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BY AUTHORITY.

CAP. XI.

An ACT to authorise the Justices of the Sessions in the City and County of Saint John, to levy an assessment for the purpose of repairing and adding to the Gaol of the said City and County. Passed the 14th of March, 1810.

WHEREAS the Gaol for the City and County of Saint John has become very much out of repair, and is insufficient for the security of the persons which may be therein confined, and has lately been so represented in a presentment made by the Grand Jury, to the Court of General Quarter Sessions of the Peace for the said City and County: And whereas the said Gaol has been found to be not sufficiently large, for the proper accommodation of the Prisoners therein confined: And whereas the said Court of General Quarter Sessions of the Peace have procured an estimate to be made of the expences which must be incurred in making the necessary repairs to the said Gaol, agreeably to the said presentment of the said Grand Jury, and also of raising an additional story to the said Gaol, for the better accommodation of the prisoners therein to be confined; the amount of which estimate exceeds the sum which, by the Laws now in force, the said Justices are authorised to assess and levy: And whereas in addition to the sum of three hundred pounds already assessed by the said Justices, it is found necessary for the purposes aforesaid, to raise by assessment the further sum of five hundred pounds.

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

CAP. XII.

An ACT in amendment of the Acts now in force for regulating Seamen. Passed the 14th of March, 1810.

WHEREAS in and by an Act made and passed in the thirty-eighth year of His Majesty's Reign, intituled "An Act in addition to, and in amendment of an Act for the regulation of Seamen:" The penalty of twenty pounds is liable to be incurred for the offence mentioned in the second Section of the said Act, but no person is authorised to prosecute for the same.

Be it therefore enacted by the President, Council, and Assembly, That it shall be the duty of the Chamberlain of the City of Saint John, if the offence shall be therein committed, or the Treasurer of any County where such offence may be committed, to sue for and prosecute for the recovery of the said penalty by action of debt, in the Supreme Court or the Mayor's Court of the City of Saint John, or either of the Inferior Courts of Common Pleas of the several Counties where such offence may be committed, and such Chamberlain or Treasurer is hereby authorised to prosecute for such penalty, and when recovered, to apply the same in manner as in and by the said Act is directed.

CAP. XIII.

An ACT to continue and amend an Act, intituled an Act for regulating Pilots. Passed the 14th of March, 1810.

WHEREAS it has been found that several Pilots appointed by virtue of an Act, made and passed in the twenty-sixth year of His Majesty's Reign, intituled "An Act for regulating Pilots," have refused or neglected to perform the duties required of them by said Act. And whereas no power is given by said Act, to remove or displace such Pilots as may refuse or neglect to perform the duties required of them in and by said Act.

I. Be it therefore enacted by the President, Council, and Assembly, That it shall and may be lawful for the Justices of the Common Pleas, in such Counties where Pilots are, or may be appointed, on complaint and proof before them, that any Pilot has neglected or refused to perform the duties required of him as a Branch Pilot, by virtue of said Act, to displace and remove any Pilot so convicted of neglect or refusal, and to declare him prohibited and restrained from exercising the duties of a Pilot for the Port or place to which he was appointed a Pilot.

II. And be it further enacted, That the said Act, and every part thereof, not hereby altered and amended, be and remain in full force and virtue, any thing herein contained to the contrary notwithstanding.

CAP. XIV.

An ACT to continue and amend an Act, intituled "An Act for raising a Revenue in this Province." Passed the 14th of March, 1810.

I. Be it enacted by the President, Council, and Assembly, That an Act made and passed in the forty-seventh year of His Majesty's Reign, intituled "An Act for raising a Revenue in this Province," and since continued to the first day of April next; be, and the same is hereby further continued (excepting wherein the same is hereby amended and altered) and declared to be in full force, until the first day of April, which will be in the year of our Lord one thousand eight hundred and twelve.

II. And be it further enacted, That no drawback whatever, on any duties shall be hereafter allowed on any Rum, Wine, Brandy, Gin, or brown Sugar, exported from this Province, and landed at any port or place in the United States to the eastward of Machias harbour.

CAP. XV.

An ACT for the preservation of Oysters in the Counties of Westmorland and Northumberland. Passed the 14th of March, 1810.

I. Be it enacted by the President, Council, and Assembly, That no vessel of any kind whatsoever, open boats and canoes excepted, shall at any time anchor on any of the beds of Oysters, in any Bay or Harbour within the Counties of Westmorland and Northumberland, nor shall any person whatever ground any vessel, on any Oyster bed, within any of said Bays or Harbours, for the purpose of taking Oysters, except open boats and canoes. And if any person or persons whatsoever shall anchor any vessel as aforesaid, or shall ground any vessel on such Oyster bed, for the purpose of taking Oysters, every person so offending shall incur the penalty of sixty shillings for every offence.

II. And be it further enacted, That it shall be the duty of every person taking Oysters, on such Oyster bed, in any boat, canoe or vessel whatever, to take into such boat, canoe or vessel, all stones, shells or rubbish, they may rake up; and shall not throw the same again into the water, but shall convey the same to the shores at low water mark; and every person offending herein shall incur the penalty of forty shillings for every offence.

III. And be it further enacted, That all and every person or persons taking Oysters in the winter season, through the ice, by tongs or otherwise, shall convey all shells, stones, or rubbish they may rake or take up, to the shore, and not suffer the same to lie on the ice, nor throw the same into the water: and if any person or persons shall not carry or convey such stones, shells or rubbish on shore, within the space of six hours, every person so neglecting, shall for every offence incur the penalty of twenty shillings.

IV. And be it further enacted, That the aforesaid penalties, and every of them, shall and may be sued for, in an action or actions of debt in a summary way, before any Justice of the Peace in the said Counties respectively, where the offence shall be committed; and when recovered, one half of such penalty shall be to the use of the person suing and prosecuting for the same; and the other half shall be applied for the purpose of erecting buoys in such harbours or bays respectively, and paid over accordingly: And it shall be the duty of all Constables resident in the limits or contiguous to such bays and harbours, to prosecute all breaches of this Act.

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

CAP. XVI.

An ACT to provide for the more effectually repairing the Streets and Bridges in the City and County of Saint John. Passed the 14th of March, 1810.

WHEREAS the Mayor, Aldermen, and Commonalty of the City of Saint John, by the Charter of the said City, ratified by an Act of the General Assembly, are authorised and empowered "to make, lay out, alter, amend, and repair the Streets, Highways and Bridges in and throughout the said City, and the vicinity thereof, and also beyond the limits of the said City, or either side thereof, throughout the County of Saint John:" And by the same Charter "the Citizens of the said City during the time of their being inhabitants thereof, are not liable to perform any duty without the limits of the said City, except for the laying out Roads and Highways in other parts of the said City and County, and the working, clearing, amending, and repairing the same." And whereas it is just, equitable, and expedient that the freemen and inhabitants of the said City, should do, and perform an equal number of days work as the other inhabitants of the Province, for the purpose of completing and amending the public Roads, and Bridges. And whereas it is necessary for the more perfect discharge of the duties imposed upon, and the execution of the powers vested in the said Mayor, Aldermen, and Commonalty, as aforesaid, that they should be enabled to call forth the labour of the inhabitants and residents of the several Towns and Parishes in the said Coun-

ty, as well as of the freemen, inhabitants, and residents of the said City: And whereas doubts have prevailed as to the powers and duties of the said Mayor, Aldermen, and Commonalty, in the making, laying out, clearing, and amending the Highways and Bridges, in and throughout the said County of Saint John.

I. Be it therefore declared and enacted by the President, Council and Assembly, That it was, and is the duty of the said Mayor, Aldermen, and Commonalty, not only to establish, appoint, order, and direct the making and laying out of all other Streets, Highways, and Bridges, not made and laid out at the time of granting the said Charter, but also to alter, amend, and repair all such Streets, Highways, and Bridges before that time, made, laid out, or used, or since that time made, laid out, or used, or hereafter to be made, laid out, or used; not only in and throughout the said City, and the vicinity thereof, but also beyond the limits of the said City, or either side thereof, throughout the said County of Saint John.

II. And be it further enacted, That the inhabitants and residents of the said City and County, shall be, and they are hereby made liable, to do and perform an equal number of days labour, in the clearing, maintaining, and repairing, of the Roads, Highways, Streets and Bridges, in and throughout the said City and County, as other inhabitants and residents in the Province, by Law are liable to in their respective Parishes, and be subject to the same fines and penalties, and to the payment of like sums of money, for neglect of duty, to be recovered if within the said City, in the City Court thereof, otherwise before any one of His Majesty's Justices of the Peace, of the said City and County, at the suit of the Surveyors of the respective districts by action of debt, with costs of suit as is established by Law, for the recovery of final debts.

III. And be it further enacted, That all the Roads, Streets, and Highways heretofore laid out, and which are now used as such, and also all public bridges heretofore built, and now used as such, shall be, and the same are hereby deemed and established to be the public Roads, Highways, Streets, and Bridges of the said City and County; and shall continue so to be, until the same shall be altered by the Mayor, Aldermen, and Commonalty of the said City.

IV. And be it further enacted, That the said Mayor, Aldermen, and Commonalty of the said City, in Common Council convened, are hereby authorised and required on the third Tuesday in March (or within the next four successive days) in each and every year to appoint by Warrants under the Common Seal of said City, a competent number of fit persons, to be Surveyors of the Highways for the said City and County; assigning to each of the said Surveyors in such warrant, the limits of the district within and over which he shall exercise the duties and powers incident to his office, both with respect to the times and places where the work is to be performed, and the persons to be summoned to perform such work: and in case of the refusal of any such person to accept of such office, or in case of any vacancy by death, or removal, or other incapacity of any Surveyor, to perform the duties of his office, the said Mayor, Aldermen, and Commonalty, are authorised and required in like manner to appoint another in his place.

V. And be it further enacted, That it shall be the duty of the Common Clerk of the said City, immediately after the making of any appointment as aforesaid, to deliver or transmit, to the said several Surveyors so appointed, their warrants of appointment: and that each and every person so appointed, shall within fourteen days after receiving the same warrant, be duly sworn to the faithful performance of the duties of his Office, before the Mayor, Recorder, or either of the Aldermen of the said City, or either of His Majesty's Justices of the Peace, for the said City and County, which oath they are hereby severally authorised and required to administer; and to indorse a Certificate thereof, upon each of the said warrants of appointment.

VI. And be it further enacted, That each and every person so to be appointed, who shall neglect or refuse to accept of the office of Surveyor as aforesaid, and to take the oath herein before required, within the time limited as aforesaid; or shall neglect or refuse to do and perform any of the duties herein required of him, shall for each and every offence, forfeit and pay the sum of three pounds, to be recovered before any one of His Majesty's Justices of the Peace, as aforesaid, upon the oath of one or more credible witness or witnesses, and levied with costs of prosecution by warrant of distress and sale of the Goods and Chattels of the person so offending, and when recovered, to be paid into the hands of the Chamberlain of the said City, to be laid out on the Highways, Streets, and Bridges, within the said City and County.

VII. And be it further enacted, That it shall be the duty of the several Surveyors of Highways, within the said City and County, on or before the first day of May, in each and every year to make out and transmit to the Chamberlain of the said City, lists of all persons within their respective districts, who are by Law liable to work upon the Highways, Streets, and Bridges, specifying the number of days each person is bound to work, and to add thereto from