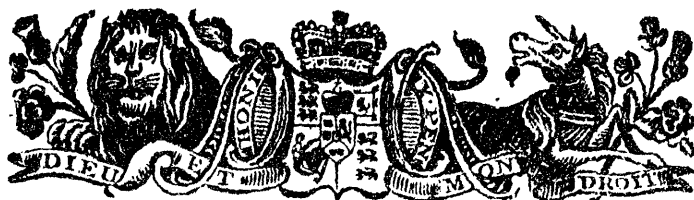


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ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. I.

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

[Passed 30th April, 1850.]

MAY IT PLEASE YOUR MAJESTY:—

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

Preamble.

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, and during the continuance thereof, and instead and in lieu of all other Duties whatsoever, and howsoever denominated, (save and except as hereinafter provided,) there shall be raised, levied, collected and paid unto Your Majesty, Your Heirs and Successors, upon all Goods, Wares and Merchandize imported or brought into this Island and its Dependencies, the several respective Duties inserted, described and set forth in Figures in the Table of Duties hereinafter contained, denominated Table of Duties, opposite to and against the respective articles in the said Table mentioned, described, and enumerated, and according to the value, number or quantity, of such article therein specified.

Duties imposed.

Table of Duties.

TABLE OF DUTIES.

ARTICLES.	DUTIES IN STERLING MONEY.		
	£	s.	d.
Apples, the Barrel	0	1	6
Bacon and Hams, the Cwt.	0	5	0
Beef, salted and cured, the Barrel, not exceeding Two Hundred Pounds	0	2	0
Bread or Biscuit, the Cwt.	0	0	3
Butter, the Cwt.	0	2	0
Calves, Sheep and Pigs, each	0	1	0
Cheese, the Cwt.	0	5	0
Cigars, the Thousand	0	5	0
Cocoa, the Cwt.	0	5	0
Coffee, the Cwt.	0	5	0
Coals, the Ton	0	1	0
Flour, the Barrel not exceeding in weight 196 pounds	0	1	6
Horses, Mares and Geldings, each	0	10	0
Lumber, the Thousand Feet, one inch thick	0	2	6
Molasses, the Gallon	0	0	1½
Oatmeal or Indian Meal, the Barrel not exceeding in weight Two Hundred Pounds	0	0	6
Pork, the Barrel not exceeding in weight Two Hundred Pounds	0	3	0
Salt, the Ton	0	0	6
Shingles, the Thousand	0	1	0
Spirits:—			
Brandy, Gin, Whiskey, Cordials, and other Spirits not herein defined or enumerated, and not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength, and for any greater or less quantity than a Gallon, the Gallon	0	3	0
Rum, not exceeding the strength of proof by Sykes's Hydrometer, and so in proportion for any greater strength and for any greater or less quantity than a Gallon, the Gallon	0	0	9
Sugar, Loaf and Refined, the Cwt.	0	7	6
“ Bastard, the Cwt.	0	5	0
“ Unrefined, the Cwt.	0	5	0
Tea, the Pound	0	0	3
Timber, including Balk and Scantling, the Ton	0	1	6
Tobacco, Manufactured and Leaf, the Pound	0	0	2
Tobacco Stems, the Cwt.	0	2	0
Wines, in Bottles, the Gallon	0	3	0
All other Wines, the Gallon	0	2	0
Clocks and Watches, Furniture manufactured of Wood, Ale, Porter, Beer, Cider, Perry, Oil, Blubber, Furs and Skins, the produce of Creatures living in the Sea	} For every £100 of the Value }		10 0 0
Candles of all kinds, for every £100 of the Value	...	7	10 0
Goods, Wares and Merchandize, not otherwise enumerated, described or charged with Duty in this Act, and not otherwise exempt from Duty, and Neat Cattle	} For every £100 of the Value }		5 0 0

EXEMPTIONS.

Table of Exemptions.

Printed Books and Pamphlets, Maps and Charts, Coin and Bullion, Hemp, Flax and Tow, Lime and Lime Stone, Manures of all kinds, Provisions of every description imported or supplied for Her Majesty's Land or Sea Forces, Passengers' Personal Luggage, Rice Feed, Refuse of Rice, Seed of all kinds intended to be used for agricultural purposes, Vegetables of all sorts fresh, Mules and Asses, and Fish, fresh or salted, dried or pickled.

Provided always, that nothing herein contained shall be construed to repeal, alter, or make void the Twenty-second Section of a certain Act passed in the Tenth Year of Her present Majesty's Reign, entitled "An Act to amend an Act passed in the Ninth and Tenth Years of Her present Majesty's Reign, entitled An Act to regulate the Re-building of the Town of Saint John's, and the Drainage and Sewerage of the same, and to repeal certain Acts therein mentioned," nor the provisions of an Act passed in the Twelfth Year of the Reign of Her present Majesty, entitled "An Act to regulate the Importation of Books into this Colony, and to protect the British Author."

II.—*And be it enacted*, That every sworn Surveyor of Lumber shall, and he is hereby required to, within Twenty-four hours after the discharge of the cargo of any Vessel importing Timber, Lumber, or Shingles, produce to and deposit with the Collector or other proper Officer of Her Majesty's Customs for the Port where such Vessel shall have discharged her cargo as aforesaid, a Certificate of the true measurement and contents of such Timber, Lumber, and Shingles respectively; and such Surveyor shall receive for such Certificate, on production thereof, a Fee of Two Shillings and Six Pence; and in case he shall neglect to produce the same within the period aforesaid, shall, upon the complaint of such Officer or other person, be subject and liable to a fine of Five Pounds, to be recovered in a summary manner, with costs, before any Justice of the Peace for the District where such Surveyor may reside, and levied by distress and sale of his goods and chattels.

III.—*And be it enacted*, That at the time of entering Neat Cattle, subject to an *ad valorem* Duty by this Act, the Importer or known Agent thereof, shall, at the time of such entry, pay a sum as Duty, to be calculated upon the valuation of Five Pounds for each of such Cattle: *Provided always*, that within Fourteen Days after the landing of such Cattle, the said Importer or his authorised Agent shall, if in the mean time the same have been realised by Public Auction or Private Sale, produce the original Account Sales thereof, and answer all such questions respecting the same as the Collector or other proper Officer may propose, on Oath, (if required,) who are hereby authorized to administer the same; and if upon such examination it shall appear to either of the said Officers that the amount of value exceeds that for which the said Cattle were first entered, the Importer or known Agent shall then pay, by post entry, the amount of Duty that may exceed the original Duty paid on the same; or if the value should be less, the surplus Duty received shall be returned, by Certificate of over entry, to the said Importer or known Agent; and if such Importer or known Agent shall refuse to produce the Account Sales at the time aforesaid, or produce any other than the true Account, or alter the same, or refuse to answer upon Oath such questions as aforesaid, or to answer them truly, or to pay the additional Duty (if any) due as aforesaid, such Importer or known Agent shall forfeit, in either case aforesaid, the sum of One Hundred Pounds; and should the said Cattle not have been disposed of within the time aforesaid, or appraised as hereinafter provided, the Duty already paid thereon shall be detained and deemed to be the true Duty: *Provided also*, that one day's notice in writing of the time of the intended Sale at Auction as aforesaid, be given to

- Proviso. the Collector or other proper Officer: *Provided further*, that when the said Cattle so imported are not intended for immediate Sale, the Duty payable thereon shall be ascertained at the time of landing, by appraisement at their value in the place where imported; one Appraiser to be appointed by the Collector or other Officer as aforesaid, and one other by the Importer or his authorized Agent; and should the said parties disagree, they shall appoint a third Appraiser, the appraisement of any two of whom shall be final and binding; and in the event of the said Importer neglecting or refusing to appoint an Appraiser at the time aforesaid, it shall be lawful for the Collector or other Officer to appoint an Appraiser to act for the said Importer, by whose appraisement, with the other or others aforesaid, the said Importer or known Agent shall be bound, and shall also be subject to the same regulations and penalty as hereinbefore provided; and the said Importer or known Agent shall, at the time of entry aforesaid, deposit with the Collector or other Officer aforesaid, the sum of One Pound Ten Shillings, to meet the expenses of appraisement aforesaid, any part of which said sum unexpended shall be returned to the said Importer or known Agent.
- Cattle may be landed immediately after arrival. Proviso. IV.—*And be it enacted*, That the Collector or other proper Officer at the Port where any Vessel having on board any Cattle may arrive, shall, upon the application of the Importer or Importers thereof, permit the immediate landing of the same: *Provided*, that at the time of entry of such Vessel due entry of and payment of the Duties herein imposed upon such Cattle shall be made.
- Duties to be in Sterling, or in certain Foreign Coins, and according to Imperial Weights and Measures. V.—*And be it enacted*, That all sums of Money granted or imposed, either as Duties, Penalties, or Forfeitures, by this or any Act or Acts of the General Assembly of this Colony, shall be deemed and are hereby declared to be in Sterling Money of Great Britain, and shall be received and taken in Sterling Money of Great Britain, or in Foreign Coins at such rates as they are now received at in payment of Colonial Duties in this Colony; and that all such Duties shall be paid and received according to Imperial Weights and Measures now by Law established in this Colony; and that in all cases where such Duties are imposed according to any specific quantity or any specific value, the same shall be deemed to apply in the same proportion to any greater or lesser quantity or value.
- Duties to be paid to the Treasurer quarterly. VI.—*And be it enacted*, That all Monies arising from the Duties by this Act imposed, shall be remitted and paid, by quarterly payments, by the Collector at the Port of Saint John's, into the hands of the Treasurer of this Colony, and shall be paid, applied, and appropriated, to such purposes, and no other, as are or may be expressed or contained in the several Acts of the General Assembly of this Colony from time to time in force.
- Royal Yacht Club Yachts exempted from local dues. VII.—*And be it enacted*, That all Yachts sailing under Warrant of the Lords of the Admiralty, as belonging to the Royal Yacht Club, shall be exempted, on view of the said Warrant, from the payment of all Local Dues whatsoever.
- Importer may Warehouse goods upon first entry, under certain rules. VIII.—*And be it enacted*, That it shall be lawful for the Importer of any Goods subject to the Duties hereby imposed, to Warehouse such Goods upon the first entry thereof, under and according to such Rules, Regulations, and Conditions, as are or may be prescribed by any Act or Acts of the General Assembly of this Colony, now or hereafter in force concerning the Warehousing of Goods, and without payment of Duty upon such first entry thereof.
- Drawback allowed on certain articles under certain regulations. IX.—*And be it enacted*, That there shall be allowed, upon the exportation from this Island and its Dependencies to the United Kingdom, to any other British Possession, or to any Foreign Port or Place, of any Goods, Wares or Merchandize, the import Duties on which were chargeable

and paid according to the Tale, Guage, Weight, or Measure, thereof, a Drawback of the full Duties which shall have been so paid as aforesaid: *Provided*, that on every such exportation, the Exporter of such Goods, Wares, or Merchandize, shall, before the same be laden on board of any Ship or Vessel, give notice, in writing, of such intended export, and shall deliver to the Collector or other Principal Officer in charge of the Port or District, an Account, specifying the several Articles intended to be exported, their Nature, Quantity and Quality, and shall annex to the said Account an Affidavit, to be made before the Collector or other Principal Officer aforesaid, or any Justice of the Peace for the District, that the full Duties on such Goods, Wares, or Merchandize, were paid at the time of the Importation thereof, and setting forth the Date of such Importation, the Name of the importing Vessel, of the Master thereof, and of the Place whence such Goods, Wares, or Merchandize, were imported; which Account shall, on the clearance of such Goods, Wares, or Merchandize, be signed by the Collector or other Officer aforesaid; and on the production of a Certificate under the hand of the Collector of Her Majesty's Customs at the Port of Importation in the United Kingdom, or of the Collector of the Duties in such other British Possession, or under the Hand and Seal of the British Consul or Vice Consul in such Foreign Port or Place, or if there be no Consul or Vice-Consul in such Foreign Port or Place, then under the Hands and Seals of two well-known Merchants, of the actual and due landing of the several Articles specified in such Account aforesaid, at such Port in the United Kingdom, or in such British Possession, or in such Foreign Port or Place, such Exporter shall be entitled to receive the Drawback herein granted: *Provided always*, that no Drawback shall be allowed on any such Goods, Wares, or Merchandize, unless the same shall be exported in Boats or Vessels exceeding in burthen Forty Tons of Registered Tonnage, and unless such Drawback shall exceed the amount of Three Pounds on each Article so exported, and be claimed within One Year from the day of shipment aforesaid: *Provided nevertheless*, that the aforesaid Collector, or other proper Officer, may allow a further time for the production of such Certificate, on reasonable cause.

X.—*And be it enacted*, That the several Duties imposed, and in the said Table or Schedule mentioned, shall be paid by the Importer or Importers of such Articles respectively, and shall be collected and secured by means of and under the regulations and penalties, and in the way and manner, provided by any Act or Acts of the General Assembly of this Colony for Collecting the Revenues of this Colony, and under the provisions of which Act or Acts penalties imposed by this Act shall be sued for, recovered and appropriated. Duties to be paid by the Importer. Recovery of penalties.

XI.—*And be it enacted*, That there shall be allowed and paid to the Collector at the Port of Saint John's, and other Officers of Her Majesty's Customs, in the said Colony, hereinafter mentioned, and to defray all other expenses of remuneration for the Collection of the Colonial Revenue, and charges incidental thereto, the Sums set opposite to the names of the said several Officers for the period during which this Act shall be in operation, viz:— Remuneration to Officers of Customs for collection of duties.

To the Collector at Saint John's, Five Hundred Pounds.

The Landing and Tide Surveyor at Saint John's, Two Hundred and Fifty Pounds.

Two Landing Waiters at Saint John's, Two Hundred Pounds each.

First Clerk and Warehouse Keeper at Saint John's, Two Hundred Pounds.

Second Clerk at Saint John's, One Hundred and Fifty Pounds.

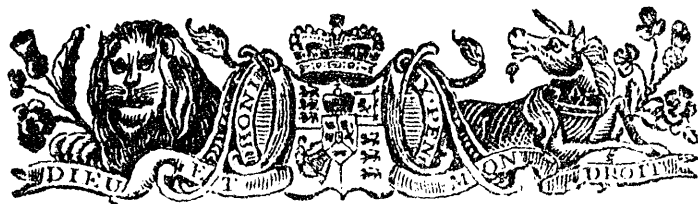
Two Lockers at Saint John's, Twenty Pounds each, and Three Shillings per day when employed.

- The Sub-Collector at Lamaline, or Oderin, One Hundred Pounds, and Two and a Half per centum on all Duties collected.
- The Sub-Collector at Fogo, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at La Poile, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Greenspond, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Gaultois, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Twillingate, One Hundred Pounds and Two and a Half per centum as aforesaid.
- The Sub-Collector at Trinity, One Hundred and Fifty Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Harbor Grace, One Hundred Pounds, in full.
- The Sub-Collector at Carbonear, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Brigus, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Ferryland, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Placentia, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Burin, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Sub-Collector at Harbor Britain, One Hundred Pounds, and Two and a Half per centum as aforesaid.
- The Preventive Officer at Bay of Bulls, Fifty Pounds.
- The Tide Waiters at Saint John's, and Two at Harbor Grace, Six Hundred Pounds.
- The Second Class Tide Waiters at Saint John's, in addition to their daily pay, to be appropriated by the Collector, under the sanction of the Governor and Council, at the termination of the year, Ninety Pounds.
- The Preventive Boat and Crew, for Four men, One Hundred and Eighty-six Pounds, Thirteen Shillings and Four Pence.
- Stationery and Printed Forras, Postages and other Incidental Expenses, Fifty-five Pounds.

Continuance of
Act.

XII.—*And be it enacted*, That this Act shall continue and be in force until the Thirtieth day of June, which will be in the Year of Our Lord One Thousand Eight Hundred and Fifty-one.





ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. II.

AN ACT to amend an Act entitled "An Act to provide for the Regulation, Management and Collection of all Duties granted to Her Majesty, Her Heirs and Successors, on all Goods, Wares, and Merchandize, imported into this Island and its Dependencies."

[Passed 30th April, 1850.]

WHEREAS it is expedient to amend an Act passed in the Twelfth Preamble.
Year of the Reign of Her present Majesty, entitled "An Act to provide
for the Regulation, Management and Collection of all Duties granted to
Her Majesty, Her Heirs and Successors, on Goods, Wares and Merchandize
imported into this Island and its Dependencies":—

I.—*Be it therefore enacted*, by the Governor, Council and Assembly, in
Legislative Session convened, and by the authority of the same, that the 6th and 12th sec-
tions of 12th Vic.
cap. 4. repealed.
Sixth and Twelfth Sections of the said Act shall be and the same are
hereby repealed: *Provided always*, that nothing herein contained shall
be construed to annul or make void any Bond for securing the payment
of Duties taken under and by virtue of the Twelfth Section of the said
recited Act. Proviso.

II.—*And be it enacted*, That at the time of entering any Goods, Wares, Importers shall, (if
required,) produce
invoice within five
days after entry,
and submit to
examination.
or Merchandize, in the manner provided by the said Act, or at any time
within Five Days after entry, the Importer thereof, or his known Agent,
shall, if required by the Collector, or other proper Officer, produce the
Invoice of such Goods, Wares, or Merchandize, and shall answer on Oath

all such questions relating to the value thereof as shall be put to him by such Collector or Officer aforesaid, who are hereby authorized to administer such Oath; and in case of failure or refusal to produce such Invoice, (unless there be no Invoice,) or to answer such questions, or to answer them truly, or if other than the true and real Invoice be produced, or if such true and real Invoice be altered by such Importer or his known Agent, then, and in every such case, such Importer shall forfeit the sum of One Hundred Pounds.

Goods undervalued may be detained and sold.

Proviso.

III.—*And be it enacted*, That if, upon examination, it shall appear to the Collector, Landing Waiter, or other proper Officer, that such articles are not valued according to the true value thereof, it shall be lawful for such Collector or Officer aforesaid, to detain and secure such articles, and within Three Days after the landing thereof to take such articles for the use of the Crown, which said articles shall be dealt with in the manner, and shall be subject to such and the like regulations and provisions, and the proceeds thereof to the like appropriation, as are declared, contained and provided in the Seventh Section of the said recited Act, touching the articles therein mentioned: *Provided always*, that should any articles whatsoever, seized and detained under this or the said recited Act, be of a perishable nature, and likely to deteriorate in value by being kept to abide the provisions of the said Act concerning the same, it shall be lawful for the Collector, or other proper Officer aforesaid, at the expiration of Two Days after such seizure and detention aforesaid, to cause any such articles aforesaid to be sold, and the proceeds thereof shall be subject to the same provisions and conditions as are contained in the said recited Act with respect to the said articles themselves.

Goods subject to duty by weight may be detained and sold, if true weight not given.

Goods may be sold for the benefit of the Crown, and appropriated as by 7th Section of 12 Vic. cap. 4.

Bond may be taken for Duties to £40.

IV.—*And be it enacted*, That where the true weight shall not be given of Articles subject and liable to Duty according to weight, in the cases provided for by the Ninth Section of the said Act, it shall be lawful for the Collector or other proper Officer to detain and secure such articles, and within Three Days from the landing thereof to take such articles for the use of the Crown; and the said Collector or other proper Officer shall thereafter, in any such case, cause the valuation of such articles to be calculated on the weights set forth in the Warrant or Entries passed, and at the prices stated in the Invoice, should the true Invoice be produced by the Importer to the satisfaction of the Collector or other proper Officer; otherwise such articles to be appraised by two fit persons to be chosen by the said Collector or other proper Officer; and it shall be the duty of such appraisers to estimate such articles according to the weight set forth in the Warrant and Entries passed as aforesaid, and at such values as the appraisers shall deem to be a fair first cost market price of such articles, free of charges, at the place from whence such Goods may have been imported; and the said Collector or other proper Officer shall further cause the amount of either of such valuations, together with an addition of Ten per centum thereon, and also the Duties paid upon such Entry, to be paid to the Importer or Proprietor of such articles, in full satisfaction of the same, and shall dispose of such articles for the benefit of the Crown; and the produce of such Sale shall be appropriated in the manner provided by the Seventh Section of the said Act in respect of Goods detained and sold as undervalued.

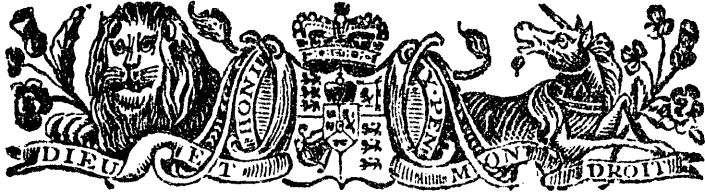
V.—*And be it enacted*, That in any case where the Duty set forth in any Entry shall not amount to Forty Pounds, the Collector or other proper Officer shall forthwith collect the same before granting his Warrant for the removal of the articles imported; and in case such Duties shall amount to Forty Pounds, then such Collector or Officer aforesaid, shall be at liberty to secure the said Duties by taking Bond from the Importer, Owner, or Consignee, to Her Majesty, Her Heirs and Succes-

sors, with two sufficient securities for the payment thereof, in Four Months from the date of such Bond.

VI.—*And be it enacted*, That all Goods Warehoused at any Warehousing Port in this Island, under the provisions of the said Act, may, upon application to the Collector or other proper Officer, and at his discretion, upon renewal of the Bond required by the said recited Act upon the first Warehousing of such Goods, be removed to any other Warehouse in the same Port. Goods may be removed from one warehouse to another in the same port.

VII.—*And be it enacted*, That it shall be lawful for the Governor or Officer Administering the Government of this Island, by and with the advice of Her Majesty's Council, in any case where, upon the consideration of all the circumstances, he and they shall deem it expedient so to do, to mitigate the payment of any Penalty or Penalties, whether before or after conviction of any party liable to the payment of the same, so as the sum to be paid by any such party shall not be less than the sum of Five Pounds, together with all expenses of prosecution. Governor and Council may mitigate penalties. Proviso.

VIII.—*And be it enacted*, That in all cases where any Goods, Ships, Vessels, or Boats, shall be seized or forfeited, it shall and may be lawful for the Governor or Officer Administering the Government, by and with the advice of Her Majesty's Council, to order the said articles, or any of them, to be restored, upon the same terms, conditions, and restrictions, as contained in the Seventh Section of the said recited Act with respect to Goods detained as undervalued. Governor and Council may restore goods, &c. forfeited.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. III.

AN ACT to amend an Act entitled "An Act to amend several Acts now in force respecting Light-Houses, and to make further provision for the said Light-Houses, and to consolidate the Laws respecting the same."

[Passed 30th April, 1850.]

WHEREAS it is expedient to amend an Act passed in the Third Year of the Reign of Her present Majesty, entitled "An Act to amend several Acts now in force respecting Light Houses, and to make further provision for the said Light Houses, and to consolidate the Laws respecting the same:"—

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that from and after the passing of this Act, there shall be raised, levied, collected and paid, to Her Majesty, Her Heirs and Successors, upon every Merchant Ship or Vessel entering any Port within this Island from Cape Ray to Cape John, (other than Coasting, Sealing and Fishing Vessels,) a Duty or Rate of Six Pence Sterling per ton, for every ton register measurement of each respective Vessel as aforesaid, instead and in lieu of Three Pence per ton upon every such Vessel, imposed by the said Act: *Provided*, that such Duty shall not be levied upon any such Ship or Vessel more than once in each year, instead of twice in each year, as provided for by the said Act, with respect to the Rate or Duty therein imposed.

Preamble.

3rd Vic. c. 5.

Six Pence per ton to be levied upon Vessels (other than Coasting) instead of Three Pence.

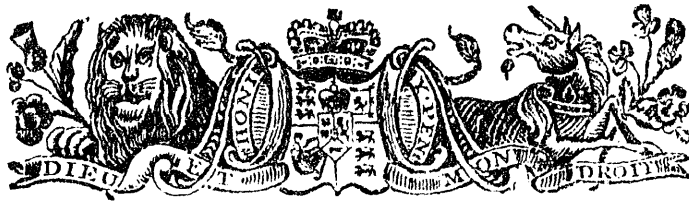
Proviso.

Board of Controul
to furnish estimate
of cost of Light-
Houses to the
Governor.

II.—*And be it enacted*, That the Board of Controul of Light-Houses shall, on the First Day of July after the passing of this Act, furnish to the Governor for the time being, an estimate of the probable charges and incidental expenses attendant upon carrying out the provisions of the said recited Act, up to the Thirty-first day of December following, and also shall, on the First day of January ensuing, and on the same day in each year, for the purpose of being laid before the Legislature, furnish an estimate, as aforesaid, for the current year thence ensuing.

Duty to be levied
as by recited Act

III.—*And be it enacted*, That the Duty by this Act imposed shall (except as hereinbefore provided for) be raised, levied, collected, paid, applied and appropriated under the provisions of the said recited Act, or of any Act in amendment thereof.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. IV.

*AN ACT to Authorize the Issue of Treasury Notes,
and for the Reduction of the Public Debt of the
Colony.*

[Passed 30th April, 1850.]

WHEREAS for the purpose of reducing the Public Debt of this ^{Preamble.} Colony, and of facilitating the payment of the expenses of the Civil Government thereof, it is expedient to authorize the Issuing of Treasury Notes to an amount not exceeding the sum of Twenty Thousand Pounds:

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of ^{Three Commis-} the same, that it shall and may be lawful for the Governor or Administra- ^{sioners to be} ^{appointed for the} ^{purposes of this} ^{Act.} tor of the Government for the time being, to appoint Three fit and proper Persons as Commissioners to superintend the Issuing of Treasury Notes to an amount not exceeding the Sum of Twenty Thousand Pounds; that is to say—Two Hundred Notes of Ten Pounds each; One Thousand Notes of Five Pounds each; and Sixteen Thousand and Seventy-six Notes of One Pound each: which Notes shall be in the form following—that is to say; “Island of Newfoundland. By Law, the Bearer of this ^{Form of Notes.} Note is entitled to receive, at the Treasury, the Sum of _____ Pounds Currency, in Specie. Dated at Saint John’s, Newfoundland, the day of _____ A. D. 185 _____.” All which Notes shall be of the same date, and shall be signed by the Colonial Treasurer, and counter-signed by two at least of the said Commissioners; and when completed shall be delivered by the Commissioners to the said Treasurer, who shall be accountable for all such Notes so delivered to him; and the said Commissioners are hereby authorized and required to contract for and super-

intend the Printing and Completing of the Blanks of such Notes as are directed to be issued by this Act.

Notes payable on demand at the Treasury.

II.—*And be it further enacted*, That the amount of every such Note shall be payable to the Bearer thereof on demand, at the Treasury, in Spanish or Mexican Dollars, at the rate of Four Dollars for every Pound Currency expressed in such Note.

Commissioners to be sworn before a Judge of the Supreme Court.

III.—*And be it further enacted*, That the said Commissioners so to be appointed as aforesaid, before they enter upon the duties imposed upon them by this Act, shall respectively take and subscribe the following Oath before one of the Judges of the Supreme Court, who is hereby authorized to administer the same:—"I, A. B., do swear that I will well and faithfully do and perform what I am directed and empowered to do and perform as a Commissioner for Issuing Treasury Notes under an Act entitled 'An Act to Authorise the Issue of Treasury Notes, and for the Reduction of the Public Debt of the Colony'; and that I will not knowingly sign any more or greater amount of Treasury Notes than I am authorised to sign under the said Act; So help me God:" which Affidavit shall be filed in the Office of the Colonial Secretary.

Form of Oath.

Notes payable in discharge of Warrants,

IV.—*And be it enacted*, That when and as often as Monies shall become due and payable by virtue of any Act or Acts of the General Assembly of this Island, already passed, or that may be passed, and Warrants of the Governor or Administrator of the Government for the time being, for the payment of such Monies, shall be produced to the Treasurer of the Colony, he shall pay the amount of such Warrant or Warrants in Specie, or in the said Notes at the rate aforesaid, to the person or persons entitled to receive the same, at the election of such person or persons; and such Notes shall be again received at the Treasury, and by the Collector and Sub-Collectors of the Colonial Revenue, at the rate aforesaid, in lieu of Specie, when and as often as the same shall be presented and offered in payment of Duties.

and receivable in payment of duties.

Notes to be issued to same extent as public debt reduced.

V.—*Provided always, and be it further enacted*, That such Notes to be issued and paid by the Colonial Treasurer in discharge of any Warrant or Warrants as aforesaid, shall be from time to time issued and paid by him to the amount authorized by this Act, to the same extent as the Public Debt of the Colony, now bearing Interest at the rate of Six per centum per annum, shall be paid off and reduced.

Penalty on persons counterfeiting or altering notes.

VI.—*And be it further enacted*, That if any person or persons whosoever shall counterfeit any of the Notes issued by virtue of this Act, or shall alter any of the same so that such Notes shall appear to be of greater value than when originally issued, or shall knowingly pass or give in payment any of the Notes aforesaid so counterfeited or altered, every person convicted of any of the said offences shall be guilty of Felony, and upon conviction thereof shall be liable to Imprisonment with Hard Labour, for any period not exceeding Three Years, nor less than Six Months.

Notes may be re-issued by the Treasurer.

VII.—*And be it further enacted*, That it shall be lawful for the Treasurer of the Colony to re-issue and pay out again all such Notes as may be received in payment at the Treasury, or for the Commissioners aforesaid, when and so often as they shall be thereto required by the Warrant of the Governor or Administrator of the Government for the time being, to issue other Notes in lieu of those so received, or any part thereof, and to deliver the same to the Treasurer, to be paid by him in discharge of any Warrant or Warrants as aforesaid: *Provided* the new Notes so to be issued shall not exceed the amount of the Notes so from time to time received in payment at the Treasury, and that the whole amount of Notes issued shall not at any time exceed the amount authorized by this Act; and all such Notes so received at the Treasury, in lieu of which new Notes shall be

Proviso.

issued as last aforesaid, shall be cancelled and destroyed by the Treasurer and the said Commissioners, or any two of them, in the presence of the Governor and Council; a correct list of the numbers, dates, and amounts of such Notes being made and preserved by the Commissioners, —a copy whereof shall be laid before the Legislature at the commencement of the then next Session.

VIII.—*And be it further enacted*, That it shall be lawful for the Governor or Administrator of the Government for the time being, from time to time to appoint one or more Commissioner or Commissioners, in place of any Commissioner or Commissioners dying, resigning, departing from this Island, or becoming otherwise incapable of performing the duties of his or their Office.

Governor to supply vacant places of Commissioners.

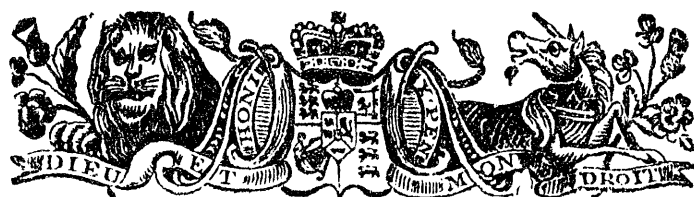
IX.—*And Whereas* by certain Acts of the Legislature, various sums of Money have been taken up on Loan, at Interest, for the general purposes of the Colony, and Debentures have been granted for the same; and Debentures have likewise been granted for other large sums of Money due by the Colony to various parties under other Acts of the Legislature; and it is desirable to make further provision for the effective reduction of the Public Debt:

Enactment respecting debentures granted for monies due by the Colony.

Be it further enacted, That it shall be lawful for the Governor or Person Administering the Government for the time being, by and with the advice of Her Majesty's Council, to set apart, half yearly, the produce of the additional duty upon Goods, Wares and Merchandize imported into the Port of Saint John's, granted and imposed by the Twenty-third Section of an Act passed in the Tenth Year of Her Majesty's Reign, entitled "An Act to amend an Act passed in the Ninth and Tenth Years of Her Majesty's Reign, entitled 'An Act to Regulate the Rebuilding of the Town of Saint John's, and the Drainage and Sewerage of the same,' and to Repeal certain Acts therein mentioned," and to appoint, from time to time, Three Commissioners, who shall be authorized to apply and appropriate the produce of the said Duty, and also such sum or sums of Money as shall be equal to the amount of Interest saved by the reduction, from time to time, of the Public Debt, in the further reduction of such portions of the Public Debt payable at future days and times, and in the calling in and discharge of such Debentures as aforesaid, as, by and with the advice of Her Majesty's Council, he shall deem most advantageous for the public service: *Provided always*, that nothing herein contained shall be construed in any manner to dispense with the regular discharge, at the times limited for payment thereof, of such portions of the Public Debt as shall become due and payable from time to time, in pursuance of the provisions of the several Acts for raising Loans for the general purposes of the Colony, above mentioned.

Duty imposed by 10th Vic. cap. 1. to be set apart and appropriated in reduction of public debt.

Proviso.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. V.

AN ACT to amend an Act passed in the Seventh Year of the Reign of Her present Majesty, entitled "An Act to provide for the establishment of an Academy in Saint John's."

[Passed 30th April, 1850.]

WHEREAS it is expedient to amend an Act passed in the Seventh Year of the Reign of Her present Majesty, entitled "An Act to provide for the establishment of an Academy in Saint John's:"

Preamble.

I.—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that the Fourth and Sixth Sections of the said recited Act shall be, and the same are, hereby respectively repealed.

4th and 6th Sections of 7th Vic. cap. 3, repealed.

II.—*And be it enacted*, That from and after the passing of this Act, the functions of the present Board of Directors of the said Academy shall cease; and it shall be lawful for the Governor for the time being, immediately thereafter, from time to time, to nominate and appoint Three Boards of Directors for the said Academy; viz., a Roman Catholic, a Church of England, and a General Protestant Board; which said Boards shall consist of Five Members each, of whom Three shall be a quorum; and shall, in the respective branches of the said Institution, possess, exercise and discharge the powers and duties vested in the Board of Directors as provided for by the said recited Act: *Provided*, that nothing herein contained shall prevent any Member of the present Board of Directors from being re-appointed upon either of the said Boards.

Three Boards of Directors to be appointed.

Proviso.

III.—*And be it enacted*, That the respective Boards of Directors, so to be appointed as aforesaid, and their respective successors, shall have full

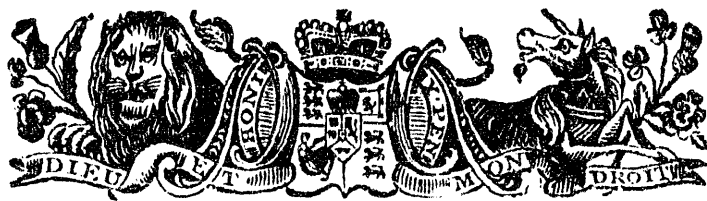
Boards of Directors to appoint Masters.

power, from time to time, to appoint Three or more competent persons to be Masters of the said Academy; that is to say,—a Roman Catholic Master, a Church of England Master, and one or more Masters of other Protestant denominations: *Provided*, that this Act shall not be deemed to vacate the appointments of the present Masters of the Saint John's Academy, during their respective incumbencies.

Salaries of Masters IV.—*And be it further enacted*, That from and out of such Monies as shall from time to time remain in the hands of the Treasurer, unappropriated, there be granted to Her Majesty, Her Heirs and Successors, annually, the sum of Two Hundred and Fifty Pounds towards defraying the Salary of the Roman Catholic Master; the sum of Two Hundred Pounds towards defraying the Salary of the Church of England Master; and the sum of One Hundred and Fifty Pounds towards defraying the Salaries of one or more Masters of other Protestant denominations; which Salaries shall be paid Quarterly, by Warrant of the Governor in favor of the said respective Masters, upon the production of a Certificate from the Chairman of each of the said Boards of Directors, that the said Masters respectively have been actually engaged in the duties of their respective appointments.

Masters to provide School-rooms until Academy erected, and receive all Fees. V.—*And be it enacted*, That until a suitable Building for the said Academy shall be erected, as provided for by the said recited Act, the said respective Masters so to be appointed shall, each at his own expense, provide suitable Rooms, and defray the Contingencies thereof, and shall receive all the Fees paid to the Institution from the respective Schools; which said Fees shall be considered in full for the payment of the Salaries of such Assistant Teachers as the said respective Masters may deem necessary, from time to time, to employ in their respective Schools.





ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. VI.

AN ACT for the Limitation of Actions and Suits relating to Real Property, and for simplifying the remedies for trying the rights thereto.

[Passed 30th April, 1850.]

BE it enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of the same, That the words and expressions hereinafter mentioned, which in their ordinary signification have a more confined or a different meaning, shall in this Act, except where the nature of the provision or the context of the Act shall exclude such construction, be interpreted as follows; that is to say, the word "land" shall extend to messuages, and all other corporeal hereditaments whatsoever, and also to any share, estate or interest in them, or any of them, whether the same shall be a free-hold or chattel interest, or held according to any other tenure; and the word "rent" shall extend to all services and suits for which a distress may be made, and to all annuities and periodical sums of money charged upon or payable out of any land; and the person through whom another is said to claim, shall mean any person by, through, or under, or by the act of whom, the person so claiming became entitled to the estate or interest claimed, as executor, administrator, legatee, husband, assignee, appointee, or otherwise; and the word "person" shall extend to a body politic or corporate and to a class of creditors or other persons, as well as an individual; and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing; and every word importing the masculine gender only, shall extend and be applied to a female as well as a male.

Meaning of the words in the Act.

"land,"

"rent."

Person through whom another claims.

"Person."

Number and gender.

No land or rent to be recovered but within twenty years after the right of action accrued to the claimant or some person whose estate he claims.

Proviso.

When the right shall be deemed to have accrued ;

in the case of an estate in possession ;

on dispossession ;

on abatement or death ;

on alienation ;

in case of future estates ;

in case of forfeiture or breach of condition.

Where advantage of forfeiture is not taken by remainder-man, he shall have a new right when his estate comes into possession.

II.—*And be it further enacted*, That after the first day of July, one thousand eight hundred and fifty, no person shall make an entry or distress, or bring an action to recover any land, or rent, but within twenty years next after the time at which the right to make such entry or distress, or to bring such action, shall have first accrued to some person through whom he claims ; or if such right shall not have accrued to any person through whom he claims, then within twenty years next after the time at which the right to make such entry, or distress, or to bring such action, shall have first accrued to the person making or bringing the same. *Provided always*, that it shall and may be lawful for any person entitled to or claiming under any mortgage of land, to make an entry or bring an action at law, or suit in equity, to recover such land at any time within twenty years next after the last payment of any part of the principal money or interest secured by such mortgage, although more than twenty years may have elapsed since the time at which the right to make such entry or bring such action or suit in equity shall have first accrued.

III.—*And be it further enacted*, That in the construction of this Act, the right to make an entry or distress, or bring an action to recover any land or rent, shall be deemed to have first accrued at such time as hereinafter is mentioned ; (that is to say) when the person claiming such land or rent, or some person through whom he claims, shall, in respect of the estate or interest claimed, have been in possession or in receipt of the profits of such land or in receipt of such rent, and shall, while entitled thereto, have been dispossessed, or have discontinued such possession or receipt, then such right shall be deemed to have first accrued at the time of such dispossession, or discontinuance of possession, or at the last time at which any such profits or rent were or was so received ; and when the person claiming such land or rent shall claim the estate or interest of some deceased person who shall have continued in such possession or receipt, in respect of the same estate or interest, until the time of his death, and shall have been the last person entitled to such estate or interest who shall have been in such possession or receipt, then such right shall be deemed to have first accrued at the time of such death ; and when the person claiming such land or rent shall claim in respect of an estate or interest in possession, granted, appointed, or otherwise assured by any instrument (other than a will) to him, or some person through whom he claims, by a person being in respect of the same estate or interest in the possession or receipt of the profits of the land, or in receipt of the rent, and no person entitled under such instrument shall have been in such possession or receipt, then such right shall be deemed to have first accrued at the time at which the person claiming as aforesaid, or the person through whom he claims, became entitled to such possession or receipt, by virtue of such instrument ; and when the estate or interest claimed shall have been an estate or interest in reversion or remainder, or other future estate or interest, and no person shall have obtained the possession or receipt of the profits of such land, or the receipt of such rent in respect of such estate or interest, then such right shall be deemed to have first accrued at the time at which such estate or interest became an estate or interest in possession ; and when the person claiming such land or rent, or the person through whom he claims, shall have become entitled, by reason of any forfeiture or breach of condition, then such right shall be deemed to have first accrued when such forfeiture was incurred or such condition was broken.

IV.—*Provided always*, That when any right to make an entry or distress or to bring an action to recover any land or rent by reason of any forfeiture or breach of condition, shall have first accrued in respect of any estate or interest in reversion or remainder, and the land or rent shall not have been recovered by virtue of such right, the right to make an entry or distress, or bring an action to recover

such land or rent, shall be deemed to have first accrued in respect of such estate or interest at the time when the same shall have become an estate or interest in possession, as if no such forfeiture or breach of condition had happened.

V.—*Provided also*, That a right to make an entry or distress, or to bring an action to recover any land or rent, shall be deemed to have first accrued, in respect of an estate or interest in reversion, at the time at which the same shall have become an estate or interest in possession, by the determination of any estate or estates in respect of which such land shall have been held, or the profits thereof, or such rent shall have been received, notwithstanding the person claiming such land, or some person through whom he claims, shall, at any time previously to the creation of the estate or estates which shall have determined, have been in possession or receipt of the profits of such land, or in receipt of such rent.

Reversioner to have a new right.

VI.—*And be it further enacted*, That for the purposes of this Act, an administrator claiming the estate or interest of the deceased person, of whose chattels he shall be appointed administrator, shall be deemed to claim as if there had been no interval of time between the death of such deceased person and the grant of the letters of administration.

An administrator to claim as if he obtained the estate without interval after death of deceased.

VII.—*And be it further enacted*, That when any person shall be in possession or in receipt of the profits of any land, or in receipt of any rent, as tenant at will, the right of the person entitled subject thereto, or of the person through whom he claims, to make an entry or distress, or bring an action to recover such land or rent, shall be deemed to have first accrued either at the determination of such tenancy, or at the expiration of one year next after the commencement of such tenancy, at which time such tenancy shall be deemed to have determined: *Provided always*, that no mortgagor or cestuique trust shall be deemed to be a tenant at will, within the meaning of this clause, to his mortgagee or trustee.

In the case of a tenant at will, the right shall be deemed to have accrued at the end of one year.

VIII.—*And be it further enacted*, That when any person shall be in possession or in receipt of the profits of any land, or in receipt of any rent, as tenant from year to year, or other period, without any lease in writing, the right of the person entitled subject thereto, or of the person through whom he claims, to make an entry or distress, or to bring an action to recover such land or rent, shall be deemed to have first accrued at the determination of the first of such years, or other periods, or at the last time when any rent payable in respect of such tenancy shall have been received, (which shall last happen.)

No person after a tenancy from year to year to have any right but from the end of the first year or last payment of rent.

IX.—*And be it further enacted*, That when any person shall be in possession or in receipt of the profits of any land, or in receipt of any rent by virtue of a lease in writing, by which a rent amounting to the yearly sum of twenty shillings, or upwards, shall be reserved, and the rent reserved by such lease shall have been received by some person wrongfully claiming to be entitled to such land or rent in reversion immediately expectant on the determination of such lease, and no payment in respect of the rent reserved by such lease shall afterwards have been made to the person rightfully entitled thereto, the right of the person entitled to such land or rent subject to such lease, or of the person through whom he claims, to make an entry or distress, or to bring an action after the determination of such lease, shall be deemed to have first accrued at the time at which the rent reserved by such lease was first so received by the person wrongfully claiming as aforesaid; and no such right shall be deemed to have first accrued upon the determination of such lease to the person rightfully entitled.

Where rent amounting to 20s. reserved by a lease in writing shall have been wrongfully received, no right to accrue on the determination of the lease.

X.—*And be it further enacted*, That no person shall be deemed to have been in possession of any land within the meaning of this Act merely by reason of having made an entry thereon.

A mere entry not to be deemed possession.

No right to be preserved by continual claim.

XI.—*And be it further enacted,* That no continual or other claim upon or near any land shall preserve any right of making an entry or distress, or of bringing an action.

Possession of one joint tenant &c., not to be the possession of the others.

XII.—*And be it further enacted,* That when any one or more of several persons entitled to any land or rent as joint tenants or tenants in common, shall have been in possession or receipt of the entirety, or more than his or their undivided share or shares of such land, or of the profits thereof, or of such rent, for his or their own benefit, or for the benefit of any person or persons other than the person or persons entitled to the other share or shares of the same land or rent, such possession or receipt shall not be deemed to have been the possession or receipt of or by such last mentioned person or persons, or any of them.

Acknowledgment in writing given to the person entitled, or his agent, to be equivalent to possession or receipt of rent.

XIII.—*Provided always, and be it further enacted,* That when any acknowledgment of the title of the person entitled to any land or rent shall have been given to him or his agent in writing, signed by the person in possession or in receipt of the profits of such land, or in receipt of such rent, then such possession or receipt of or by the person by whom such acknowledgment shall have been given, shall be deemed, according to the meaning of this Act, to have been the possession or receipt of or by the person to whom or to whose agent such acknowledgment shall have been given at the time of giving the same, and the right of such last mentioned person, or any person claiming through him, to make an entry or distress, or bring an action to recover such land or rent, shall be deemed to have first accrued at and not before the time at which such acknowledgment, or the last of such acknowledgments, if more than one, was given.

Persons under disability of infancy, lunacy, coverture, or beyond seas, and their representatives, to be allowed ten years from the termination of their disability or death.

XIV.—*Provided always, and be it further enacted,* That if at the time at which the right of any person to make an entry or distress, or bring an action to recover any land or rent shall have first accrued as aforesaid, such person shall have been under any of the disabilities hereinafter mentioned, (that is to say,) infancy, coverture, idiotcy, lunacy, unsoundness of mind, or absence beyond seas, then such person, or the person claiming through him, may, notwithstanding the period of twenty years hereinbefore limited shall have expired, make an entry or distress, or bring an action to recover such land or rent at any time within ten years next after the time at which the person to whom such right shall first have accrued, as aforesaid, shall have ceased to be under any such disability, or shall have died, (which shall have first happened).

But no action &c. shall be brought beyond forty years after the right of action accrued.

XV.—*Provided nevertheless, and be it further enacted,* That no entry, distress, or action shall be made or brought by any person who, at the time at which his right to make an entry or distress, or to bring an action to recover any land or rent shall have first accrued, shall be under any of the disabilities hereinbefore mentioned, or by any person claiming through him, but within forty years next after the time at which such right shall have first accrued, although the person under disability at such time may have remained under one or more of such disabilities during the whole of such forty years, or although the term of ten years from the time at which he shall have ceased to be under any such disability, or have died, shall not have expired.

No further time shall be allowed for a succession of disabilities.

XVI.—*Provided always, and be it further enacted,* That when any person shall be under any of the disabilities hereinbefore mentioned at the time at which his right to make an entry or distress, or to bring an action to recover any land or rent shall have first accrued, and shall depart this life without having ceased to be under any such disability, no time to make an entry or distress, or to bring an action to recover such land or rent beyond the said period of twenty years next after the right of such person to make an entry or distress, or to bring an action to recover such land or rent, shall have first accrued, or the said period of ten years next

after the time at which such person shall have died, shall be allowed by reason of any disability of any other person.

XVII.—*And be it further enacted*, That by the terms “beyond seas” in this Act, shall be meant any place beyond the limits of the Government of Newfoundland. Meaning of terms “beyond seas.”

XVIII.—*And be it further enacted*, That when the right of any person to make an entry or distress, or bring an action to recover any land or rent to which he may have been entitled, for an estate or interest in possession, shall have been barred by the determination of the period hereinbefore limited, which shall be applicable in such case, and such person shall at any time during the said period have been entitled to any other estate, interest, right or possibility, in reversion, remainder or otherwise, in or to the same land or rent, no entry, distress, or action shall be made or brought by such person, or any person claiming through him, to recover such land or rent, in respect of such other estate, interest, right or possibility, unless in the mean time such land or rent shall have been recovered by some person entitled to an estate, interest, or right, which shall have been limited or taken effect after or in defeasance of such estate or interest in possession. When the right to an estate in possession is barred, the right of the same person to future estates shall also be barred.

XIX.—*And be it further enacted*, That after the said first day of July, one thousand eight hundred and fifty, no person claiming any land or rent in equity shall bring any suit to recover the same but within the period during which, by virtue of the provisions hereinbefore contained, he might have made an entry or distress, or brought an action to recover the same respectively, if he had been entitled at law to such estate, interest, or right in or to the same as he shall claim therein in equity. No suit in equity to be brought after the time when the plaintiff, if entitled at law, might have brought the action.

XX.—*Provided always, and be it further enacted*, That when any land or rent shall be vested in a trustee upon any express trust, the right of the cestuique trust, or any person claiming through him, to bring a suit against the trustee, or other person claiming through him, to recover such land or rent, shall be deemed to have first accrued, according to the meaning of this Act, at and not before the time at which such land or rent shall have been conveyed to a purchaser for a valuable consideration, and shall then be deemed to have accrued only as against such purchaser and any person claiming through him. In cases of express trust, the right shall not be deemed to have accrued until a conveyance to a purchaser.

XXI.—*And be it further enacted*, That in every case of a concealed fraud the right of any person to bring a suit in equity for the recovery of any land or rent of which he, or any person through whom he claims, may have been deprived by such fraud, shall be deemed to have first accrued at and not before the time at which such fraud shall, or with reasonable diligence might, have been first known or discovered: *Provided*, that nothing in this clause contained shall enable any owner of lands or rents to have a suit in equity for the recovery of such lands or rents, or for setting aside any conveyance of such lands or rents, on account of fraud, against any bona fide purchaser for valuable consideration, who has not assisted in the commission of such fraud, and who, at the time that he made the purchase, did not know and had no reason to believe that any such fraud had been committed. In cases of fraud no time shall run whilst the fraud remains concealed.

XXII.—*Provided always, and be it further enacted*, That nothing in this Act contained shall be deemed to interfere with any rule or jurisdiction of Courts of Equity in refusing relief on the ground of acquiescence or otherwise to any person whose right to bring a suit may not be barred by virtue of this Act. Saving the jurisdiction of equity on the ground of acquiescence or otherwise.

XXIII.—*And be it further enacted*, That when a mortgagee shall have obtained the possession or receipt of the profits of any land, or the receipt of any rent, comprised in his mortgage, the mortgagor, or any person Mortgagor to be barred at the end of twenty years from the time

when the mortgagee took possession, or from the last written acknowledgment.

claiming through him, shall not bring a suit to redeem the mortgage but within twenty years next after the time at which the mortgagee obtained such possession or receipt, unless in the mean time an acknowledgment of the title of the mortgagor, or of his right of redemption, shall have been given to the mortgagor, or some person claiming his estate, or to the agent of such mortgagor or person, in writing, signed by the mortgagee, or the person claiming through him; and in such case no such suit shall be brought but within twenty years next after the time at which such acknowledgment, or the last of such acknowledgments, if more than one, was given; and when there shall be more than one mortgagor, or more than one person claiming through the mortgagor or mortgagors, such acknowledgment, if given to any of such mortgagors or persons, or his or their agent, shall be as effectual as if the same had been given to all such mortgagors or persons; but where there shall be more than one mortgagee, or more than one person claiming the estate or interest of the mortgagee or mortgagees, such acknowledgment, signed by one or more of such mortgagees or persons, shall be effectual only as against the party or parties signing as aforesaid, and the person or persons claiming any part of the mortgage money, or land, or rent, by, from, or under him or them, and any person or persons entitled to any estate or estates, interest or interests, to take effect after or in defeasance of his or their estate or estates, interest or interests, and shall not operate to give to the mortgagor or mortgagors a right to redeem the mortgage as against the person or persons entitled to any other undivided or divided part of the money, or land, or rent; and where such of the mortgagees or persons aforesaid as shall have given such acknowledgement shall be entitled to a divided part of the land or rent comprised in the mortgage, or some estate or interest therein, and not to any ascertained part of the mortgage money, the mortgagor or mortgagors shall be entitled to redeem the same divided part of the land or rent on payment, with interest, of the part of the mortgage money which shall bear the same proportion to the whole of the mortgage money as the value of such divided part of the land or rent shall bear to the value of the whole of the land or rent comprised in the mortgage.

Money charged upon land and legacies to be deemed satisfied at the end of twenty years: if there shall be no interest paid or acknowledgment in writing in the meantime.

XXIV.—*And be it further enacted*, That after the said first day of July one thousand eight hundred and fifty, no action or suit or other proceeding shall be brought to recover any sum of money secured by any mortgage, judgment, or lien, or otherwise charged upon or payable out of any land or rent, at law or in equity, or any legacy, but within twenty years next after a present right to receive the same shall have accrued to some person capable of giving a discharge for or release of the same, unless in the mean time some part of the principal money, or some interest thereon, shall have been paid, or some acknowledgment of the right thereto shall have been given in writing, signed by the person by whom the same shall be payable, or his agent, to the person entitled thereto, or his agent; and in such case no such action or suit or proceeding shall be brought but within twenty years after such payment or acknowledgment, or the last of such payments or acknowledgments, if more than one, was given.

No arrears of rent or interest to be recovered in six years.

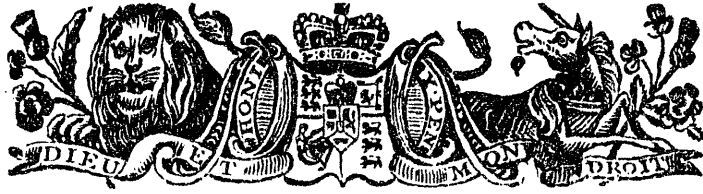
XXV.—*And be it further enacted*, That after the said first day of July one thousand eight hundred and fifty, no arrears of rent or of interest in respect of any sum of money charged upon or payable out of any land or rent, or in respect of any legacy, or any damages in respect of such arrears of rent or interest, shall be recovered by any distress, action, or suit, but within six years next after the same respectively shall have become due, or next after an acknowledgment of the same in writing shall have been given to the person entitled thereto, or his agent, signed by the person by whom the same was payable, or his agent: *Provided nevertheless*, that where any prior mortgagee or other incumbrancer shall have been in possession of any land, or in the receipt of the profits thereof,

within one year next before an action or suit shall be brought by any person entitled to a subsequent mortgage or other incumbrance on the same land, the person entitled to such subsequent mortgage or incumbrance may recover in such action or suit the arrears of interest which shall have become due during the whole time that such prior mortgagee or incumbrancer was in such possession or receipt as aforesaid, although such time may have exceeded the said term of six years: *Provided* that nothing herein contained shall be construed to repeal or alter the provision of the first section of an Act passed in the twelfth year of Her Majesty's reign, entitled "An Act for the limitation of personal actions at law, and for rendering a written memorandum necessary to the validity of certain promises and engagements."

XXVI.—*And be it further enacted*, That at the determination of the period limited by this Act to any person for making an entry or distress, or bringing any action or suit, the right and title of such person to the land or rent, for the recovery whereof such entry, distress, action or suit, respectively, might have been made or brought within such period, shall be extinguished. At the end of the period of limitation the right of the party out of possession to be extinguished.

XXVII.—*And be it further enacted*, That the receipt of the rent payable by any tenant from year to year, or other lessee, shall, as against such lessee, or any person claiming under him, (but subject to the lease) be deemed to be the receipt of the profits of the land for the purposes of this Act. Receipt of rent to be deemed receipt of profits.

XXVIII.—*And be it further enacted*, That this Act shall not be construed to extend to or affect any action or suit commenced and pending before the passing thereof. Act not to affect suits pending.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. VII.

AN ACT to fix and establish the Terms of the Supreme, Central Circuit, and Sessions Courts, and to extend the Jurisdiction and amend the Practice of the said Courts.

[Passed 30th April, 1850.]

WHEREAS it is expedient to fix and establish the terms or sessions Preamble. of the Supreme Court, Central Circuit Court, and Courts of General and Quarter Sessions, and to make provision for the more convenient and effectual despatch of business therein, and in the Northern and Southern Circuit Courts; and also to extend the jurisdiction of the said Courts respectively, in the summary trial of certain actions at law, and otherwise to amend the practice of the said Courts:—

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of the same, that there shall be two terms or sessions of the Supreme Court holden at the town of Saint John's, in every year, the first whereof shall commence on the twentieth day of May, and shall continue thence for the period of three whole weeks, and the second whereof shall commence on the twentieth day of November, and shall continue thence for the period of three whole weeks; and that there shall be two terms or sessions of the Central Circuit Court holden at the town of Saint John's in every year, the first whereof shall commence on the twentieth day of April, and shall continue thence for the period of three whole weeks, and the second whereof shall commence on the twentieth day of October, and continue thence for the period of three whole weeks: *Provided always*, that if any of the days for the commencement of the said terms shall fall upon a Terms of the Supreme and Central Circuit Court fixed. Proviso.

Sunday, then the Monday following shall be the first day of such term; and when the last day of any such term shall fall upon a Sunday, the Monday following shall be the last day of such term.

Terms may be extended by the Judges in case of necessity, for any period not exceeding six days.

II.—*Provided nevertheless, and be it further enacted*, that it shall be lawful for the said respective Courts (if they shall find it necessary for the despatch of the business therein pending) to prolong and extend any of the said terms respectively by adjournment from day to day, for such number of days, not exceeding six days in all, as they shall think fit; and further, that nothing in this Act contained shall prevent, or be construed to prevent, the holding of a term or terms, session or sessions, of either of the said Courts, at such other time or times as the Governor or Acting Governor of this Island shall, by any proclamation or proclamations to be by him for that purpose issued, direct and appoint.

Supreme and Central Circuit Courts to hold sittings on certain days in vacation.

III.—*And be it further enacted*, That for the purpose of disposing of business remaining undecided in the said Courts respectively, and of hearing and determining matters from time to time pending therein, it shall be lawful for the said Courts to hold sittings during the intervals of the said terms, on the days following, that is to say; the Supreme Court on the first Mondays respectively of February, March, April, and July; and the Central Circuit Court on the second Mondays respectively of February, March, and July; upon which said days it shall be lawful for the said Courts respectively to hear and determine, do and perform, all such matters and things whatsoever, not requiring the intervention of a Jury, as may be heard and determined, done and performed, by the said respective Courts in term time, save only the trial of issues of fact, and the assessment of damages in actions at law; and to adjourn from day to day, or to such other day or days, as such Courts shall think fit, until the business pending before them shall have been disposed of: *Provided always*, that such adjournment or adjournments shall not be for more than six days in all from the respective days on which the said Courts shall so sit in vacation, respectively, and that nothing herein contained shall authorize the said Judges, on any of the days aforesaid, to issue attachments for contempts, except in cases on the equity side of the said Courts.

Powers of said Courts at such sittings.

Provide.

Process may be made returnable on days fixed for sittings in vacation, and parties to plead thereon to issue.

IV.—*And be it further enacted*, That all process, whether mesne or final, issuing out of either of the said Courts, and all declarations in ejectment, may, at the discretion of the party suing out the same, be made returnable into the respective Courts on the seventh day before the commencement of the term next following the issuing of such process, or the service of such declaration; and upon the return of such process or declaration, all parties shall be compellable to plead thereon in like manner as by the rules of the said respective Courts they would be required to plead, reply, or rejoin, if such process or such declaration had been made returnable in term time.

Like proceedings in cases of insolvency may be had in vacation as in term time.

V.—*And be it further enacted*, That whenever any writ of attachment or other process shall have been issued out of either of the said Courts in vacation, and it shall be made to appear to such Court, upon any day appointed as aforesaid for sittings in vacation, that the person or persons against whom such writ or process shall have issued, or are unable to pay twenty shillings in the pound to all his, her, or their creditors, it shall be lawful for the said respective Courts to have and exercise all such and the same jurisdiction, powers and authority to declare any such person or persons insolvent, appoint trustees of his or their estate and effects, and perform all other necessary and incidental acts touching such insolvency, in vacation, as by virtue of any law now in force are vested in and exercised by the said Courts respectively in term time.

Rules for new trial, &c., may be returnable from

VI.—*And be it further enacted*, That as often as any rule nisi to set aside a verdict, and enter a nonsuit, or for a new trial, or any rule for a

concillium on a demurrer, shall be granted by any of the Circuit Courts of this Island, it shall and may be lawful for the Judge presiding in such Court, upon the application of any party to the suit, and upon such terms as the Judge may deem reasonable, to make such rule returnable in the Supreme Court, to be there argued and determined, either in term or upon any day in which the said Court shall sit in vacation, as hereinbefore directed; and that on such rule being made absolute or discharged, or such demurrer being adjudicated upon in the said Supreme Court, the same proceedings shall be subsequently had in the Court out of which such rule shall have issued, as though the matter to which it shall have had reference had been similarly determined in such last mentioned Court.

VII.—*And be it further enacted*, That in any action of ejectment which may be brought in the Supreme Court or any of the Circuit Courts of this Island, it shall be lawful to serve the declaration in any such action on the tenant or tenants in possession during the continuance of any term in which such action may be brought, in like manner and to the like effect as such declaration may now be served before the commencement of the term: *Provided nevertheless*, that every such declaration shall be served four days at least before the day on which the notice to the tenant in possession, endorsed thereon, shall require such tenant to appear and defend such action.

VIII.—*And be it further enacted*, That in all actions of ejectment, when the plaintiff shall not be further able to prosecute his suit for want of the defendant confessing, at the trial of the issue, lease, entry, ouster, and possession, the plaintiff shall be at liberty to recover his costs to be taxed before the proper officer, by execution against the defendant; and when there shall be a verdict for the defendant, or the plaintiff shall be nonsuit for any other cause than for the defendant not confessing lease, entry, ouster and possession, at the trial, the defendant shall be at liberty to recover his costs, to be taxed as aforesaid, by execution against the lessor of the plaintiff.

IX.—*And be it further enacted*, That Courts of General and Quarter Sessions shall be holden at such places as are now or hereafter may be appointed for the holding of the same, on the first Mondays of January, April, July and October, and shall sit by adjournment from time to time until the business pending therein, respectively, shall be disposed of.

X.—*And be it further enacted*, That it shall and may be lawful for the Courts of Session in the several Districts of this Island, other than the Central District, to hear and determine, in a summary way, actions for the recovery of debts or sums of money (save and except for the recovery of any fee of office) not exceeding five pounds; and such Courts are hereby empowered to hear and determine in like manner all actions of assumpsit for use and occupation, or of debt for rent, where the sum sought to be recovered shall not exceed five pounds, and where the title to any lands or tenements shall not be in question.

XI.—*And be it further enacted*, That the Court of Sessions for the Central District shall be and it is hereby empowered to hear and determine, in a summary way, actions for the recovery of debts or sums of money (save and except for the recovery of any fee of office,) not exceeding five pounds sterling, and actions of debt for rent, or of assumpsit for use and occupation, where the amount sought to be recovered shall not exceed five pounds sterling, and where the title to any lands or tenements shall not be in question.

XII.—*And be it further enacted*, That it shall be lawful for any person under the age of twenty-one years to prosecute any suit in any Court in

this Island having jurisdiction in such cases, for any sum of money not greater than twenty pounds sterling, which may be due to him for wages or piece work, or for work as a servant, in the same manner as if he were of full age, and shall be subject to such and the like proceedings for the recovery of costs, and otherwise, as if of the full age of twenty-one years.

Form of pleading in summary proceedings.

XIII.—Whereas it is expedient to prescribe the forms of mesne process and the mode of pleading in summary cases aforesaid :

Be it therefore enacted, that the Schedule to this Act, marked A, shall be the form of Summons and Attachment, mutatis mutandis, to be hereafter used in summary cases in the said Courts, and the copy or copies thereof to be served upon the defendant or defendants shall be endorsed as required by law, and that in inserting any other count than in such form contained, the plaintiff or plaintiffs may do so in the same brief manner ; and that in all pleadings it shall be sufficient and effectual for the party or parties pleading to make the usual and known title thereof in practice, either on the back of the original writ, or to file the same separately within the time required by the practice of the several Courts for pleading in any such case aforesaid ; and that in pleading a set off it shall be sufficient for the defendant or defendants to file a bill of particulars, accompanied with a copy for the plaintiff or plaintiffs, and endorse thereon “ set off.”

A

NEWFOUNDLAND.

18	District	<i>To the Sheriff of</i>	<i>District, Greeting.</i>
	Summon A. B. of	that he be before our Court	on
day of	E F., Attorney,	to answer C. D. who complains in person or by	E F., Attorney, that the said defendant is indebted to the said plaintiff
	in the sum of	Pounds, for goods sold and delivered,	work performed, and materials furnished, monies lent, paid, received
	on account stated, or for use and occupation, or	as by	bill of particulars hereto annexed, or
Issued	Witness the Honorable	at	the
	day of	in the year of Our Lord One	thousand eight hundred and
	Clerk or Commissioner of Court.	Attorney (or person)	

A. B., Plaintiff	}	Plaintiff
vs.		
C. D., Defendant		Court.

E. F., of day of maketh oath and saith that he did on the personally serve C. D. the within named defendant, with a true copy of the within writ, whereupon was endorsed a notice of the true intent of such service, and also a copy of the particulars hereto annexed, and that he necessarily travelled miles to make such service.

Sworn before me

Fee in summary proceedings to Sheriff or special deputations.

XIV.—*And be it further enacted*, That the sum of two shillings and six pence only, exclusive of mileage, shall be paid to the Sheriff for the service of any summary writ of summons from the Supreme or either of the Circuit Courts, and that the Sheriff of the Central District shall not be

entitled to charge any fee for service, return, or poundage, on any writ of attachment executed in the Northern or Southern District by a special deputation.

XV.—And Whereas it is expedient and necessary that provision should be made to enable Justices of the Peace to take order as to the hearing and determining of all differences that may arise within this Colony between masters or mistresses and their apprentices, and to regulate certain proceedings connected with apprentices : Provision respecting apprentices.

Be it therefore further enacted, That it shall be lawful for any Stipendiary Justice of the Peace within the said Colony, and he is hereby required, upon application made to him in that behalf, to consent to and approve, by writing under his hand, of any indenture of apprenticeship that shall be produced before him, provided upon examination he shall be satisfied of the good moral character and other requisite fitness of the master or mistress of such apprentice; whereupon such indenture of apprenticeship shall be as binding upon the said master or mistress and apprentice, and all parties concerned, as if such master or mistress and such apprentice or other parties had been at the time of the execution of such indenture of full age.

XVI.—*And be it further enacted,* That if any master or mistress of an indentured apprentice shall misuse or evil entreat his or her apprentice, or the said apprentice shall have any just cause to complain, or if the apprentice do not his or her duty to his or her master or mistress, then the said master or mistress, or the apprentice having such cause of complaint, shall and may repair unto any Stipendiary Justice of the Peace of the Town or District wherein such master or mistress dwelleth, who shall by his wisdom and discretion make such order and direction between the said master or mistress and the apprentice, as the equity of the cause shall require; and for the purpose of hearing and determining any such complaint, such Justice shall have power to enforce the attendance before him of any master or mistress, and of any apprentice, and also of any necessary witness, by summons, or, if such Justice shall think it expedient and necessary, by warrant for that purpose; and if default shall be found in such master or mistress, it shall be lawful for such Justice, at his own discretion, to impose a fine upon him or her, not exceeding Twenty Shillings, and to levy the same by distress and sale of the offender's goods and chattels, or to discharge, by writing under his hand and seal, such apprentice from his said apprenticeship, according to his discretion, upon which discharge such indenture shall cease and be of no further effect; and if default shall be found in such apprentice, the said Justice shall authorize such abatement to be made out of his or her wages or allowances, or cause such apprentice to be imprisoned, with or without hard labour, for any period not exceeding ten days, as by his wisdom and discretion shall be thought meet, or may, in addition to or without such abatement, correction and punishment, at his discretion, discharge such apprentice from his said apprenticeship, whereupon such indenture shall cease and be of no further effect. Stipendiary Justice to have jurisdiction.

XVII.—*And be it further enacted,* That no indenture of apprenticeship, nor any covenant therein, shall be of any force or effect to require the executor or administrator of such master or mistress to keep or maintain such apprentice more than one month after the death of such master or mistress, and that at the expiration of such month the indenture of apprenticeship shall cease and be of no further effect. Executor or administrator not bound to keep apprentices beyond one month.





ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. VIII.

AN ACT to continue an Act passed in the Sixth Year of the Reign of Her present Majesty, entitled "An Act to revive and amend an Act passed in the Third Year of the Reign of Her present Majesty, entitled 'An Act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Sessions in this Colony.'"

[Passed 30th April, 1850.]

WHEREAS an Act was passed in the Sixth Year of the Reign of Her present Majesty, entitled "An Act to revive and amend an Act passed in the Third Year of the Reign of Her present Majesty, entitled "An Act to establish the Fees and Costs chargeable in the several Police Offices and Courts of Sessions in this Colony," which said Act has been continued to the present time, and shortly will expire:

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that the said recited Act, and the several clauses and provisions thereof, shall be and the same are hereby continued for the period of Three Years, and from thence until the end of the then next session of the Legislature.

Preamble.

6th Vic. cap. 18, continued for three years, and to the end of the next session.





ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. IX.

AN ACT to amend an Act passed in the Third Year of the Reign of Her present Majesty entitled "An Act to regulate the Granting of Licenses for the Sale, by Retail, of Ale, Wines, and Spirituous Liquors in Newfoundland."

[Passed 30th April, 1850.]

WHEREAS it is expedient to amend an Act passed in the Third Year Preamble. of the Reign of Her present Majesty, entitled "An Act to regulate the granting of Licenses for the sale, by retail, of Ale, Wines and Spirituous Liquors in Newfoundland":

Be it enacted, by the Governor, Council and Assembly, in Legislative Session convened, that it shall and may be lawful for the Justices of the Peace, in Session assembled, in the several Districts of this Island, in addition to or amendment of any rules already made therein, to make and ordain, from time to time, other rules and regulations, not contrary to the provisions of this or the said recited Act, touching or concerning the granting of Licenses to persons selling or intending to sell, by retail, Ale, Wines and Spirituous Liquors, and such rules and regulations to add to, vary and amend, whenever to the said Justices it may seem necessary. Justices authorized to make rules from time to time concerning the granting of licenses.

II.—*And be it enacted*, That any person hereafter applying for a License to sell and retail Ale, Wine and Spirituous Liquors, in less quantities than two gallons, shall, before the same is granted, enter into a bond or obligation to Her Majesty, Her Heirs and Successors, whereby the person licensed, and one or more sufficient sureties to be approved of by the Justices granting the certificate hereinafter mentioned, shall become Applicant for license to give bond according to form A.

bound in the penal sum of forty pounds, that he, she or they shall at all times observe, fulfil and keep the several conditions, provisions and restrictions contained in the certificate to be granted as aforesaid, and which bond or obligation shall be according to the form annexed to this Act, designated letter A; and any two Justices of the Peace in the district wherein such licensed person may reside, shall, on their view, or on the oath of one or more credible witness, have power to enforce payment of the said bond, with costs, and the penalty and costs may be recovered before the said Justices in Sessions in the same summary manner as debts to small amount may now be recovered before the said Justices.

Justices to deliver certificate of license according to form B.

III.—*And be it enacted*, That whenever any of the Justices in the several districts of this Colony, authorized to grant Licenses as aforesaid, shall entertain the application of any person for a License as aforesaid, such Justices respectively shall, and they are hereby required to, deliver, or cause to be delivered, to such person as aforesaid, a certificate in the form annexed to this Act designated, letter B.

Certificate to be held upon the terms and conditions therein contained.

IV.—*And be it enacted*, That every certificate granted or to be granted under the authority of the said recited Act, or this Act, shall be held on the terms, provisions and conditions therein contained; and in case any person or persons authorized to sell and retail Ale, Wines and Spirituous Liquors under such certificate, shall offend against any of the terms and conditions contained in such certificate, every person so offending shall, for every such offence, forfeit and undergo the penalty and disability hereinafter mentioned; that is to say, for such offence the sum of five pounds, with expenses of conviction, to be ascertained at the time of conviction; and in case such penalty and expenses shall not be paid within the space of three days after such conviction, the offender shall suffer imprisonment for a period not exceeding thirty days, unless he or they shall sooner pay such penalty and the expenses of such conviction, and of executing the same, and in addition to such penalty the certificate granted to such person may, by the Justice before whom any such conviction aforesaid is had, be declared to be forfeited and to become null and void.

Penalty on persons infringing conditions.

Prosecutions to be commenced within three months, and upon complaint of any informer.

V.—*And be it enacted*, That all prosecutions in pursuance of this or the said recited Act, for penalties, fines and forfeitures, shall be commenced within three calendar months after the same shall have been incurred, and shall and may be recovered upon the complaint, in writing, of any person who may inform and sue for the same, subject to the same appropriation as in the said recited Act; and it shall and may be lawful for any Justice of the Peace within whose jurisdiction any person so offending shall reside, to summon such person before him, and on his or her default, upon due proof of service, appearance, or confession, to adjudicate on such complaint in a summary manner, according to the usual practice of Justices in summary cases; and it shall be lawful for any Justice before whom any such proceedings aforesaid may be had, to summon before him any witness or witnesses, and to compel the attendance of such witness or witnesses, by warrant under the hand and seal of such Justice, in the event of such witness or witnesses neglecting to attend without sufficient cause for remaining away, upon proof of due service of subpoena upon him or them, and tender of expenses.

Justices may compel attendance of witnesses.

Recovery of penalties after conviction, in cases not otherwise provided for.

VI.—*And be it enacted*, That in cases not otherwise provided for by this or the said recited Act, it shall and may be lawful for any Justice or Justices of the Peace before whom any person or persons shall be convicted of any offence under the provisions of this or the said recited Act, to issue a warrant of distress against the goods and chattels of the said person or persons for the amount of the fine or penalty and costs, and cause the same to be sold to satisfy the said fine or penalty and costs; and in case no goods or chattels shall be found whereon to levy the same,

the said Justice or Justices shall and may commit the person or persons so convicted to the Gaol nearest to where such offence or offences may be committed, for a period not exceeding one calendar month: *Provided*, that any person or persons convicted under this Act shall have the same right to appeal to the next Court of Quarter Sessions after such conviction, and under and subject to the same conditions as are provided with respect to persons desirous of appealing under the said recited Act: *Provided further*, that no conviction under this Act, nor any adjudication made on appeal therefrom, shall be quashed for want of form in any of Her Majesty's superior Courts of Justice.

VII.—*And be it enacted*, That all persons so licensed as aforesaid shall, within ten days after obtaining such License, cause sign-boards to be affixed to some conspicuous part of the outside of their respective houses, in such manner as the Justices aforesaid shall order and direct, subject to the same penalty, and punishment, upon non-payment upon every neglect to comply with such order and direction as is provided by the fourth section of this Act.

Persons licensed required to hang up sign-boards.

VIII.—*And be it enacted*, That the Constables within their respective districts may, at such times as they may think fit, visit the retail shops and public rooms of persons holding licenses, to see that the several provisions of this Act are complied with, and are hereby required and commanded to prosecute all offenders under this Act, under pain of being dismissed from their respective offices; and in case any person or persons keeping retail shops or public rooms as aforesaid, or any person being in or about such shop or room at the time any Constable may be visiting the same, shall interrupt or assault such Constable while in the execution of this Act, he shall, upon conviction before any Justice of the Peace for the district, be subject and liable to a fine not exceeding two pounds.

Constables required to visit retail shops to see that provisions of this Act are observed.

Penalty on persons obstructing constables.

IX.—*And be it enacted*, That if any action or suit shall be commenced or brought against any Justice or other officer or person, for doing or causing to be done any thing in pursuance of this Act, the defendant in such action may plead the general issue, and prove the special matter in evidence.

On action brought against Justices or other persons, may plead the general issue.

A

Know all men by these presents, that We, are
held and firmly bound unto our Sovereign Lady Queen VICTORIA, Her Form of Bond.
Heirs and Successors, in the sum of sterling money of
Great Britain, to which payment we jointly and severally bind ourselves,
our heirs, executors and administrators, firmly by these presents. In
Witness whereof we have hereunto set our hands and seals, the day
of in the year of our Lord one thousand eight hundred
and

Whereas the above bounden hath applied for and
obtained a License for the Sale, by Retail, of Ale, Wines and Spirituous
Liquors, in the house kept by him situate
Now the condition of this obligation is such, that if the above
shall in no way or manner at any time offend against or
violate, but at all times well and truly observe and comply with all and
singular the provisions of any Act or Acts of the Legislature as are now
or may hereafter be passed during the continuance of the License so
aforesaid granted to the said for regulating the
Sale by Retail of Ale, Wines, and Spirituous Liquors aforesaid, and

shall well and truly observe all rules and regulations made or to be made by the Justices aforesaid, under the provisions of the said Acts, and shall further comply with and in no manner offend against the several conditions contained in the certificate of License granted to the said
 then and in such case the foregoing obligation shall be void, otherwise to remain in full force and effect.

Signed, sealed, delivered,
 this day of A. D. 185 .

B

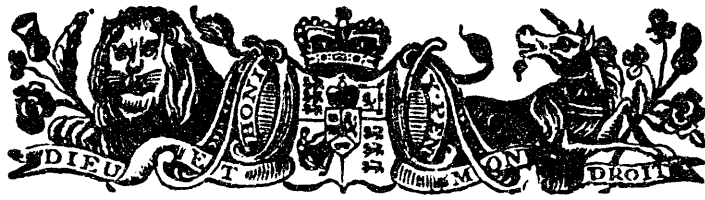
NEWFOUNDLAND.

District of

At a General Meeting of Her Majesty's Justices of the Peace for the said District, held at
 in and for the said District, for Licensing Persons to Sell Ale, Wines and Spirituous Liquors, the day of in the year of Our Lord 185 .

In pursuance of the Statutes of the General Assembly of this Colony regulating the granting of Licenses for the sale by retail of Ale, Wines, and Spirituous Liquors, We, two of Her Majesty's Justices of the Peace for the said District, whose Hands and Seals are hereunto set, by virtue of the power and authority to us given, do hereby License and Authorise
 of within the District aforesaid, to utter and sell by retail, in the house in which the said
 now dwelleth, and in the premises thereunto belonging, situate at and not elsewhere, Ale, Wines and Spirituous Liquors aforesaid, for the time and period of One Year from the date hereof, and no longer: PROVIDED, that do not fraudulently dilute or adulterate any such Ale, Wines, or Spirituous Liquors, or sell any of the same knowing them to have been fraudulently diluted or adulterated, and do not use in the selling thereof any weights or measures that are not of the legal standard, and do not wilfully or knowingly permit drunkenness or any other disorderly conduct whatsoever therein, and do not knowingly suffer or permit any cards, dice, or any other unlawful games or gaming whatsoever therein, and do not knowingly suffer or permit any persons of notoriously bad character to assemble together and meet therein, and do not suffer Ale, Wines or Spirituous Liquors to be sold from or out of any part of premises on Sunday, nor during the usual hours of the morning and afternoon Divine Service on Christmas Day or Good Friday, and provided that good order and rule be at all times maintained and kept in the said house or premises, and that the provisions contained in any of the statutes aforesaid already passed or to be passed during the continuance of this Certificate, and all rules and regulations made or to be made by the Justices aforesaid, be at all times observed and obeyed by the said . The house to be closed and no Liquor sold or vended after the hour of eleven o'clock at night.

GIVEN under our Hands and Seals the Day and Year first above written.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. X.

*AN ACT in further amendment of the Saint John's
Rebuilding Acts.*

[Passed 30th April, 1850.]

WHEREAS by a certain Act of the General Assembly passed in the ninth and tenth years of Her Majesty's reign, entitled "An Act to regulate the re-building of the town of Saint John's, and the drainage and sewerage of the same, and to repeal certain Acts therein mentioned," and by a certain other Act passed in the tenth year of Her said Majesty's reign, entitled "An Act to amend an Act passed in the ninth and tenth years of the reign of Her present Majesty, entitled 'An Act to regulate the rebuilding of the town of Saint John's, and the drainage and sewerage of the same, and to repeal certain Acts therein mentioned,'" provision is made for prohibiting, and for authorizing the Governor and Council to prohibit, the erection of any houses or buildings within certain distances from the centre of certain streets, lanes and firebreaks: And Whereas by reason of the expense of making compensation for the ground which may be required to be taken for making, altering and widening such streets, lanes, or firebreaks, or for damage in any way occasioned by carrying the provisions of the said in part recited Acts into effect, it is expedient to repeal certain parts of the said Acts, and also to amend the same:

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that the ninth, tenth, eleventh and thirteenth sections of the said last in part recited Act shall be and the same are hereby repealed.

Preamble.

9th, 10th, 11th and
13th sections of
10th Vic. cap. 1,
repealed.

Governor and Council may suspend or dispense with the opening or altering of any street, &c.

To prescribe width of all streets, firebreaks, &c.

Governor and parties interested in any property damaged, to appoint three persons, arbitrators, to award compensation.

II.—*And be it further enacted*, That it shall be lawful for the Governor, or person administering the Government for the time being, by and with the advice of Her Majesty's Council, by any order or orders from time to time to be made and published in the Royal Gazette, or by proclamation, to suspend, for such time or times as he shall think fit, or altogether to dispense with, the opening, making, widening, or altering, of any firebreak, street, or lane, in the said in part recited Acts, or either of them, mentioned or referred to, or any part or parts of any such firebreak, street, or lane, and to prescribe the width or widths of all such firebreaks, streets and lanes in their several parts, and the same from time to time to vary; and any person who shall, after the publication of such order or orders, conform to the same, shall be exempt from any penalty or forfeiture in any such case provided by the said Acts, or either of them, for the neglect or breach of the said Acts touching such firebreak, street, or lane; or for or concerning any matter or thing altered or varied by such order or orders.

III.—*And be it further enacted*, That for the purpose of ascertaining the damage that has been or may be occasioned to any person or persons whose interests in any lands or tenements have been or may be in any way affected under the provisions of this or the said Acts, in cases not already determined by the appraisers appointed under the last mentioned in part recited Act, it shall be lawful for the Governor, or person administering the Government, to nominate and appoint two persons, and the party or parties interested in any such property to appoint a third, which three persons, or any two of them, shall determine the amount of compensation, if any, to be paid to such party or parties, according to his or their respective interests therein: And in case such party or parties, as aforesaid, shall refuse or neglect to appoint an arbitrator within three days after notice, in writing, so to do, it shall be lawful for the other two arbitrators to name a third arbitrator, and the award of any two of them shall be final and binding; and the amount therein awarded shall be paid in manner prescribed by the eleventh section of the last in part recited Act; and the said arbitrators so to be appointed by this Act shall be sworn before a magistrate to do justice between the parties, and shall have and exercise the same power and authority in appropriating adjoining land towards compensating such claimants, and in all other respects, as the appraisers appointed under the said last in part recited Act, tenth Victoria, chapter the first, had or might or could exercise.

Awards of appraisers under 10th Vic. cap. 1 confirmed.

IV.—*And be it further enacted*, That the several orders, awards, matters and things whatsoever, made, done or committed by the said appraisers, or by their direction, in pursuance of the provisions of the said last mentioned Act, shall be and the same are hereby respectively confirmed and made valid, to all intents and purposes.

Upon discontinuance of office of Supervisor, Surveyor General to perform same duties gratuitously.

V.—*And be it enacted*, That from and after the time limited by the said Acts for the continuance of the office of Supervisor, as therein mentioned, it shall be lawful for the Governor for the time being, to authorise and direct the Surveyor General of the Colony to discharge the duties of such office; and the said Surveyor General shall, when so authorized, possess the like powers, and perform the said duties, in all respects, as the Supervisor under the said Acts, and shall perform such duties gratuitously.

Notices required to be given Supervisor shall, after above period, be given Surveyor General.

Prosecutions to be in name of Surveyor General.

VI.—*And be it enacted*, That all notices by the said Acts, or either of them, directed to be given to the Supervisor, shall, after the expiration of the period aforesaid, be given to the Surveyor General; and on failure or neglect to give such notices, every party offending shall be liable to the penalty, forfeiture and punishment prescribed or imposed for neglect or failure in giving such notice or notices to the Supervisor in the said Acts mentioned; and all prosecutions by the said Acts, or either of them, directed to be commenced by, or in the name of the Supervisor, shall, after

the expiration of the period aforesaid, be commenced by, or in the name of, the person filling the office of Surveyor General for the time being.

VII.—*And be it further enacted*, That it shall be lawful for the Governor or person administering the Government, and Council, whensoever and wherever they shall think fit, to permit the erection of external wooden steps to stores and other buildings, in such parts of the town where buildings of un inflammable materials are required to be erected; and also of winter porches, between the first of November and the first day of May, and railings, entablatures and pilasters, and other erections of the like kind, upon any of the streets and lanes of Saint John's, of such size and dimensions, and on such terms, and subject to such regulations, as the Governor and Council shall prescribe.

Governor and Council may permit wooden erections in certain parts of the town.

VIII.—*And be it further enacted*, That wherever by the making, altering or widening any street, lane, or firebreak, any portion of such street, lane, or firebreak, hath been, or may hereafter be, exchanged for other ground, it shall be lawful for the Governor, or person administering the Government for the time being, to grant such portion of such street, lane, or firebreak, to the party or parties to whom the same hath been or may be assigned.

Any portion of street exchanged for other land may be granted to party to whom assigned.

IX.—*And be it further enacted*, That it shall be lawful for the Governor or person administering the Government for the time being, by and with the advice of Her Majesty's Council, to regulate, from time to time, by certain rules and orders to be by him made, and published in the Royal Gazette, the width of all new streets or lanes hereafter to be opened, and the level upon which all streets, lanes, and firebreaks, and the foot-paths of and upon such, shall be made; and also to regulate, alter and adjust all the levels of all foot-paths or side-walks heretofore made or laid down in the said town.

Governor and Council to regulate width of all new streets and lanes.

X.—*And be it further enacted*, That any person or persons infringing the provisions of this or of any of the said hereinbefore in part recited Acts, or any order or orders so to be made by the Governor in Council, as aforesaid, shall be subject and liable to a penalty not exceeding ten pounds, to be recovered in a summary way, before any one or more Justices of the Peace for the district of Saint John's, and to be recovered by distress and sale of the offender's goods and chattels, or, in case of non-payment, by imprisonment for any period not exceeding two months; and all buildings in contravention of the said in part recited Acts, or of any Act or Acts in amendment thereof, and of such orders respectively, shall be deemed and taken to be public nuisances, and shall be abated in the manner provided by the eighth section of the said recited Act passed in the tenth year of Her Majesty's reign, with respect to the nuisances therein mentioned.

Penalties, and mode of recovery.

XI.—*And be it further enacted*, That where, by the alteration of any street, lane, or firebreak, any portion of ground not embraced within the new line of such street, lane, or firebreak, shall be adjoining to, or extending along the frontage of any proprietor, such portion of ground shall be set off to and shall be taken by such adjoining proprietor to the extent of his frontage, at a valuation to be ascertained by two arbitrators, one to be named by the proprietor or proprietors, and one by the Governor for the time being, and in case of disagreement by an umpire to be chosen by the two arbitrators; but should the said proprietor or proprietors neglect to appoint such arbitrator after six days' notice to be given by the said Supervisor or Surveyor General, or should such arbitrators refuse or neglect to concur in the appointment of an umpire, or to act, the said Supervisor or Surveyor General shall appoint an umpire, and the amount awarded by such arbitrators or umpire shall be deducted from the compensation now or hereafter to be payable to any such proprietor or pro-

Land not embraced within street and adjoining or extending along frontage of any proprietor to be taken by him at a valuation.

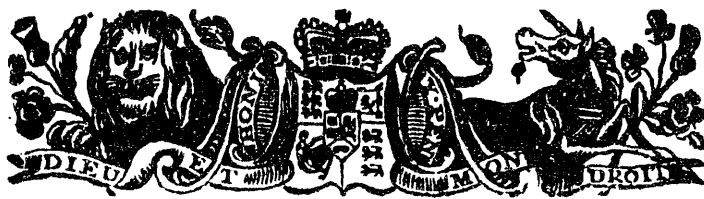
prietors ; and in case the compensation has been made, or no compensation shall be payable to him or them, such amount shall, in case of refusal to pay the same, (if the Governor and Council, upon hearing the proprietor or proprietors, or his, her, or their agent, and upon consideration of the award, and of all the circumstances of the case, shall think fit so to order,) be levied by warrant of distress and sale of the lands, goods or chattels of such proprietor or proprietors, to be issued by a stipendiary Justice of the Peace for Saint John's, upon the production before him of the said award ; and the said land so to be set off and to be taken or purchased, shall be conveyed by grant to the purchaser or purchasers thereof, or to the party or parties to whom the same shall be so assigned as aforesaid.

Persons building party walls to be reimbursed proportion of expense by owners of adjoining property.

XII.—*And be it further enacted*, That the person or persons at whose expense any party-wall shall be built, agreeably to the directions of the said recited Acts, shall be reimbursed a reasonable proportion, to be ascertained by an action as hereinafter mentioned, of the expense incurred in such party-wall, by the owner or owners of the adjoining property, or any tenant or tenants thereof who shall make use of the said wall ; and such proportion may be recovered, together with full costs of suit, by action of debt or assumpsit, in any of Her Majesty's Courts of Record in this Island.

Boundaries of Church Hill Street defined.

XIII.—*And be it further enacted*, That so much of the street known as Church Hill, and which is situate between the old Church Yard and property in the possession of Charles Henry Renouf, John Boyd, and James Tubrid, shall be bounded as follows ; that is to say, its western boundary line shall be as it now exists, that its eastern boundary shall be a line commencing on the north side of Duckworth Street, at a point fifty-three feet easterly from the south-east angle of a house in the occupation of the said Charles Henry Renouf, and sixty-one feet from the north-west angle of the market house ; thence running northerly in a straight line to a point sixty feet from the south-east angle of a house in the occupation of John Hiscock Cozens, and thence running in a straight line to the north-west angle of the Old Church Yard.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XI.

*AN ACT for the Regulation and Management of
the Public Market House in the Town of Saint
John's.*

[Passed 30th April, 1850.]

WHEREAS a Public Market House has been built in the Town of Saint John's, and it is necessary to make provision for the care and management of the same, and for the ordering and governing of the Market to be therein established :

I.—*Be it enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of the same, that it shall and may be lawful for the Governor, or Person Administering the Government for the time being, from time to time, as he shall think fit, to nominate and appoint a fit and proper person as Keeper of the said Market House, who shall be sworn to the faithful discharge of his duty before a Stipendiary Justice of the Peace, and shall have the same power and authority as a Constable in all matters relating to keeping the peace in the said Market, and to fix and determine such allowance to be paid to such Keeper out of the rents and profits of the said Market House, as to the Governor or Person Administering the Government shall appear just and reasonable ; and the Governor or Person Administering the Go-

Preamble.

Governor may
appoint Keeper of
Market House,
and fix allowance
to him out of
profits.

vernment shall appoint the first Market Day for the opening and establishing of the said Market, from which day ever after, such Market shall be deemed and taken to be a Public Market.

Governor and Council to establish bye-laws for regulation of Market House.

II.—*And be it further enacted*, That the Governor and Council shall have power from time to time to make and establish all such bye-laws as may be necessary for the better regulating, ordering and governing the said Market, and for prohibiting the slaughtering of cattle, sheep and pigs in the said town, within certain limits to be fixed by them, and in and by such bye-laws to regulate and fix the rate or rates of the stalls or standings in the said Market House; to make bye-laws for the care, preservation and management of the Public Wharf, situate in Church Hill Public Cove, and opposite the said Market House, and to fix and establish the rates, dues and charges to be paid for and upon Wares and Merchandize, or other articles, landed on the said Public Wharf, and for the use of such Wharf by any ship or vessel lying thereat; and to annex a penalty not exceeding the sum of five pounds for the breach or neglect of any such bye-laws: *Provided* such bye-laws, or any of them, shall not be repugnant to the law of this Colony; all which bye-laws, having been published in the Royal Gazette, shall be of the same force and effect as if the same were herein contained and enacted; and one or more printed copies of the said bye-laws and of this Act shall at all times be kept hung up and exposed to public view in the said Market House.

Keeper to attend Market House during Market hours, and seize meat blown or deceitfully set off.

III.—*And be it further enacted*, That the Keeper of the said Market House shall attend during Market Hours, and shall have authority to seize and take all meat blown or stuffed, or in any ways fraudulently or deceitfully set off, and all tainted meat, fish and poultry, offered for sale in any part of the said town, or in violation of the bye-laws to be made as aforesaid, and shall expose the same to the view of any two Justices of the Peace, and if the said Justices shall find such meat, poultry, or fish, to be tainted or fraudulently set off or improperly exposed to sale contrary to the true intent and meaning of this Act, or of such bye-laws to be made as aforesaid, they shall cause the same to be distributed in such manner as they shall direct; and if the said tainted meat, poultry, or fish, shall be wholly unfit for food, the said Justices may cause such meat, poultry, or fish, to be burnt or destroyed, and adjudge the person offering the same for sale, to be fined in a sum not exceeding twenty shillings.

Mode of recovering penalties.

IV.—*And be it further enacted*, That all penalties and forfeitures imposed by this Act, or to be imposed by any such bye-laws as aforesaid, and all rates or rents of stalls or standings in the said Market House, and all such rates, dues and charges of wharfage as aforesaid, respectively, shall be recoverable with costs, in a summary way, before the Court of Sessions of the Central District, by and in the name of the Keeper of the said Market House for the time being, in the same manner and by the like ways and means as if such penalties or forfeitures, and such rates or rents, dues or charges, or any of them, respectively, were a private debt due to such Keeper; and the proceeds of all such penalties and forfeitures, when recovered, shall be paid and applied, one half thereof to the use of the person suing for the same, and the other half to the carrying into effect the purposes of this Act.

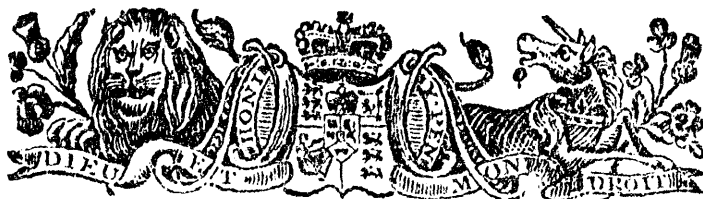
Keeper to account for all dues and penalties, and his accounts certified by Justices.

V.—*And be it further enacted*, That the proceeds of all such rates, rents, dues, charges, penalties and forfeitures, shall be strictly accounted for, quarterly, by such Keeper, to the Stipendiary Justices of the Peace of the district, and his accounts shall be audited and certified by two of such Justices, and transmitted quarterly to the Governor or Acting Governor; and such proceeds, after deducting thereout the allowance to be made to the said Keeper, and the incidental expenses of the said Market House

and Wharf, shall be paid over to the Colonial Treasurer for the general purposes of the Colony; and a correct return of all penalties recovered, and of all rates and rents received, and of the appropriation of the same, shall yearly be laid before the Legislature, within the first ten days of the Session thereof.

VI.—*And be it further enacted*, That this Act shall be and continue in force for the period of two years, and from thence to the end of the then next session of the Legislature.

Act to continue
for two years, and
to the end of
ensuing session.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XII.

AN ACT to amend an Act passed in the Third Year of His Late Majesty's Reign, entitled "An Act to provide for the performance of Quarantine, and more effectually to provide against the introduction of Infectious or Contagious Diseases, and the spreading thereof in this Island."

[Passed 30th April, 1850.]

WHEREAS in and by a certain Act of the General Assembly of Newfoundland, passed in the Third Year of the Reign of His late Majesty, entitled "An Act to provide for the performance of Quarantine, and more effectually to provide against the introduction of infectious or contagious diseases, and the spreading thereof in this Island," various penalties, forfeitures and punishments are prescribed and imposed upon and in respect of the breach or violation of the provisions of the said Act, and of any order or orders of the Governor and Council, as also of any orders, rules and regulations made and established by any Board or Boards of Health appointed, or to be appointed, under the said Act; and whereas for the better enforcing the provisions of the said Act, and for the more effectual preservation of the public health, it is expedient to substitute for the penalties, forfeitures and punishments above referred to, penalties, forfeitures and punishments of less amount and duration, and to provide a more speedy means for enforcing the same :

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, and by the authority of the same, that in every case in which any person shall offend against any of

Preamble.

Penalty of ten pounds imposed upon any person offending against

3d Wm. 4, cap. 1, or of any rule or order made thereunder.

the provisions of the said recited Act passed in the third year of His late Majesty's Reign, or shall be guilty of any breach or violation of any order or orders, direction or directions, of the Governor or Commander-in-Chief, by and with the advice of Her Majesty's Council, made and established, or to be made and established, under and in pursuance of the said Act, or of any order, rule or regulation hereafter to be made and established by any Board of Health to be established and appointed under the said Act, whether such offence, breach, or violation shall or shall not be subject to any specific penalty, forfeiture or punishment, by the said Act, every such person so offending, or being guilty of any such breach or violation, as aforesaid, shall, on conviction thereof, in manner hereinafter provided, forfeit and pay to Her Majesty, Her Heirs and Successors, a sum not exceeding ten pounds, at the discretion of the Justice or Justices before whom he shall be convicted; and in default of payment thereof on conviction, together with costs of suit, shall be liable to be imprisoned for such period as the convicting Justice or Justices shall think fit, not exceeding two calendar months; and in every case in which any person shall pay the amount of such penalty and costs, or shall suffer such imprisonment as last aforesaid, he shall not be subject or liable to any penalty, forfeiture, or imprisonment, for or in respect of the same offence, breach, or violation, under or by virtue of the said recited Act.

Offender paying penalty or suffering imprisonment under this Act to be relieved from penalty under recited Act for same offence.

Provido that the offender may be proceeded against under 3d Wm. 4, cap. 1, and liable to penalty thereby imposed.

II.—*Provided nevertheless, and be it further enacted,* That any person guilty of any such offence, breach, or violation, as aforesaid, shall (in any case in which the Governor or Acting Governor, or any Board of Health, shall think fit so to direct,) be subject to and shall be liable to be prosecuted for the penalty or forfeiture imposed or prescribed by the said recited Act, upon or in respect of any such offence, breach or violation; and in every case in which any such prosecution shall be directed, as last mentioned, and notice thereof, in pursuance of such direction, shall have been given to the party offending, such offender shall not be liable to any penalty, forfeiture, or imprisonment, under this Act, and no conviction of such offender under this Act, after such notice to him as aforesaid, shall bar or prevent his prosecution or conviction under the said recited Act.

Penalties imposed by this Act may be recovered before a Justice of the Peace by complaint of any informer.

III.—*And be it further enacted,* That all penalties and forfeitures imposed by this Act shall and may be sued for and recovered before any one or more of Her Majesty's Justices of the Peace, in any district of this Island in which the offence shall have been committed, or in which the offender shall happen to be, to the use of Her Majesty, Her Heirs and Successors, by any person who shall inform and sue for the same; and upon complaint being made before any one Justice, he shall issue a summons, requiring the party offending or complained against to appear on a day and at an hour and place to be named in such summons; and every such summons shall be served upon the party offending or complained against, or left at his last house or place of residence or of business, or on board any ship or vessel to which he may belong; and either upon the appearance, or the default to appear, of the party offending or complained against, it shall be lawful for any one or more Justices, as aforesaid, to proceed summarily upon the case, and either with or without any written information; and upon proof of the offence, either by confession of the party offending or complained against, or upon the oath of one or more credible witness or witnesses, whose attendance such Justice or Justices shall have power to enforce by summons, (and by warrant if such summons be disobeyed,) it shall be lawful for such Justice or Justices to convict the offender or party complained against, and to adjudge him to pay such penalty, not exceeding the sum of ten pounds aforesaid, as such Justice or Justices shall think fit, together with the costs attending the information, summons and conviction; and if such penalty and costs be not forthwith paid, the same may be levied, together with the costs, by distress and sale of the offender's goods and chattels, the surplus money levied (if any) to be paid to him

Attendance of witnesses may be enforced by Justices.

upon demand; and any such Justice or Justices may issue his or their warrant accordingly, and may also order the party convicted to be detained and kept in safe custody until return can be conveniently made to such warrant of distress, unless such party give sufficient security, to the satisfaction of such Justice or Justices, for his appearance before them on the day appointed for such return, such day not being more than eight days from the time of taking such security; but if it shall appear to such Justice or Justices, by the admission of such party, or otherwise, that no sufficient distress can be had whereon to levy the penalty adjudged to be paid, and costs, such Justice or Justices may, if he or they shall think fit, refrain from issuing such warrant of distress; and in such case, or if such warrant shall have been issued, and upon the return thereof such insufficiency as aforesaid shall be made to appear to the Justice or Justices, then such Justice or Justices shall, by warrant, cause the party ordered to pay such penalty and costs, as aforesaid, to be committed to gaol, there to remain, without bail, for any period not exceeding two calendar months, unless such penalty and costs, and such costs of distress and sale, as aforesaid, be sooner paid: *Provided*, that the Justice on issuing his summons requiring the appearance of the party offending or complained against, as aforesaid, shall forthwith, and before proceeding to hear the cause, give notice thereof to the Colonial Secretary or to the Board of Health at or nearest to the place where the complaint may be made.

IV.—*And be it further enacted*, That all prosecutions for penalties under this Act, shall be commenced and sued for within six calendar months after the offence committed, and that in all proceedings it shall be sufficient to cite this or the said recited Act respectively by the title of the “Quarantine Act;” and no conviction under this Act shall be quashed for want of form; and where any distress shall be made for any penalty and costs, or either of them, the distress itself shall not be deemed unlawful, nor the party making the same be deemed a trespasser, on account of any want of form in the information, summons, conviction, warrant of distress, or other proceedings relating thereto.

Prosecutions to be commenced within six calendar months.

No conviction to be quashed for want of form.

V.—*And be it further enacted*, That the proceeds of all penalties and forfeitures recovered under and by virtue of this Act, shall be divided and paid, one moiety to the person who shall inform and sue for the same, and the other moiety to the use of Her Majesty, Her Heirs and Successors.

Moiety of penalty to be paid informer, and other to Her Majesty.

VI.—*And be it further enacted*, That in order to defray the fees, charges and expenses of inspecting and reporting upon vessels arriving from sea, by the Health Officer, in the manner provided by the said recited Act, it shall be lawful for the Governor, or Acting Governor, by and with the advice of Her Majesty’s Council, (if he and they shall think fit,) in lieu and instead of the rate or table of fees authorized to be established by the thirty-fifth section of the said recited Act, to establish and impose a tonnage duty upon all vessels arriving from any port or place out of this Island or its dependencies, to be paid, collected, received and accounted for in the manner and by the means in and by the said recited Act declared and provided in respect of the rate or table of fees, charges and expenses, thereby authorized to be established.

Governor and Council may impose a tonnage duty upon vessels in lieu of rate authorized by 3d Wm. 4, cap. 1.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XIII.

AN ACT to provide for the Vacation of Seats of Members of the House of Assembly in certain cases, and for the Election of Members in their stead.

[Passed 30th April, 1850.]

WHEREAS it is expedient to make provision for the Vacation of Seats Preamble.
by Members of the House of Assembly in certain cases, and for the election of Members in their stead :

I.—*Be it therefore enacted*, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened, that from and after the passing of this Act, whenever any Member of the House of Assembly of this Island shall accept any office of emolument from the Crown, his seat in the said House of Assembly shall immediately thereupon become vacant. Any Member of the Assembly accepting office of emolument from the Crown. his seat to become vacant.

II.—*And be it further enacted*, That whenever any Member shall accept any such office as aforesaid, or any Member who shall be desirous of resigning his seat as a Member of the said House of Assembly, shall, by writing under his hand, in the form hereunto annexed, tender to the Governor, or Person Administering the Government for the time being, the resignation of his seat in the said House of Assembly, it shall and may be lawful for the Governor, or Person Administering the Government for the time being, to issue a writ, after such acceptance of office or resignation aforesaid, for the election and return of a Member in place of him so accepting office or resigning, as aforesaid: *Provided always*, that nothing herein contained shall prevent a Member so accepting office or Governor to issue writ for the election of a Member in place of him accepting office or resigning.
Provido that Member may be re-elected.

Proviso that a Member resigning and offering as candidate shall pay expense of election.

resigning his seat as aforesaid, from being re-elected a Member of the said House of Assembly: *Provided also*, that any Member so resigning, and offering himself as a candidate at the election consequent on such resignation, shall bear the expenses of such election, so far as the same have been usually borne by the Colony; and shall, before he shall be nominated as a candidate for such election, deposit with the Colonial Secretary such sum of money, not exceeding the amount paid by the Colony for the last preceding election of the District for which such Member was returned, as the Governor in Council shall direct; which sum, or so much thereof as may be required for that purpose, shall be applied by the said Colonial Secretary in discharge of such expenses.

Member accepting office in certain cases not to vacate seat.

III.—*And be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to vacate the seat of any Member of the House of Assembly who may accept a commission or appointment in Her Majesty's Army or Navy, or who may accept any office which is now or may be hereafter compulsory or obligatory by the imposition of any fine or penalty by the laws of this Island, or who shall accept any acting appointment, where such acting appointment shall not continue beyond the period of six calendar months.

Seat of Member declared bankrupt or insolvent to become vacant.

IV.—*And be it further enacted*, That whenever any Member of the said House of Assembly shall be declared bankrupt or insolvent, the seat of such Member shall immediately thereupon become vacant, and the Governor, or Person administering the Government, shall issue a writ for the election and return of a Member in the stead of him so declared bankrupt or insolvent: *Provided always*, that nothing herein contained shall prevent such Member so declared bankrupt or insolvent from being re-elected a Member of the said House of Assembly, he having first obtained a certificate of discharge pursuant to law, and being otherwise duly qualified.

Proviso.

Suspending clause.

V.—*And be it further enacted*, That this Act shall not have any force or effect until Her Majesty's pleasure thereon shall have been first duly signified.

FORM OF RESIGNATION.

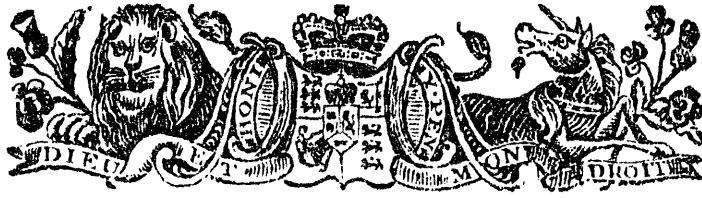
To His Excellency, &c.

MAY IT PLEASE YOUR EXCELLENCY;—

I, the undersigned, A. B., of Esquire, Member of the
 General Assembly for the District of c' hereby resign
 my seat as Member for the said District.

Given under my hand at this day of
A. D. 18 .

Signed by the said A. B., in presence }
 of us, }
 C. D., of &c. }
 E. F. }



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XIV.

AN ACT to amend an Act passed in the Fourth Year of the Reign of his late Majesty, entitled "An Act for the Registering the Names of Persons entitled to Vote at Elections."

[Passed 30th April, 1850.]

WHEREAS the annual taking and revising of the lists of Voters in the several Electoral Districts of this Island, as prescribed and provided by an Act passed in the Fourth Year of the Reign of His late Majesty, entitled "An Act for Registering the Names of Persons entitled to Vote at Elections," is unnecessary, and it is expedient in this respect to amend the said Act: Preamble.

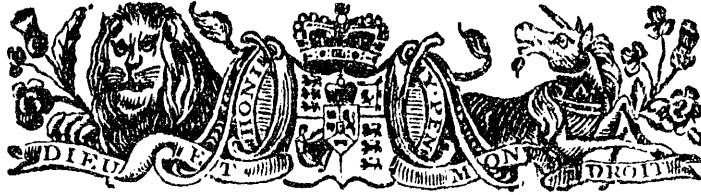
II—*Be it therefore enacted*, by the Governor, Council and Assembly, in Legislative Session convened, that from and after the passing of this Act, Lists of Persons entitled to Vote at Elections in the several Districts of this Island, shall be taken and revised in manner prescribed in and by the said recited Act once in every Four years, and not in each year as provided by the said Act: *Provided always*, that in the event of a particular or general Election of a Person or Persons to serve as Member or Members in the House of Assembly, being appointed to take place at any time before the expiration of any one of the periods of Four Years there in limited for taking and revising the said Lists, and after the expiration of One Year from the time when such Lists shall have been last taken and revised, it shall and may be lawful for the Governor for the time being, by and with the advice of Her Majesty's Council, to cause the provisions of the said Act to be put into operation in any one or all of the said Districts of this Island: *Provided*, that should it be found necessary or expedient to hold Lists of Voters to be taken once in four years, instead of each year. Proviso that in the event of an election taking place before four years, Governor and Council may put recited Act into operation.

Proviso. an Election or Elections at any period of the year when, by reason of the times limited in the said recited Act for serving notices and holding Courts of Revision, the provisions of the said Act cannot be carried into effect, the Registry of the said Voters shall be taken and revised as nearly as may be according to the provisions of the said recited Act, but with such alterations in the manner of taking and revising the same as may be found necessary.

Appropriation for carrying out Act.

II.—*And be it further enacted,* That it shall and may be lawful for the Governor for the time being, from time to time, to appropriate, in the proportions hereinafter mentioned, the sum of One Hundred and Fifty-five Pounds to defray the expenses of each Quadrennial Registration in the several Districts of this Colony, under this Act, and a like proportion of the above sum for each particular Registration in any of the said Districts; that is to say:

District of Saint John's	....	....	....	£30	0	0
“ Conception Bay	....	....	....	35	0	0
“ Trinity Bay	....	....	....	15	0	0
“ Bonavista Bay	....	....	....	12	10	0
“ Twillingate and Fogo	....	....	....	12	10	0
“ Ferryland	....	....	....	10	0	0
“ Placentia and St. Mary's	....	....	....	15	0	0
“ Burin	....	....	....	10	0	0
“ Fortune Bay	....	....	....	15	0	0
				<hr/>		
				£155	0	0
				<hr/>		



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XV.

AN ACT to continue and amend an Act passed in the Sixth Year of the Reign of Her present Majesty, entitled, "An Act for the encouragement of Education in this Colony."

[Passed 30th April, 1850.]

BE it enacted, by the Governor, Council and Assembly, in Legislative Session convened, that an Act passed in the Sixth Year of the Reign of Her present Majesty, entitled "An Act for the encouragement of Education in this Colony," and the several clauses and provisions thereof, shall be, and the same are, hereby continued for the period of One Year, and no longer.

Preamble.
6th Victoria, cap. 6, continued for one year.

II.—*And be it enacted,* That the present Educational District of Fortune Bay shall be divided into Two Districts; namely, the District of Fortune Bay to be comprised within the limits of the present Electoral District of Fortune Bay, and the District of Burgeo and LaPoile, to comprise all that part of the South Coast of Newfoundland lying between Bonne Bay and Cape Ray; that the amount appropriated by the said Act to the present District of Fortune Bay shall be appropriated as follows; namely, Two Hundred and Thirty-three Pounds to the District of Fortune Bay, and Forty Pounds to the District of Burgeo and LaPoile; and that it shall be lawful for the Governor to appoint, in the said District of Burgeo and LaPoile, a Board of Education, as prescribed in the said recited Act with respect to other Districts.

Educational District of Fortune Bay divided into two Districts.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

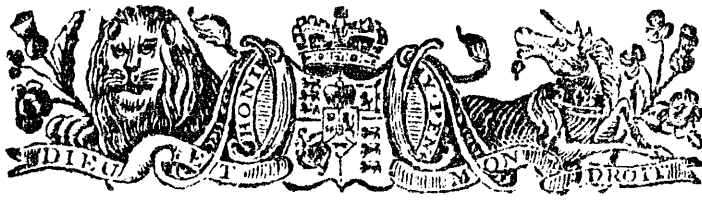
CAP. XVI.

AN ACT to authorise the granting a Patent for an improved Fog-Bell or Gong, and other self-regulating Machinery, impelled by Wind, to Thomas Robson, of Sackville, in the Province of New Brunswick, Master Mariner.

[Passed 30th April, 1850.]

WHEREAS it appears by the Petition of Thomas Robson, of Sackville, in the County of Westmoreland and Province of New Brunswick, Master Mariner, that he has invented or discovered an improved Fog-bell or Gong, and a self-regulating Pneumatic Machine or Horizontal Windmill for giving motion to the same,—which said Pneumatic Machine or Horizontal Windmill may be also applied to give motion to any other machine, or to the working an Air Whistle, Alarum, or other means of producing sound,—and is likely to be of great public utility: And Whereas it is expedient that an Act should be passed authorizing the issue of Letters Patent to the said Thomas Robson, securing his exclusive right to the said Invention for a limited period: Preamble.

Be it therefore enacted, by the Governor, Council and Assembly of Newfoundland, in Legislative Session convened; and by authority of the same, that it shall and may be lawful for the Governor or Administrator of the Government of this Island to cause to be issued Letters Patent under the Great Seal of this Island, securing to the said Thomas Robson, his executors, administrators and assigns, for the term of Fourteen Years from the date of such Letters Patent, the full, sole and exclusive right to such invention or discovery of an improved Fog-bell or Gong, and self-regulating Pneumatic Machine or Horizontal Windmill, by such description as may be necessary legally to describe the same, so as to secure him, the said Thomas Robson, from all piracy thereof, or infringement of such Patent, upon his depositing a Specification and Plans in the Office of the Colonial Secretary of this Island, and which said Patent shall be governed by the same rules, and be subject to the same or similar conditions, as in the case of Patents for useful inventions granted under the Great Seal of England. Authorizing Governor to issue Letters Patent to Thomas Robson, securing to him, his heirs, executors, administrators and assigns, the exclusive right to Fog-bell, &c. for 14 years.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

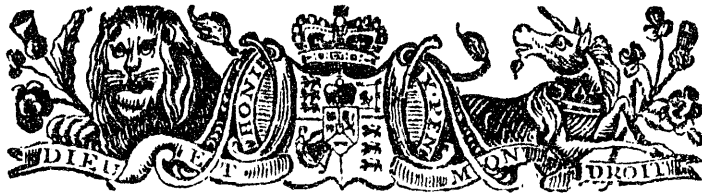
CAP. XVII.

AN ACT to repeal an Act entitled " An Act to regulate the making and repairing of Roads, Streets and Bridges, within this Colony."

[Passed 30th April, 1850.]

WHEREAS it is expedient to repeal an Act passed in the Eighth Preamble.
Year of the Reign of Her present Majesty, entitled " An Act to regulate
the making and repairing of Roads, Streets and Bridges within this
Colony" :—

Be it therefore enacted, by the Governor, Council and Assembly in
Legislative Session convened, that the said recited Act, and every clause, h Vic. cap. 3.
matter and thing therein contained, shall be and the same are hereby repealed.
repealed : *Provided* that this Act shall not be construed to revive or give Proviso.
effect to the provisions of any Act or Acts heretofore passed for regulating
the making or repairing of Roads, Streets or Bridges, in this Colony.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XVIII.

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

[Passed 30th April, 1850.]

MAY IT PLEASE YOUR MAJESTY :—

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

Be it therefore enacted, by the Governor, Council and Assembly, in Legislative Session convened, that from and out of such Monies as shall from time to time remain in the hands of the Treasurer, and unappropriated, there be granted to Your Majesty, Your Heirs and Successors, the sum of Twenty Thousand Four Hundred and Twenty-six Pounds Ten Shillings and Nine Pence, which said sum of money shall be applied in payment of the following charges for the year commencing on the First day of January, One Thousand Eight Hundred and Fifty, and ending on the Thirty-first day of December in the same Year ; that is to say :

£20,426 10s. 9d.
for the year ending Dec. 31, 1850.

The sum of Four Thousand Six Hundred and Thirty-six Pounds ^{Salaries of} towards defraying the Salaries of the undermentioned Officers, as follows :

The Private Secretary to the Governor, Two Hundred Pounds.
The Clerk to the Executive Council, Two Hundred Pounds.

Private Secretary.
Clerk to Council.

Clerks Secretary's Office.	Two Clerks in the Secretary's Office, Four Hundred Pounds.
Office Keeper.	An Office Keeper to the Secretary's Office, Sixty Pounds.
Messenger.	A Messenger at the Secretary's Office, Sixty Pounds.
Colonial Treasurer	The Colonial Treasurer, Five Hundred Pounds.
Clerk Supreme Court.	The Chief Clerk and Registrar of the Supreme and Central Circuit Courts, Three Hundred and Fifty Pounds, together with the sum of Fifty Pounds to defray the Salary of a Clerk Assistant, also the further sum of Twenty Pounds for Stationery and other incidentals: <i>Provided</i> that all Fees and Perquisites received in or in any way connected with the said Office, shall be accounted for, and paid over half yearly, to the Colonial Treasurer.
Proviso.	
Clerk N. C. Court.	The Clerk of the Northern Circuit Court, Two Hundred Pounds.
Ditto S. C. Court.	The Clerk of the Southern Circuit Court, Two Hundred Pounds.
Crier Supreme Court.	The Crier and Tipstaff of the Supreme Court, Sixty Pounds.
Police Magistrates	Three Police Magistrates for Saint John's, Nine Hundred Pounds.
High Constable.	The High Constable for Saint John's, Eighty Pounds.
Police Constables.	Eight Police Constables for Saint John's, Three Hundred and Sixty Pounds.
Gaoler, St. John's.	The Gaoler for Saint John's, One Hundred and Fifty Pounds, in lieu of all Fees, which are to be accounted for and paid over to the Colonial Treasurer.
Gaol Surgeon, St. John's.	The Gaol Surgeon of Saint John's, Forty Pounds.
Do Harbor Grace.	The Gaol Surgeon of Harbor Grace, Thirty Pounds.
District Surgeon, St. John's.	The District Surgeon for Saint John's, One Hundred and Fifty Pounds.
Hospital Surgeon	The Hospital Surgeon for Saint John's, One Hundred and Fifty Pounds.
Gate Keeper	The Gate Keeper at Government House, Twenty-six Pounds.
Attorney General	The Attorney General, in lieu of his Fees of Office, Two Hundred and Fifty Pounds.
Solicitor General	The Solicitor General, in lieu of his Fees of Office, Two Hundred Pounds.
Outport Magistrates	The sum of Two Thousand and Thirty Pounds, towards defraying the Salaries of the undermentioned Outport Magistrates, as follows: A Magistrate at Harbour Grace, One Hundred and Eighty Pounds. A Second Magistrate at Harbor Grace, One Hundred and Fifty Pounds. A Magistrate at Carbonear, One Hundred and Fifty Pounds. A Magistrate for Brigus and Port-de-Grave, One Hundred and Fifty Pounds. A Magistrate at Ferryland, One Hundred Pounds. A Magistrate at Bay Bulls, One Hundred Pounds. A Magistrate at Burin, One Hundred and Fifty Pounds. A Magistrate at Lamaline, One Hundred and Thirty Pounds. A Magistrate at Saint Mary's, One Hundred and Thirty Pounds. A Magistrate at Harbor Britain, One Hundred Pounds. A Magistrate at Grand Bank, One Hundred and Thirty Pounds. A Magistrate at Trinity, One Hundred and Fifty Pounds. A Magistrate at Bonavista, One Hundred and Fifty Pounds. A Magistrate for Twillingate and Fogo, One Hundred and Thirty Pounds. A Magistrate for Placentia, One Hundred and Thirty Pounds.
Outport Clerks of the Peace	The sum of Five Hundred and Eighty-five Pounds, towards defraying the Salaries of the undermentioned Outport Clerks of the Peace, as follows: A Clerk of the Peace at Harbor Grace, One Hundred and Fifty Pounds. A Clerk of the Peace at Carbonear, Sixty Pounds. A Clerk of the Peace for Brigus and Port-de-Grave, Sixty Pounds. A Clerk of the Peace at Ferryland, Sixty Pounds. A Clerk of the Peace at Placentia, Thirty-five Pounds. A Clerk of the Peace at Burin, Thirty-five Pounds. A Clerk of the Peace at Harbour Britain, Thirty-five Pounds. A Clerk of the Peace at Trinity, Sixty Pounds.

A Clerk of the Peace at Bonavista, Forty-five Pounds.

A Clerk of the Peace at Twillingate, Forty-five Pounds. Provided that all the Fees of Office received by the said Clerks of the Peace, shall be accounted for and paid over to the Colonial Treasurer.

The sum of One Hundred and Ninety Pounds towards defraying the Outport Gaolers Salaries of the undermentioned Outport Gaolers, as follows :

A Gaoler at Harbor Grace, Ninety Pounds ; Provided that all Fees of Office received by him shall be accounted for and paid over to the Colonial Treasurer.

A Gaoler at Ferryland, Twenty-five Pounds.

A Gaoler at Placentia, Twenty-five Pounds.

A Gaoler at Burin, Twenty-five Pounds.

A Gaoler at Trinity, Twenty-five Pounds.

The sum of Nine Hundred and Sixty-six Pounds towards defraying the Outport Constables Salaries of the undermentioned Outport Constables, as follows :

Three Constables at Harbor Grace, One Hundred Pounds.

Three Constables at Carbonear, Seventy-five Pounds.

Two Constables at Brigus and Port-de-Grave, Fifty Pounds.

A Constable at Bay Roberts, Twelve Pounds.

A Constable at Ferryland, Twenty-five Pounds.

A Constable at Bay Bulls, Twenty-five Pounds.

A Constable at Burin, Twenty-five Pounds.

A Constable at Lamaline, Twelve Pounds.

A Constable at Saint Mary's, Twenty-five Pounds.

A Constable at Harbor Britain, Twelve Pounds.

A Constable at Grand Bank, Twelve Pounds.

Two Constables at Trinity, Thirty-seven Pounds.

A Constable at Bonavista, Twenty-five Pounds.

Three Constables at Twillingate and Fogo, Forty-nine Pounds.

A Constable at Placentia, Twenty-five Pounds.

A Constable at Bay-de-Verds, Twelve Pounds.

A Constable at Harbor Main, Twelve Pounds.

A Constable at Cat's Cove, Twelve Pounds.

A Constable at Western Bay, Twelve Pounds.

A Constable at South Shore, Twelve Pounds.

A Constable at Brigus, South, Twelve Pounds.

A Constable at Witless Bay, Twelve Pounds.

A Constable at Toad's Cove, Twelve Pounds.

A Constable at Renew's, Twelve Pounds.

A Constable at Cape Broyle, Twelve Pounds.

A Constable at Caplin Bay, Twelve Pounds.

A Constable at Aquaforte, Twelve Pounds.

A Constable at Fermew's, Twelve Pounds.

A Constable at Barren Island, Twelve Pounds.

A Constable at Merasheen, Twelve Pounds.

A Constable at Little Placentia, Twelve Pounds.

A Constable at Saint Lawrence, Twelve Pounds.

A Constable at Trepassey, Twelve Pounds.

A Constable at Catalina, Twenty-five Pounds.

A Constable at Perlican, Twelve Pounds.

A Constable at Heart's Content, Twelve Pounds.

A Constable at Hant's Harbor, Twelve Pounds.

A Constable at New Harbor, Twelve Pounds.

A Constable at Greenspond, Twelve Pounds.

A Constable at Exploits Bay, Twelve Pounds.

A Constable at Petty Harbor, Twenty Pounds.

A Constable at Portugal Cove, Twenty Pounds.

A Constable at Torbay, Twenty Pounds.

'Outport Constables—continued	<p>A Constable at King's Cove, Twelve Pounds. A Constable at Tickle Cove, Twelve Pounds. A Constable at Salvage, Twelve Pounds. A Constable at Hermitage Bay, Twelve Pounds. A Constable at Burgeo Islands, Twelve Pounds. A Constable at Jersey Harbour, Twelve Pounds. A Constable at Spaniards' Bay, Twelve Pounds.</p>
Ferries	<p>The sum of Two Hundred and Sixty-two Pounds, towards defraying the allowances of the following Ferrymen, that is to say :</p> <p>To Ferrymen at Manuels and Little Saint Lawrence, Ten Pounds each. To Ferrymen at Great Placentia, Salmonier, Portugal Cove, South Arm of Trinity, Twenty-five Pounds each. To Ferrymen between Burin and Spoon Cove, and between Belle Isle and Topsail, Twenty Pounds each. To Ferrymen at Biscay Bay and Aquaforte, Fifteen Pounds each. To a Ferryman at Malbay, Twelve Pounds. To a Ferryman at John's Pond, North Harbor and Salmonier, Thirty Pounds. And Two Ferries at Holyrood, Thirty Pounds ; that is to say : For Two Boats to be stationed in the neighbourhood of Crawley's on the South Side, and the neighbourhood of Healy's on the North Side, of the Harbour,—Fifteen Pounds to be allowed each.</p>
Packet Boat, Bonavista Bay	<p>The sum of One Hundred Pounds towards defraying the expense of the support of a Packet-Boat between Bonavista and South Side of Trinity Bay, and a further sum of Twenty Pounds for a Messenger.</p>
Ditto, Burin and Placentia	<p>The sum of One Hundred and Twenty Pounds towards defraying the Expense of the support of a Packet-Boat between Burin and Placentia, and a further sum of Thirty Pounds for a Messenger between the latter place and Saint John's.</p>
Commercial School, Placentia	<p>The sum of Forty Pounds towards the support of a Commercial School at Great Placentia.</p>
Presbyterian School, St. John's	<p>The sum of Forty Pounds for the support of the Presbyterian School at Saint John's.</p>
Court Houses, &c.	<p>The sum of Two Hundred Pounds towards defraying the Ordinary Expenses of Court Houses and Gaols.</p>
Gaols	<p>The sum of Six Hundred Pounds towards defraying the Expenses of the Gaols.</p>
Printing and Stationery	<p>The sum of Five Hundred Pounds towards defraying the Expenses of Printing and Stationery.</p>
Crown Prosecutions	<p>The sum of Three Hundred Pounds towards defraying the Expenses of Crown Prosecutions.</p>
Coroners	<p>The sum of One Hundred and Fifty Pounds towards defraying the Expenses of Coroners.</p>
Fuel and Light	<p>The sum of Four Hundred and Fifty Pounds towards defraying the Expenses of Fuel and Light in Public Buildings.</p>
Incidentals	<p>The sum of One Hundred and Twenty Pounds towards defraying Postages and other Incidental Expenses.</p>
Circuits	<p>The sum of Three Hundred Pounds towards defraying the Expenses of Judges and Officers on Circuits: that is to say ; the sum of One Hundred and Fifty Pounds to defray the Expenses of each Circuit, in full, for Table Money and means of Conveyance; the Northern Circuit to commence at Twillingate and be also held at Fogo, Greenspond, Bonavista, Trinity and Harbor Grace; and the Southern Circuit to commence at Fortune Bay, and be also held at Burin, Placentia, Saint Mary's and Ferryland.</p>
Poor	<p>The sum of Three Thousand and Five Hundred Pounds towards the relief of the Poor.</p>

The sum of Four Hundred Pounds towards defraying the expense of **Outport Poor**
Outport Permanent Poor.

The sum of One Thousand Pounds towards defraying the expense of **Lunatic Paupers**
Lunatic Paupers.

The sum of One Hundred and Fifty Pounds towards defraying the **Registration of**
expense of the Registration of Voters for the past year. Voters

The sum of One Hundred Pounds towards the Relief of **Shipwrecked**
Crews. Crews

The sum of Three Hundred Pounds towards carrying out the provisions **Crown Lands**
of the Crown Lands Act.

The sum of One Hundred and Forty-three Pounds Six Shillings and **Gas Lights**
Eight Pence towards defraying the Expenses of Gas Lights, Saint John's,
to be under the supervision of the Stipendiary Justices.

The sum of Twenty-five Pounds towards defraying **Office Rent of Post Office Rent**
Deputy Post Master, provided it be kept in a Stone Building.

The sum of Twenty-five Pounds towards defraying the **Expense of Almanac**
Publishing an Almanac, provided that the grant for this purpose be discon-
tinued in future.

The sum of Thirty-six Pounds Ten Shillings towards defraying **Expenses**
of Artillery-men at Fort Amherst. Artillery Men,
Fort Amherst

The sum of Fifty Pounds towards payment of Duties on Wines **Military Dress**
imported or purchased for the use of the Military.

The sum of Fifty Pounds towards defraying the annual allowance to **Pension to Mrs**
the Widow of the late Mr. Blaikie. Blaikie

The sum of Forty Pounds to Matthew Stevenson, as **Pension.** Ditto Matthew
Stevenson

The sum of Ten Pounds to Robert Connell, as gratuity, in compensa- **Gratuity to**
tion for past services. Robert Connell

The sum of Thirty Pounds towards defraying the annual allowance to **Pension to Mrs**
the Widow of the late Mr. Holbrook. Holbrook

The sum of Nine Pounds Two Shillings and Six Pence to Patrick **Ditto Patrick**
Burke, as Pension. Burke

The sum of Three Hundred Pounds to defray the Salary of a Magis- **Magistrate, St.**
trate at Saint George's Bay. George's Bay

The sum of Sixty-four Pounds and Five Shillings towards defraying **Customs, St John's**
the value of certain articles received by the Colony from the Imperial
Government on the change in the Customs Department, Saint John's.

The sum of Fifty Pounds to Samuel Carson, M. D., District Surgeon, **Medicine for Poor**
allowance for Medicine to the Poor.

The sum of One Hundred and Fifty Pounds towards the support of the **Agricultural**
Agricultural Society. Society

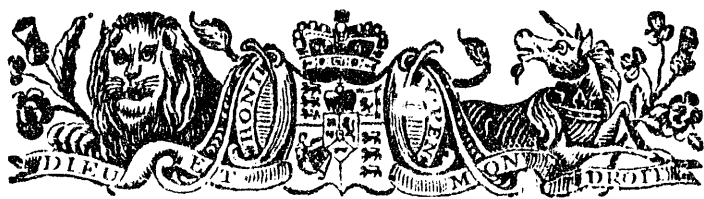
The sum of Twenty-five Pounds to Walter Shelly towards compensa- **Salmonier Go-**
ting him for keeping the Government Cottage at Salmonier, under such **vernment Cottage**
regulations as the Governor may establish.

The sum of Three Hundred and Eighty-four Pounds for the purchase- **Roman Catholic**
money of a Cemetery for the Members of the Roman Catholic Church : **Cemetery**
Provided always, nevertheless, and be it enacted, that the Parcel of Land
situate on the South Side of the River running into Quidi Vidi Lake,
heretofore Granted (by Grant from the Crown, bearing date on or about
the Twenty-seventh day of June, Anno Domini One Thousand Eight
Hundred and Forty-eight,) to the Right Reverend the present Bishop of
Newfoundland, and his Successors, in Trust, for the purpose of a Burial
Ground of the Members of the Church of England, but subject to certain
Trusts in the said Grant recited, shall henceforth be held by the said
Bishop, and his Successors, in Trust, for the purpose of a Burial Ground
for the exclusive use of the Members of the Church of England, freed and
discharged of all other Trusts, Conditions and Privileges, respecting the
use of the said Land, in the said recited Grant declared or contained.

The sum of One Hundred Pounds to the Saint John's Water Company, **Water Company**
towards defraying the expense of keeping Fire-Plugs in repair. for repair of Plugs

St John's Factory	The sum of One Hundred Pounds towards the support of the Saint John's Factory.
Ditto Dorcas Society	The sum of Fifty Pounds towards the support of the Dorcas Society, Saint John's.
Harbor Grace ditto	The sum of Twenty-five Pounds towards the support of the Dorcas Society, Harbor Grace.
Carbonear ditto	The sum of Twenty-five Pounds towards the support of the Dorcas Society, Carbonear.
Late Fire-wardens, Saint John's	The sum of Forty-five Pounds Eighteen Shillings and Two Pence to the late Fire Wardens, Saint John's, towards reimbursing them for expenses incurred.
St John's Library	The sum of Thirty Pounds towards the support of the Saint John's Library.
Honora Mackay	The sum of Ten Pounds to Honora Mackay, remuneration for the support of Shipwrecked Seamen.
Clift, Wood & Co. remission of duties	The sum of Twenty-nine Pounds and Ten Pence to reimburse Messrs. Clift, Wood and Co., for Duties overpaid on Stone imported for the Episcopal Cathedral.
Daniel Dwyer, compensation	The sum of Twenty Pounds to Daniel Dwyer, as compensation for past services.
Mary Gear, ditto	The sum of Twenty Pounds to Mary Gear towards compensating her for keeping and cleansing the Custom House, Saint John's.
Wesleyan Chapel, Harbor Grace	The sum of Two Hundred Pounds towards the re-erection of the Wesleyan Chapel, Harbor Grace, lately destroyed by fire.
Hannah Gaylor, administratrix of Thomas Gaylor, for services.	The sum of Fifty Pounds to Hannah Gaylor, Administratrix of the late Thomas Gaylor, for services performed by him as Clerk of the Peace at Bonavista.
Packet Boat, Twillingate and Saint John's	The sum of One Hundred Pounds towards the support of a Packet Boat between Saint John's and Twillingate, to touch at Greenspond and Fogo, under such regulations as the Governor may order.
H. Mooney, Esq. for loss of office	The sum of Thirty Pounds to Harcourt Mooney, Secretary of the Saint John's Academy, in full compensation for loss of office.
H. A. Emerson, Esq., expenses incurred as Judge on North Circuit, 1849.	The sum of Twenty-five Pounds, Nine Shillings and Six Pence, to Hugh A. Emerson, Esquire, towards reimbursing him for expenses incurred while Acting Judge on the Northern Circuit last year, over the amount granted by the Legislature for the conveyance of the Judge on the said Circuit.
Richard Perchard, for loss by a public Act.	The sum of Ninety-two Pounds Eighteen Shillings and Seven Pence, to Richard Perchard, towards compensating him for loss sustained by an Act of the Legislature, on a debt due him by John Nash.
Messenger, Saint John's & Renew's	The sum of Twenty Pounds towards defraying the expenses of a Messenger between Saint John's and Renew's, once every fortnight throughout the year.
Ditto Salmonier and Saint Mary's	The sum of Ten Pounds towards defraying the expense of a Messenger between Salmonier and Saint Mary's.
Farmer's Mill	The sum of One Hundred Pounds to the Farmers' Mill Company, towards discharging their liabilities.
Capt. Whitmore, remission of duties	The sum of Eleven Pounds Nineteen Shillings and Six Pence towards reimbursing Captain Whitmore, Royal Engineers, for Duties paid on Baggage.
Mrs Bayly, land taken at Harbor Grace	The sum of Fifty Pounds towards compensating Mrs. Bayly for Land taken for widening Water Street, Harbor Grace, under the Harbor Grace Street Acts.
Harbor Grace Grist Mill	The sum of Three Hundred Pounds granted by the Twelfth Victoria, Chapter Twenty-two, for the erection of a Grist Mill at Harbor Grace or its vicinity, and remaining unappropriated, to be paid to any person or persons who may Erect and Build such Mill, subject to such conditions as His Excellency the Governor may impose, freed from all other conditions and restrictions in the said Act contained in reference thereto.
Unforeseen contingencies.	The sum of Five Hundred Pounds to defray Unforeseen Contingencies.

II.—*And be it further enacted*, That the Monies hereinbefore granted shall be paid by the Colonial Treasurer in discharge of such Warrants as may from time to time be drawn by the Governor or Administrator of the Government for the time being, for the purposes of this Act; and that it shall not be lawful for the Colonial Treasurer to pay any Monies out of the Colonial Treasury other than such as are granted in this Act or some other Act of the Legislature.



ANNO DECIMO TERTIO

VICTORIÆ REGINÆ.

CAP. XIX.

AN ACT to provide for the Contingent Expenses of the Legislature.

[Passed 30th April, 1850.]

WHEREAS it is expedient to provide for the Contingent Expenses of Preamble the Legislature during the present Session :

Be it therefore enacted, by the Governor, Council and Assembly, in £3903 1s. 11d. Legislative Session convened, that from and out of such Monies as may granted for contingencies of Legislature. from time to time remain in the hands of the Treasurer, and unappropriated, there be granted to Her Majesty, Her Heirs and Successors, the sum of Three Thousand Nine Hundred and Three Pounds, One Shilling and Eleven Pence, to be applied towards remunerating the Officers of the Legislature for their services, and towards defraying the Contingent Expenses of Her Majesty's Council and the House of Assembly during the present Session, as follows :

The Clerk of Her Majesty's Council for his services during the present Officers of Council Session, One Hundred and Fifty Pounds.

The Master-in-Chancery attending Her Majesty's Council, for his services during the present Session, One Hundred Pounds.

The Usher of the Black Rod, for his services during the present Session, Eighty-five Pounds.

The Door-Keeper of Her Majesty's Council, for his services during the present Session, Forty-five Pounds.

The Assistant Doorkeeper and Messenger of Her Majesty's Council, Twenty Pounds.

For Printing Journals and other contingencies. Printing the Journals of Her Majesty's Council, balance due for last Session, Twenty-eight Pounds Seventeen Shillings and Two Pence, and for the present Session, One Hundred and Twenty Pounds.

To the Clerk of Her Majesty's Council to defray the Contingent Expenses of his Office, One Hundred and Forty-two Pounds Fifteen Shillings and Seven Pence.

To the Usher of the Black Rod to defray the Contingent Expenses of his Office, Nineteen Pounds and One Shilling.

House of Assembly
— Speaker and
Officers.

To the Honorable the Speaker of the House of Assembly, for his services during the present Session, Two Hundred Pounds.

To the Clerk of the House of Assembly for his services, and for Indexing and Superintending the Printing of the Journals during the present Session, Two Hundred Pounds, and the further sum of Twenty-five Pounds for extra services in furnishing copies of Journals for the Colonial Office.

To the Clerk Assistant, for his services during the present Session, One Hundred Pounds, and the further sum of Twenty Pounds in full for Arrears of Salary.

To the Sergeant-at-Arms, for his services during the present Session, One Hundred Pounds, and the further sum of Thirty Pounds in full to defray Arrears of Salary.

To the Solicitor of the House of Assembly, for his services during the present Session, One Hundred and Fifty Pounds.

To the Door-keeper of the House of Assembly, for his services during the present Session, Forty-five Pounds.

To the Messenger of the House of Assembly, for his services during the present Session, Forty Pounds.

To the Under-Doorkeeper of the House of Assembly, for his services during the present Session, Thirty-five Pounds.

To the Assistant Door-keeper, Messenger and Attendant of the House of Assembly, for his services during the present Session, Fifteen Pounds.

To the Librarian of the Legislature, Fifty Pounds.

Members.

To Fourteen Members of the House of Assembly, (Speaker not included,) the sum of Seven Hundred and Fourteen Pounds, being Forty-two Pounds each for Eight Members resident in Saint John's, and Sixty-three Pounds each for Six Out-port Members not resident in Saint John's, for their attendance during the present Session.

Reporting,
Printing and other
contingencies.

To the Reporter of the House of Assembly, for his services during the present Session, and for Publishing the Debates and Proceedings, Two Hundred Pounds.

To the Proprietor of the Patriot Newspaper, for Printing Bills and Miscellaneous Papers during the present Session, Two Hundred and Thirty-five Pounds, Thirteen Shillings and Ten Pence.

To the Proprietor of the Newfoundlander Newspaper, Estimate for Printing Journals and Appendix of the House of Assembly for the present Session, One Hundred and Fifty Pounds; and the further sum of Four Hundred and Fifty Pounds, balance for Printing Journals and Appendix of last Session.

To the Clerk of the House of Assembly to defray the Contingent Expenses of his Office, pursuant to the Report of the Select Committee of the House of Assembly upon Contingencies, One Hundred and Fifty-one Pounds, Ten Shillings and Seven Pence; and the further sum of Forty-five Pounds Twelve Shillings and Seven Pence to defray the Contingent Expenses of the Library.

To the Sergeant-at-Arms to defray the Contingent Expenses of his Office, pursuant to the Report of the Select Committee of the House of Assembly upon Contingencies, One Hundred Pounds Eleven Shillings and Two Pence.

To Mr. William R. Noad for furnishing to the House of Assembly a Plan of the Town of Saint John's for the purpose of general reference, Twenty-five Pounds.

To the Chairman of the Committee of Supply, Fifty Pounds.

To the Chairman of the Committee of Audit, Fifty Pounds.

To Thomas Brown, the sum of Ten Pounds, compensation for furnishing to the House of Assembly Documents connected with the late Treasurer's Office.