

BY AUTHORITY.

CAP. I.

An ACT to authorise the Sheriff or other Executive Officer serving process at the Parish of Saint Martin's, to convey any Prisoner there arrested to the Gaol in the City of Saint John by way of the public Road leading through a part of King's County. Passed the 14th March, 1810.

WHEREAS the only communication by land between the City of St. John, where the Gaol of the City and County of St. John is, and the Parish of St. Martin's in the same County, is by the public Road from the said City to the said Parish, which passes through a part of King's County, by means whereof a prisoner arrested at the said Parish, can legally be conveyed to the said Gaol in any other way than by water, which may be at times more dangerous and inconvenient, as well as more expensive than by the said public Road; for remedy whereof.

Be it enacted by the President, Council and Assembly, That any person or persons who may be legally arrested at the said Parish of St. Martin's upon any process, civil or criminal, may be conveyed from thence to the City of St. John, to be committed to the said Gaol there, or for other legal purposes by the way of the said public Road, which passes as aforesaid, through a part of King's County, from the said Parish to the said City, as such prisoner or prisoners might have been conveyed in case the said public Road passed through the County of St. John only. Provided, that in the conveying of any such prisoner or prisoners no other deviation shall take place than resorting to such house or houses upon or near to the said Road as may be requisite for rest or refreshment.

CAP. II.

An ACT for making further provisions to prevent the destroying and murdering of Bastard Children, and for the further prevention of the malicious using of means to procure the miscarriage of Women. Passed the 14th March, 1810.

WHEREAS it is expedient to make further provisions by Law for the prevention and punishment of the offences of destroying and murdering Bastard Children, and of the malicious using of means to procure the miscarriage of Women.

I. Be it enacted by the President, Council and Assembly, That the Trials of Women charged with the murder of any issue of their Bodies, male or female, which, being born alive, would by law be bastard, shall proceed and be governed by such and the like rules of evidence and of presumption as are by Law used, and allowed to take place in respect to other Trials for Murder, any Law, usage or custom to the contrary thereof in any wise notwithstanding.

II. Provided always, and be it enacted, That it shall and may be lawful for the Jury by whose verdict any prisoner charged with such murder as aforesaid, shall be acquitted, to find, in case it shall so appear in evidence, that the prisoner was delivered of issue of her Body, male or female, which, if born alive, would have been Bastard, and that she did, by secret burying or otherwise, endeavor to conceal the birth thereof; and thereupon it shall be lawful for the Court, before which such prisoner shall have been tried, to adjudge that such prisoner shall be committed to the common Gaol or House of Correction for any time not exceeding two years.

III. And be it further enacted, That if any person or persons shall wilfully, maliciously, and unlawfully administer to, or cause to be administered to, or taken by any Woman, then being quick with Child; any deadly poison, or other noxious and destructive substance or thing, with intent such Woman thereby to murder, or thereby to cause and procure the miscarriage of such Woman then being quick with Child, that then in every such case the person or persons so offending, his, her or their counsellors, aiders and abettors, knowing of and privy to such offence, shall be, and are hereby declared to be Felons and shall suffer death as in cases of Felony, without benefit of Clergy.

IV. And whereas, it may sometimes happen that poison or some other noxious and destructive substance or thing may be given, or other means used with intent to procure miscarriage or abortion where the Woman may not be quick with Child at the time, or it may not be proved that she was quick with Child—Be it therefore further enacted, that if any person or persons shall wilfully and maliciously administer to, or cause to be administered to, or taken by any Woman any Medicine, Drug, or other substance or thing whatsoever, or shall use or employ or cause or procure to be used or employed any instrument or other means whatsoever with intent thereby to cause or procure the miscarriage of any Woman not being, or not being proved to be quick with Child at the time of administering such things or using such means, that then, and in every such case, the person or persons so offending, his, her or their counsellors, aiders and abettors, knowing of and privy to such offence, shall be and are hereby declared to be guilty of Felony, and shall be liable to be fined, imprisoned, set in and upon the Pillory, publicly or privately whipped, or to suffer one or more of the said punishments at the discretion of the Court before which such offender or offenders shall be tried and convicted.

CAP. III.

An ACT to revive, continue and amend "An Act for the better securing the Navigation of Passamaquoddy Bay within Deer Island." Passed the 14th March, 1810.

WHEREAS an Act made and passed in the Forty-fifth Year of His Majesty's Reign, intituled "An Act for the better securing the Navigation of Passamaquoddy Bay within Deer Island," has been found insufficient for the purposes intended by the said Act.—And whereas it is necessary for the greater security and convenience of said Navigation that a Beacon be erected on the Reef of Rocks on the Western side of St. Andrews Harbour, that the depth of water on the Bar on the Western side of said Harbour should be increased, and a Slip

built in said Harbour, and that further provisions should be made for defraying the expence of such improvements and likewise for replacing and repairing the same as well as the Buoys and Beacons already erected as they may be injured or carried away by ice, gales of wind or other accidents.

I. Be it therefore enacted by the President, Council and Assembly, That it shall and may be lawful for such Commissioners, or the major part of them, as His Honor the President shall appoint, to erect a Beacon on the Reef of Rocks on the Western side of St. Andrews Harbour, to widen and deepen the channel of the Bar on the Western side of said Harbour in such manner as to increase the depth of the channel on said Bar at high water, that vessels of a large draught of water may more easily and safely come into, or sail from that Harbour; and likewise to build a Slip in said Harbour.

II. And be it further enacted, That from and after the time it shall be certified under the hands of the Justices of the Common Pleas, or the major part of them, to the Deputy Treasurer of the said County, that the said Beacon is erected and the channel on said Bar widened and deepened; there be and hereby is granted to His Majesty, his heirs and successors, for defraying the expence of such improvements, and for replacing and keeping the same in repair, as well as the Buoys and Beacons already erected, so often as they may be carried away or injured; an additional tonnage duty of one halfpenny per ton on all inward bound vessels (coasting craft excepted) entering Passamaquoddy Bay within Deer Island, for every ton they respectively admeasure agreeable to register, for each time they arrive in Passamaquoddy Bay within Deer Island aforesaid.

III. And be it further enacted, That the said tonnage duty hereby granted, shall be collected, applied and accounted for in the same manner and under the same regulations and penalties as the tonnage duty granted in and by the herein before recited Act.

IV. And be it further enacted, That ten per cent shall be allowed for collecting the said tonnage duty instead of five per cent, the sum allowed in and by the fifth section of the herein before recited Act.

V. And be it further enacted, That the said herein before recited Act, and every part thereof, not hereby altered shall be revived and continue, and together with this Act be in full force for the term of ten Years and no longer.

CAP. IV.

An ACT to continue for a limited time an Act passed in the Thirty-ninth Year of His Majesty's Reign intituled "An Act for regulating the Fisheries in the County of Northumberland." Passed the 14th March, 1810.

BE it enacted by the President, Council and Assembly, That an Act made and passed in the Thirty-ninth year of His Majesty's Reign, intituled "An Act for regulating the Fisheries in the County of Northumberland," be continued; and the said Act and every clause, matter, and thing therein contained, is hereby continued and declared to be in full force for ten years, and from thence to the end of the then next Session of the General Assembly and no longer.

CAP. V.

An ACT for the better security of the Navigation of certain Harbours in the County of Northumberland. Passed the 14th March, 1810.

WHEREAS for the greater safety and convenience of the Navigation of the Bay and Harbours of Miramichi, Buftouche, Richibucto and Cocagne, it is necessary that Beacons or Buoys be erected in said Bays and Harbours and that provision be made for defraying such expences as may be incurred in erecting, repairing and replacing such Beacons or Buoys.

I. Be it therefore enacted by the President, Council and Assembly, That it shall and may be lawful for such Commissioners as His Honor the President or Commander in Chief for the time being shall appoint, or the major part of them, to cause to be erected in said Bays and Harbours such a number of Beacons and Buoys, as they or the major part of them, shall think necessary for the safety and convenience of the navigation of the same.

II. And be it further enacted, That so soon as the said Beacons or Buoys shall be erected, and the same certified to the satisfaction of the Commissioners, or the major part of them, to be appointed in manner herein before mentioned, there be and hereby is granted unto His Majesty, his heirs and successors for defraying such expences as may be incurred in erecting, repairing or replacing such Beacons or Buoys, that is to say, on all vessels entering the Bay and Harbours of Miramichi, Buftouche, Richibucto and Cocagne the tonnage duties herein after mentioned, to wit, on all vessels (coasting craft excepted) one halfpenny for each and every ton such vessels admeasure per Register, for each and every time such vessel or vessels arrive in any of the said Harbours.

III. And be it further enacted, That the tonnage duties herein imposed shall be collected by the Deputy Province Treasurer for the County of Northumberland or such person or persons as he may appoint for that purpose, and that the said Commissioners shall have full power and authority to call upon the said Deputy Province Treasurer and the Persons to be appointed by him as aforesaid, for such sum and sums of money as they shall from time to time respectively have collected; an account of which sums so to be collected by the Persons to be appointed by the said Deputy Province Treasurer as aforesaid, shall be by them respectively, when called upon as aforesaid, rendered upon oath to the said Commissioners, deducting from the amount collected ten per cent which it shall be lawful for such Deputy Province Treasurer to retain for his trouble in collecting the same.

IV. And be it further enacted, That every master of such ship or vessel who shall refuse or neglect to call upon the Deputy Province Treasurer, or such person as he may appoint for said County or place, and pay to him such tonnage duties as are herein before imposed within five days after his arrival, shall forfeit and pay for such neglect the sum of three pounds, to be sued for by the said Deputy Province

Treasurer or other person authorized to receive the same, and recovered before any one of His Majesty's Justices of the Peace, and applied for the purpose of erecting, repairing and replacing such Beacons and Buoys.

V. And be it further enacted, That the Commissioners to be appointed in pursuance of this Act, shall at the first Court of General Sessions of the Peace, held in the County of Northumberland, in each and every year render an account yearly of the monies from time to time received and expended in pursuance of this Act, the balance if any to be applied by the said Commissioners, or the major part of them, for the purpose of further improving the navigation of said Bays and Harbours.

VI. And be it further enacted, That if any person or persons shall take away, destroy, deface, or remove any of the said Beacons or Buoys, such offender or offenders shall on due conviction thereof by the Oath of one or more credible witnesses before any one of His Majesty's Justices of the Peace, forfeit and pay the sum of five pounds to be recovered and applied as aforesaid, and on failure of the payment thereof, or want of goods and chattels whereon to levy; such offender or offenders shall be committed by such Justice to the County Gaol for a space of time not exceeding one month.

VII. And be it further enacted, That this Act shall be, and continue in force for the term of five years and no longer.

LONDON.

IMPERIAL PARLIAMENT.

HOUSE OF LORDS, TUESDAY, JANUARY 23.

This being the day appointed for the meeting of Parliament, the Session was opened by Commission.

The Commissioners were the Lord Chancellor, Archbishop of Canterbury, and Lords Camden, Aylesford and Dartmouth.

The Speaker of the House of Commons and several of the members attended at the Bar, and heard his Majesty's Speech, which was read by the Lord Chancellor, as follows:

"My Lords and Gentlemen,

His Majesty commands us to express to you his deep regret, that the exertions of the Emperor of Austria against the ambition and violence of France, have proved unavailing, and that his Imperial Majesty has been compelled to abandon the contest, and to conclude a disadvantageous peace. Although the war was undertaken by that Monarch without encouragement on the part of his Majesty, every effort was made for the assistance of Austria, which his Majesty deemed consistent with the due support of his allies, and with the welfare and interest of his own dominions.

An attack upon the naval armaments and establishments in the Scheldt, afforded at once the prospect of destroying a growing force, which was daily becoming more formidable to the security of this country, and of diverting the exertions of France from the important objects of reinforcing her armies on the Danube, and of controuling the spirit of resistance in the north of Germany. These considerations determined his Majesty to employ his forces in an expedition to the Scheldt.

Although the principal ends of this expedition have not been attained, his Majesty confidently hopes that advantages, materially affecting the security of his Majesty's dominions in the future prosecution of the war, will be found to result from the demolition of the docks and arsenals of Flushing. This important object his Majesty was enabled to accomplish, in consequence of the reduction of the Island of Walcheren, by the valor of his fleets and armies.

His Majesty has given directions that such documents and papers should be laid before you, as he trusts will afford satisfactory information upon the subject of this expedition.

We have in command, to state to you, that his Majesty had uniformly notified to Sweden his Majesty's decided wish, that in determining upon the question of peace or war with France, and other Continental Powers, she should be guided by considerations resulting from her own situation and interests; while his Majesty, therefore, laments that Sweden should have found it necessary to purchase peace by considerable sacrifices, his Majesty cannot complain that she concluded it without his Majesty's participation. It is his Majesty's earnest wish that no event may occur to occasion the interruption of those relations of amity which it is the desire of his Majesty and the interest of both countries to preserve.

We have it further in command, to communicate to you, that the efforts of his Majesty for the protection of Portugal have been powerfully aided by the confidence which the Prince Regent has reposed in his Majesty, and by the co-operation of the local government, and of the People of that country. The expulsion of the French from Portugal by his Majesty's forces, under Lieutenant-General Lord Wellington, and the glorious victory obtained by him at Talavera, contributed to check the progress of the French arms in the peninsula during the late campaign.

His Majesty directs us to state, that the Spanish Government, in the name and by the authority of King Ferdinand VII. has determined to assemble the general and extraordinary Cortes of the nation: his Majesty trusts that this measure will give fresh animation and vigour to the councils and arms of Spain, and successfully direct the energies and spirit of the Spanish people to the maintenance of their legitimate monarchy, and to the ultimate deliverance of their country.

The most important considerations of policy and of good faith require that as long as this great cause can be maintained with a prospect of success, it should be supported, according to the nature and circumstances of the contest, by the strenuous and continued assistance of the power and resources of his Majesty's dominions; and his Majesty relies on the aid of his Parliament in his anxious endeavours to frustrate the attempts of France against the independence of Spain and Portugal, and against the happiness and freedom of those loyal and resolute nations.

His Majesty commands us, to acquaint you, that the intercourse between his Majesty's Minister in America and the Government of the United States, has been suddenly and unexpectedly interrupted. His Majesty sincerely regrets this event; he has, however, received the strongest assurances from the American Minister resident at his Court,