member who shall have so resigned, and that the said Clerk of the Crown shall, upon the receipt of such Warrant, issue out a Writ for that purpose, with as much expedition as the same may be done: Provided always, that the Member so tendering his resignation shall be, and be held and considered as being, to all intents and purposes, the Representative for the place for which he was elected, until the return of the election of such new Member to serve in his room shall have been duly made.

Resignation during
recess may be effected
by delivering to the
Speaker the necessary
declaration.

XXXII. And be it enacted, That if any Member shall wish so to resign in the interval between two Sessions of the General Assembly, it shall be lawful for him so to do, by addressing and causing to be delivered to the Speaker a declaration to

to that effect made under his hand and seal, before two witnesses, an entry of which declaration shall be made in the Journal of the proceeding on the first day of the Session of the General Assembly then next ensuing, and that it shall be lawful for the Speaker upon receiving such declaration, forthwith to issue his Warrant in like manner for the election of a Member in the room of the Member so tendering his resignation.

XXXIII. And be it enacted, That no Member shall ask for leave to vacate his seat in the first Session of any Assembly before the expiration of the first fifteen days of said Session, and that no Member whose election shall be contested shall so vacate his seat until after such contest shall have been decided.

XXXIV. And be it enacted, That in the event of any vacancy by death, resignation or appointment to the Legislative Council, or otherwise, in the present or any future Assembly, during any recess of the General Assembly, it shall be the duty of the Speaker, within ten days after the same shall be certified to him in writing by at least two Members, one of whom to be a Member of the County or City in which the vacancy may happen, or in case such vacancy shall occur in a County only represented by one Member, then in the most adjoining County, to send his Warrant to the Clerk of the Crown in Chancery to cause a Writ to be issued for the election of a Member to fill such vacancy, and that the said Clerk of the Crown shall, upon the receipt of such Warrant, issue out a Writ for that purpose with as much expedition as the same may be done; and in case such vacancy shall be occasioned by the death or resignation of the Speaker, or by his appointment to a seat in the Legislative Council, or otherwise, or during the time there is no Speaker to the Assembly during any recess as aforesaid, any four Members, one of whom to be a Member of the County or City for which such Speaker shall have been elected, may send their Warrant to the said Clerk of the Crown to cause a Writ to be issued for the election of a Member to fill the vacancy so made; and that the said Clerk of the Crown shall upon the receipt of such Warrant issue out a Writ for that purpose with as much expedition as the same may be done: Provided always, That if the Speaker shall be a Member for a County represented by only one Member, then the Warrant to the Clerk of the Crown may be made by any four Members.

XXXV. And be it enacted, That the respective Sheriffs for the different Counties shall return the following Members to serve in Assembly, to wit: For the County of York, four; for the County of Saint John, four; the County of Westmorland, four; the County of Charlotte, four; the County of Northumberland, two; King's County, two; Queen's County, two; the County of Sunbury, two; the County of Restigouche, two; the County of Gloucester, two; the County of Kent, two; the County of Carleton, two; and for the City of Saint John, two.

XXXVI. And be it enacted, That the Writ of the Election of the said two Members for the said City shall be directed to the Sheriff of the City and County of Saint John, who shall execute the same and make return thereof in the same manner and under the like regulations, restrictions, penalties and forfeitures except as is otherwise in this Act prescribed, as Sheriffs holding Elections in Counties are made subject and liable to.

XXXVII. And be it enacted, That the Members for the City of Saint John shall be chosen by the Freeholders of the said City qualified in the manner prescribed by this Act, and the Freemen being inhabitants who have actually dwelt therein, and been duly registered in the list of Freemen, six months before the teste of the Writ of Election, and possessed of personal Estate of the value of twenty

tions, when after entry on the Journals of the next Session a Warrant for a new Writ may issue.

Seats not to be vacated during first Session, nor in cases of contest until after decision.

The Speaker within ten days after notice of a vacancy by the death, &c. of a Member, to issue his Warrant for the issue of a new Writ.

Proceedings when vacancy arises by death, &c. of the Speaker, or where there is no Speaker.

Number of Members to be returned to serve in General Assembly.

Writs of Election for City of Saint John to be directed to the Sheriff of the City and County.

Members for the City of Saint John to be elected by Freemen and Freeholders.

twenty five pounds at the time of such Election; which said Freemen so to give their votes, shall be subject to the like regulations, restrictions, forfeitures, penalties and disabilities as Freeholders by this Act are made subject to, except that instead of the oath required to be taken by Freeholders, such Freemen shall take (or being Quakers affirm the effect of) the following oath:—

Oath to be taken by the Freemen.

“I do swear that I am a British Subject, a Freeman of the City of Saint John, and am duly qualified to vote at this Election, and have not before polled at this Election.—So HELP ME GOD.”

Electors for the City to state whether they vote as Freeholders or Freemen, and an entry to be made accordingly.

XXXVIII. And be it enacted, That every person coming to vote at any Election hereafter holden for the City of Saint John, shall distinctly declare whether he claims to vote as a Freeman or Freeholder; and it shall be particularly specified on the Poll Book whether his vote was given as a Freeman or Freeholder, and every Freeholder shall, if required by any Candidate, specify the Ward in which his Freehold is situate, which shall also be noted on the Poll Book.

Copy of Poll Book to be furnished to any one desiring the same and paying therefor.

XXXIX. And be it enacted, That every Sheriff shall forthwith deliver to such person or persons as shall desire the same, a copy of the Poll taken at such Election, paying only a reasonable charge for writing the same; and every Sheriff for every wilful offence contrary to this Act, not provided for by particular penalties in and by this Act inflicted, shall forfeit to every party so aggrieved the sum of thirty pounds, to be recovered in manner in the nineteenth section of this Act prescribed.

No person to be elected after issue of Writ of Election to give or promise any reward, &c. in order to be elected.

XL. And be it enacted, That no person or persons hereafter to be elected to serve in Assembly for any County, City or Place within this Province, after the teste, or issuing out, or ordering of any Writ of Summons for a new Assembly hereafter to be called, or after any such place becomes vacant hereafter, in the time of this present or any other Assembly in this Province, shall or do hereafter by himself or themselves, or by any other ways or means on his or their behalf, at his or their charges, before his or their election to serve in Assembly for any such County, City or Place, directly or indirectly, give, present or allow to any person or persons having voice or vote in such Election, any money, meat, drink, entertainment, or provision, or make any present, gift, reward, or entertainment, or shall at any time hereafter make any promise, agreement, obligation, or engagement to give or allow any money, meat, drink, provision, present, reward, or entertainment, to or for any such person or persons in particular, or to any such County, City, or Place in general, or to or for the use, advantage, benefit, employment, profit, or preferment of any such person or persons, place or places, in order to be elected, or for being elected to serve in Assembly for such County, City or Place.

Person giving or promising any reward for being elected, declared incapacitated to serve.

XLI. And be it enacted, That every person or persons so giving, presenting or allowing, making, promising or engaging, doing, acting or proceeding, shall be and are hereby declared and enacted disabled and incapacitated upon such Election to serve in the House of Assembly for such County, City or Place, and that such person or persons shall not act, sit or have any vote or place in the House of Assembly, but shall be and are hereby declared and enacted to be to all intents, constructions and purposes as if they had never been returned or elected Members for the Assembly.

Qualification of Members.

XLII. And be it enacted, That no person shall be capable of being elected a Member of the Assembly of this Province who shall not be of the age of twenty one years, and who shall not be legally seized as of freehold for his own use and benefit of Lands or Tenements within this Province of the value of three hundred pounds currency, over and above all Rents, Mortgages, Judgments, Executions

or Extents charged upon or due and payable out of or affecting the same, and shall have been seized of such Lands or Tenements six months previous to the Teste of the Writ of such Election, and that every Candidate at any Election of Representatives in the General Assembly, before he shall be capable of being elected, shall, if required by any other Candidate, or any Elector, or by the Sheriff or Officer holding such Election, make before the said Sheriff or other Officer the following declaration:—

“ I, A. B. do declare and testify, that I am of the age of twenty one years, and that I am duly seized as of Freehold for my own use and benefit of Lands or Tenements in the Province of New Brunswick, of the value of three hundred pounds currency, over and above all Rents, Mortgages, Judgments, Executions and Extents, charged upon or due and payable out of or affecting the same, and that I have been seized of such Lands or Tenements for the period of six months previous to the Teste of the Writ for this Election.”

XLIII. And be it enacted, That it shall and may be lawful for any Candidate at any Election hereafter holden to make and subscribe the declaration mentioned in the forty second section of this Act, in the presence of one of Her Majesty's Justices of the Peace, or of a credible witness, and transmit the said declaration to the Sheriff of the County or City for the representation whereof such person so making the declaration is a Candidate, or such declaration may be made on behalf of and for such Candidate, by any reputable Freeholder, in the presence of the Sheriff or Officer presiding at such Election, and in either case shall have the like force and effect, and subject the person making it to all the pains and penalties as if made in the manner prescribed by the said forty second section of this Act.

XLIV. And be it enacted, That if any person shall knowingly and willingly make a false declaration respecting his qualification as a Candidate at any Election as aforesaid, such person shall be deemed to be guilty of a misdemeanor, and being thereof lawfully convicted, shall suffer the like pains and penalties as by Law are incurred by persons guilty of wilful and corrupt perjury in the County in which such false declaration shall have been made.

XLV. And be it enacted, That every General Assembly of this Province hereafter to be summoned and chosen, shall, notwithstanding any demise of the Crown, continue for four years from the day of the return of the Writs for choosing the same, and no longer, subject nevertheless to be sooner prorogued or dissolved by the Lieutenant Governor or person administering the Government of the Province.

XLVI. And be it enacted, That all the Laws and Statutes now in force respecting the election of Members to serve in the General Assembly of this Province, shall be and remain and are hereby declared to be and remain in full force, virtue and effect, except so far as any of the said Laws or Statutes are repealed or altered by this Act, or are inconsistent with the provisions hereof.

XLVII. And be it enacted, That all Writs and Warrants to be issued for the election of any Members to serve in all future Assemblies in this Province, and all mandates, precepts, instruments, proceedings and notices consequent upon such Writs, shall be and the same are hereby authorized to be formed and expressed in such manner and form as may be necessary for the carrying the provisions of this Act into effect.

XLVIII. And be it enacted, That no action shall be brought or prosecuted for the recovery of the fines and penalties imposed in and by any of the provisions of this Act, unless commenced within six calendar months after the forfeiture or offence for which such fine or penalty is imposed shall have occurred.

Candidates shall, if required, make a declaration as to qualification before the Sheriff or other Officer.

Declaration may be made by the Candidate or a reputable Freeholder on his behalf.

False declaration as to qualification as a Candidate.

Penalty.

General Assemblies to continue in force four years unless sooner dissolved.

Former Laws to continue in force except as repealed, altered or inconsistent with this Act.

All Writs and Warrants and consequent Mandates to be in the form necessary to carry out this Act.

Prosecutions for the recovery of fines to be commenced within six months after cause of action.

31 G. 3, c. 17,

50 G. 3, c. 36,

9 G. 4, c. 36,

7 W. 4, c. 55,

7 W. 4, c. 56, and

5 V. c. 41,
repealed.

Suspending clause.

XLIX. And be it enacted, That an Act made and passed in the thirty first year of the Reign of His late 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*, and also another Act passed in the fiftieth year of the Reign of His said late Majesty, intituled *An Act in addition to an Act, intituled 'An Act for regulating Elections of Representatives in General Assembly, and for limiting the duration of Assemblies in this Province,'* and also an Act made and passed in the ninth year of the Reign of His late Majesty King George the Fourth, intituled *An Act further to amend the Act for regulating Elections of Representatives in General Assembly*, and also an Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *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*, and also an Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act for continuing the General Assembly in this Province in case of the demise of the Crown*, and also an Act passed in the fifth year of the Reign of Her present Majesty, intituled *An Act to limit the duration of the Assembly, and for other purposes therein mentioned*, be and the same are hereby repealed.

L. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 19th day of June, 1844, and published and declared in the Province on the 24th day of July, 1844.*]

Anno Septimo VICTORIÆ Reginae.

CAP. XLVII.

An Act to regulate the management and disposal of the Indian Reserves in this Province.
Passed 13th April 1844.

WHEREAS the extensive Tracts of valuable Land reserved for the
‘Indians in various parts of this Province tend greatly to retard the
‘settlement of the Country, while large portions of them are not, in their present
‘neglected state, productive of any benefit to the people, for whose use they were
‘reserved: And whereas it is desirable that these Lands should be put upon such
‘a footing as to render them not only beneficial to the Indians but conducive to
‘the settlement of the Country;’ Preamble.

I. Be it enacted by His Excellency the Lieutenant Governor, Legislative Council
and Assembly, That from and after the passing of this Act it shall and may be
lawful for His Excellency the Lieutenant Governor or person administering the
Government for the time being, by and with the advice of Her Majesty’s Execu-
tive Council, from time to time to cause surveys to be made of the Indian Reserves
in the respective Counties of this Province where such Reserves are situate, or
of such portion or parts thereof as His Excellency the Lieutenant Governor, by
and with the advice aforesaid, may deem expedient; such surveys to distinguish
the improved from the unimproved lands in the respective Reserves, and the
green forests from the burnt lands, and the lands fit for settlement from those
unfit for that purpose, with such other information as His Excellency the Lieu-
tenant Governor may deem it desirable to obtain. Surveys of the
Indian Reserves
authorized.

II. And be it enacted, That it shall and may be lawful for His Excellency the
Lieutenant Governor or person administering the Government for the time being,
by and with the advice aforesaid, to cause such Indian Reserves or any part or
parts thereof, under the direction and superintendence of the Local Commis-
sioners to be appointed under the provisions of this Act, to be leased or sold to
the highest bidder by Public Auction, in the Shire Town of the County wherein
such Reserves are situate, giving sixty days previous notice thereof in the Royal
Gazette, and by posting hand bills in three of the most public places in the County
where such Reserves are situate, upon such terms and conditions, and in case of
leases subject to such reserved rent, and for such term not exceeding fifty years,
as His Excellency the Lieutenant Governor, by and with the advice aforesaid,
may deem expedient for the best interest of the Indians and the settlement of the
Country. Any part of these
Reserves may be
sold or leased at
Auction.

III. And be it enacted, The better to carry into effect the object of this Act, it
shall and may be lawful for His Excellency the Lieutenant Governor or person
administering the Government, by and with the advice aforesaid, to appoint one
or more Commissioners, not exceeding three for each County in which such
Reserves are situate, for the purpose of looking after the Reserves in their
respective Commissioners for
Indian interests to
be appointed.

respective Counties, and superintending the survey and sale thereof, or such part or parts thereof as may from time to time be directed by the Lieutenant Governor to be sold under the provisions of this Act, and also to look after the interest of the Indians generally of the Counties in which such Reserves are situate, and to prevent trespassing thereon.

Commissioners to execute services required by this Act, keep Accounts, and make semi-annual Returns.

IV. And be it enacted, That it shall be the duty of the said Commissioners of the respective Counties, and they are hereby required well and faithfully to attend to and execute the services required of them under the provisions of this Act, and to keep a regular and correct account of all the lands leased and sold under their supervision, and the proceeds of such sales and leases, and all other monies coming into their hands under the provisions or any of the provisions of this Act for behoof of the Indians, whether from the proceeds of such sales and leases, or from the rents, issues and profits of such Reserves, or from any other source, and to make semi-annual returns of their doings, receipts and expenditures under oath, with the necessary vouchers, to His Excellency the Lieutenant Governor.

Monies arising from sales or leases to be paid to the Commissioners, and by them to the Treasurer, minus Commission and expenses.

V. And be it enacted, That all the monies arising or that shall arise from the sales and leases of the Indian Reserves in the respective Counties, together with the rents, issues and profits of such Reserves, shall be paid into the hands of the local Commissioner or Commissioners of the County, who are hereby required to receive the same, and to pay over such monies semi-annually into the hands of the Provincial Treasurer, less a Commission of five per centum on all such monies received and paid by them for their trouble, and also less the costs of survey and other necessary expenses incurred in and about the carrying out the provisions of this Act.

Treasurer to keep a separate account of such monies.

VI. And be it enacted, That it shall be the duty of the said Treasurer, and he is hereby required to keep a distinct and separate account of all monies so paid into his hands by such Commissioners, shewing the amount received from each County.

Monies to be appropriated exclusively for the benefit of the Indians.

VII. And be it enacted, That the monies annually arising from the sale and leasing of the said Reserves, and also from the rents, issues and profits thereof, after payment of expenses aforesaid, shall be applied to the exclusive benefit of the Indians, having regard as far as practicable to applying the proceeds of the several Reserves in accordance with the terms in which such Reserves have been made, in the following manner, viz:—First, towards the relief of the indigent and infirm Indians of the several Tribes: Second, towards procuring seeds, implements of husbandry, and domestic animals, in such manner and proportion as His Excellency the Lieutenant Governor shall direct; which money shall be drawn from the Treasury by Warrant under the hand and seal of His Excellency the Lieutenant Governor, in favor of the local Commissioner or Commissioners, as required for the purposes aforesaid: Provided always, that the amount to be annually drawn from the Treasury of these monies, shall not exceed the amount of the rent, issues and profits realized from the Reserves the preceding year, and the annual interest of the purchase money of the lands sold and placed in the hands of the Treasurer, under the provisions of this Act.

Monies paid to the Treasurer to bear Interest.

VIII. And be it enacted, That all the monies so paid into the hands of the Treasurer shall be on Interest from one month after they are so paid into the Treasurer's hands until they are again paid out, which Interest shall be provided for by an annual grant of the Legislature.

Improvements made by persons in possession of Land to be protected in sales or leases.

IX. And be it enacted, That in the leasing, sale and disposal of the Indian lands or portions thereof, due regard shall in all cases be had to the improvements made by the person or persons who may be in possession of the lands to be

be sold, whether under sale or lease from the Indians or otherwise, so as to secure to the person or persons who shall have made such improvements, a fair and just remuneration for the same.

X. And be it enacted, That it shall and may be lawful for the local Commissioners, or the major part of them, under the direction of His Excellency the Lieutenant Governor, to lay off any Tract or Tracts of the Indian Reserves, or any part or parts of the same, into Villages or Town Plots for the exclusive benefit of the Indians of the County in which such Town Plot shall be situate, and to apportion such Villages or Town Plots into allotments of not more than fifty nor less than five acres, Location Tickets of which shall be granted from time to time by His Excellency the Lieutenant Governor to such Indians as His Excellency may deem fit objects for such exclusive appropriations, and to any or all of whom it shall and may be lawful for His Excellency the Lieutenant Governor, by and with the advice aforesaid, to make absolute Grants after the Indians to whom such Location Tickets have issued shall have resided upon and improved the same for a period of not less than ten years.

Lands may be laid off in Villages or Town Plots and Grants made to Indians.

XI. And be it enacted, That all Grants and Location Tickets made under the provisions of this Act shall issue to the parties free of expense.

Grants to be free of expense.

XII. And be it enacted, That in order to cause proper surveys to be made, and otherwise to carry into effect the provisions of this Act, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government, to draw by Warrant from the Treasury a sum not exceeding one hundred and fifty pounds, to be refunded to the Treasury from the proceeds of the Indian Lands.

An advance of £150. from the Treasury authorized to carry on the Surveys.

XIII. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation shall be thereunto first had and declared.

Suspending clause.

[This Act was finally enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province on the 25th day of September, 1844.]

CAP. XLVIII.

An Act to enable Her Majesty's Government to carry into effect within the Province the provisions of the Fourth Article of the Treaty of Washington.

Passed 13th April 1844.

WHEREAS by the Fourth Article of the Treaty of Washington made and entered into between Her Most Gracious Majesty and the United States of America, it is stipulated "That all Grants of Land made by either party within the Territory which by Treaty falls within the Dominions of the other party, shall be held valid, ratified and confirmed to the persons in possession under such Grants, to the same extent as if such Territory had by this Treaty fallen within the Dominion of the party by whom such Grants were made; and all equitable possessory claims arising from a possession and improvement of any Lot or Parcel of Land by the person actually in possession, or by those under whom such person claims, for more than six years before the date of such Treaty, shall in like manner be deemed valid, and be confirmed and quieted by a release to the person entitled thereto, of the title of such Lot or parcel of Land so described as best to include the improvements made thereon, and in all other respects the two contracting parties agree to deal upon the most liberal principles of equity with the Settlers actually dwelling on the Territory falling to them respectively, which has heretofore been in dispute between them:"

Preamble.

And

‘ And whereas doubts have arisen as to the power and authority of His Excellency the Lieutenant Governor of this Province to carry into full effect the stipulations contained in the said recited Fourth Article of the said Treaty, in consequence of the provisions of an Act of the General Assembly of this Province made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province;*’

8 W. 4, c. 1.

Governor authorized to pass Grants &c. necessary to effectuate the fourth article of the Treaty.

I. Be it therefore enacted by His Excellency the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to pass any grant, release or other conveyance, in the name of Her Majesty, that may be deemed necessary to carry into full effect every and all the stipulations mentioned and contained in the said recited Fourth Article of the said Treaty, so far as may relate to any such grant or release.

Grants to be good, Act 8 W. 4, c. 1, notwithstanding.

II. And be it enacted, That any such Grant so passed shall be good and effectual to all intents and purposes, any thing in the said recited Act to the contrary thereof in any wise notwithstanding.

Suspending clause.

III. And be it further enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was finally enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province on the 25th day of September, 1844.*]

CAP. XLIX.

An Act to incorporate the Arestook Boom Company.

Passed 13th April 1844.

Preamble.

‘ **W**HEREAS the erection of a Boom at the mouth of the Arestook River will be convenient and advantageous to the Commercial interests of the Province;’

Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William J. Bedell, Charles R. Upton, Thomas E. Perley, Nelson Terney, their Associates, Successors and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of ‘The Arestook Boom 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 erecting, building and maintaining a Boom across the Arestook River, below the Falls in the said River, to secure the Timber, Logs and other Lumber floating down the same.

Authority given to erect a Boom across the Arestook River.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Arestook River, at some convenient place below the Falls thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars and other Lumber floating upon the said River, and may erect certain Piers and Booms such as they may think necessary; provided that the said Booms be so constructed as to admit the passage of rafts and boats, and preserve the navigation of the River; but no person shall be allowed at any time to encumber the said Boom either with rafts of Timber, Logs or other Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Boom for that purpose would endanger the safety of any Timber, Logs or other Lumber contained therein.

Act not to authorize the use of private property without consent.

III. And be it enacted, That nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the lands or use the private

private property of any person or persons for the purpose of erecting or securing the said Boom, without their consent first had and obtained for that purpose.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open spaces in said Boom to be carefully guarded, so that no Lumber be permitted to escape, to raft all the Timber and Logs, Masts and other Lumber, safe and securely in joints loaded suitably for the navigation of the River Saint John, for Pine Timber with two good boom poles at least, and hard wood pins, said joints to be of the size as are commonly made, and to secure the same below the Boom ten hours; and if the owner or owners, on the expiration of the time aforesaid, have not removed or taken charge of the same by putting his or their ropes thereon, the Corporation may remove or secure the same in some convenient place, and the owner or owners shall pay such expenses as may arise in the removal or securing the same; and should any person suffer loss in consequence of the neglect or carelessness of the said Corporation or their Agent or Agents, they shall be accountable for such loss; the said Corporation shall cause the Timber, Logs or other Lumber to be rafted without any unnecessary delay as soon after it comes into the Boom as possible, the same Corporation not being bound to drive any Timber, Logs or other Lumber into the Boom that may be aground above it.

Duty of the Corporation in respect of securing the Boom and rafting and driving Timber.

[Liability for carelessness.]

V. And be it enacted, That when it shall be found absolutely necessary for the more speedy conveyance of the Timber to market to open the Boom and drive the Timber down the River Saint John before being rafted, which shall be determined by the majority of votes of the Timber holders, each owner having two hundred and fifty tons shall be entitled to one vote, and in like proportion for any greater quantity, and no person to have more than twenty votes, the quantity of each individual's Timber to be determined by the Survey that has been first made; but when any dispute shall arise as to the quantity of the Timber claimed by each person before voting upon the same shall make oath before one of Her Majesty's Justices of the Peace to the quantity so surveyed; and should a majority of the votes of the Timber holders be in favor of opening the said Boom, then it shall be the duty of the said Corporation to open the said Boom, and to turn out said Timber and other Lumber into Saint John River, for which service they, the said Corporation, shall receive the sum of two pence per Ton for Boomage only, to be ascertained by the next Survey made by any qualified Surveyor of Lumber.

In what circumstances the Boom shall be opened and Timber driven into St. John River.

Fees.

VI. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom or any of the Piers thereof, such person or persons so offending, shall upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Carleton, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by Warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to the offender or offenders, and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for said Justices to issue their Warrant to commit such offender or offenders to the Common Gaol of the County, there to remain without Bail or Mainprize for such period as may be specified in such Warrant, not exceeding one day for every two shillings of such penalty.

Wilfully injuring Boom or Piers.

Penalty.

Recovery.

VII. And be it enacted, That there be allowed to the Corporation a Toll or Boomage upon all Timber and other Lumber thus boomed, rafted and secured as aforesaid, the sum of one shilling per ton upon all Timber, and the sum of two shillings and six pence per thousand superficial feet of other Lumber, and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed

A Boomage allowed to be charged.

Lien.

Marks on Timber to be furnished to the Corporation.

Disposition of unclaimed Timber.

Act to be void if Boom be not erected within two years, and Certificate, &c. filed in Secretary's Office.

Limitation.

Suspending clause.

boomed and rafted for the payment of all such Toll or Boomage and other expenses; each person or persons owning Timber or other Lumber to furnish to the Corporation or their Agent a proper and correct description of his or their several marks before the same comes into the Boom; the Corporation not bound to secure or take care of any Timber or Lumber until the mark is so furnished: If no owner appears to claim Timber or Lumber so coming into the Boom, it may after twenty days notice be sold, and if within two years the owner should appear and prove to the satisfaction of the Court of Common Pleas, he may receive the net proceeds after deducting Toll and other expenses; but if not proved and claimed within two years, the proceeds to belong to the Corporation; all Timber and other Lumber to be measured by a sworn Surveyor legally appointed, the expenses to be borne equally alike by both parties.

VIII. Provided always, and be it enacted, That unless a good and sufficient Boom be actually erected as contemplated by the provisions of this Act, and a certificate of the said erection signed and verified on oath by the Directors or Managers of the said Corporation, 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 operations of this Act shall cease, and the existence of the said Corporation is terminated at the expiration of the said two years.

IX. And be it enacted, That this Act shall continue and be in force until the first day of August which will be in the year of our Lord one thousand eight hundred and forty eight, and then to be subject to such amendments as the Legislature shall think proper to make.

X. And be it enacted, That this Act shall not go into operation until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was finally enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province the 25th day of September, 1844.*]

CAP. L.

An Act for the relief of the Reverend Samuel D. Rice.

Passed 13th April 1844.

Preamble.

‘ **W**HEREAS the Reverend Samuel D. Rice has made it appear by his ‘ Petition that he is a regularly ordained Wesleyan Minister in full ‘ connexion with the British Conference of Wesleyan Methodists originally ‘ established by the Reverend John Wesley, A. M., that he came to this Province ‘ when he was about four years of age, and has resided in the Province ever since; ‘ that his father has been naturalized; that he is by education and affection a ‘ British Subject, and has enjoyed the immunities of a British Subject; that by the ‘ first 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 extend the privilege of ‘ solemnizing Marriage to all Ministers or Teachers of the several Religious Congre- ‘ gations in this Province*, His Excellency the Lieutenant Governor or Commander ‘ in Chief for the time being is authorized, under certain provisions in the said Act ‘ contained, to licence the Ministers or Teachers of any Denomination of Christians ‘ in this Province to solemnize Marriage, provided the Minister or Teacher applying ‘ for such Licence is a British born Subject not engaged in any secular calling: ‘ And whereas it is deemed just and equitable under the peculiar circumstances ‘ of his case, to enable His Excellency the Lieutenant Governor or Administrator ‘ of

‘ of the Government for the time being, to licence the said Samuel D. Rice to solemnize Marriage in this Province, notwithstanding he was not a British born Subject, provided he conforms to all the provisions of the above recited Act;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That notwithstanding anything in the provisions of the said recited Act contained, that the Minister or Teacher applying for licence under the said Act shall be a British born Subject, His Excellency the Lieutenant Governor or Administrator of the Government for the time being, shall have full power and authority, and he is hereby authorized and empowered to grant a Licence to the Reverend Samuel D. Rice to solemnize Marriage in this Province, which shall have the like force and effect in all respects as if the said Samuel D. Rice had been a British born Subject, anything in the said recited Act to the contrary notwithstanding, the said Samuel D. Rice complying with all the other provisions of the said recited Act.

Governor authorized to grant a Licence to the Rev. S. D. Rice to solemnize Marriage.

II. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared. Suspending clause.

[This Act was specially enacted, ratified and confirmed by Order of Her Majesty in Council, dated 3d September, 1844, and published and declared in the Province on the 25th day of September, 1844.]

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