



AND NEW-BRUNSWICK ADVERTISER.

Vol. 3.

SAINT JOHN, MONDAY, APRIL 16, 1810.

No. 120.

Printed and Published by JACOB S. MOTT, Printer to the KING'S MOST EXCELLENT MAJESTY, at the Sign of the Bible and Crown, Prince William-Street; where Subscriptions, Advertisements, &c. will be thankfully received.

JUST RECEIVED

By the Schooner *Lily*, Capt. *Leavitt*, from *Halifax*,
And for Sale by the Subscriber low for ready Money,
Colmenar WINE by the Pipe, Quarter Cask or gallon,
Port ditto by the Pipe or Quarter Cask,
Muscovado SUGAR in Hhds. and Barrels.
THOMAS MILLIDGE, Junr.
Saint John, 2d April, 1810.

JUST RECEIVED,

And for Sale at this Office,
A REPORT OF THE TRIAL OF
Edward Jordan and Margaret Jordan,
For Piracy, Robbery and Murder—together with
EDWARD JORDAN'S DYING CONFESSION,
To which is added,
The Trial of John Kelly,
For Piracy, compiled from Authentic Documents and
Notes of the Trials.
St. JOHN, 2d April, 1810.

ST. ANDREW'S PACKET.

WANTED as a PACKET between this
Port and Saint Andrews, a VESSEL
from 45 to 60 Tons Burthen, well found, and
having good accommodations for Passengers—
To commence the first of May next and continue
two years. Any Person wishing to furnish
a Vessel for the above purpose, will please apply to
JOHN DUNN, Esq. at St. Andrews, or HUGH JOHN-
STON, or JOHN WARD, Esquires, St. John.
Saint John, 26th March, 1810.

MR. POWELL

INTENDING to close his SCHOOL at SAINT JOHN
early in MAY, and having had some invitation to come
to FREDERICTON, he would pay it a visit before his re-
turn to Halifax, on condition he could be assured of a suf-
ficient number of Scholars to render it worth his while.
N. B. A List of those who might attend the School
left at Mr. JOHN KING'S, would determine him whether
it would answer his purpose. APRIL 2, 1810.

To be Sold at Public Auction,

By Virtue of a Licence of His Honor the PRESIDENT
and His MAJESTY'S COUNCIL, at the Court-House
in DORCHESTER, County Westmorland, on TUES-
DAY the 12th day of JUNE next:—

THE Real Estate of the late STEPHEN MILLIDGE,
Esquire, consisting of the following Tracts of Lands,
&c. viz.—Two acres in the Town Plat in Sackville with
the buildings thereon—The dwelling House is well finished,
has four Rooms and a Kitchen on the lower floor, with
convenient bed Rooms above and a Cellar, frost proof, un-
der the whole; there are also a good Garden and a small
Orchard, in which are a number of Apple and other Fruit
Trees—Also, twenty acres of excellent Pasture Land ad-
joining—Those premises are pleasantly situated and well
calculated for a person in Trade.

Also, Nineteen and a half acres of Land situate on the
Memramcook Island, and near the confluence of the Mem-
ramcook and Peticodiac Rivers.—Also, about Ninety acres
of Diked Marsh adjoining said Island; these premises are
situated on a valuable and flourishing settlement distant about
a mile from the Court-House, and will make a good stand
for a Trader.—Also, Five wildernes Lots, containing two
hundred acres each, fronting on the Shipody Bay, and are
situated not more than three miles from the Court-House.
Also, a Four-acre Lot of Marsh Land on the great Marsh
in Sackville.

THOMAS MILLIDGE, Junr. Administrator.
Saint John, 5th April, 1810.

TO BE SOLD,

Pursuant to a Licence from His Honor the PRESIDENT
and COUNCIL, at Public Auction, on THURSDAY the
7th day of JUNE next, at One o'Clock in the Afternoon,
at the House of Mrs. COCK, Innkeeper in St. Andrews:
THE Real Estate of the late WILLIAM GALLOP,
Esquire, of the Parish of St. David, in the County
of Charlotte, deceased. The Estate consists of Two Lots
of Land, containing One Hundred acres each Lot; and
one Lot containing one third of Five Hundred acres, origi-
nally granted to Colin Campbell, William Gallop, and
Thomas Wyer, with one third of a House and Earn on said
Lot; the above Lands being situated at the head of Oak
Bay, in the Parish and County aforesaid. Also a certain
Town and Water Lot in the Town of St. Andrews; to-
gether with about Two Hundred acres of Land in the Parish
of St. Patrick and County aforesaid.

THOMAS WYER, Administrator.
Saint Andrews, 27th March, 1810.

BY AUTHORITY.

CAP. VI.

An ACT for regulating, laying out and repairing High-
ways and Roads, and for appointing Commissioners and
Surveyors of Highways, within the several Towns and
Parishes in this Province. Passed the 14th March, 1810.

I. Be it enacted by the President, Council and Assembly,
That the Commissioners and Surveyors already appointed
by virtue of any Act now in force for laying out Highways,
Roads, and Streets, shall continue in their respective offices,
until others shall be appointed and sworn as is hereafter di-
rected, and that the Justices, at their General Sessions to be
held for the several Counties next after the first day of Ja-
nuary annually, shall appoint three fit persons to be Com-
missioners to lay out and regulate Highways, Roads and
Streets in the Town or Parish for which they shall be so
appointed, and the said Justices at the same time shall appoint a
competent number of fit persons to be Surveyors of the said
Highways, Roads, and Streets in each Town or Parish, who
are to oversee and repair in the manner herein after direct-
ed, the several Highways, Public Roads, and Streets, within
the respective Towns or Parishes for which they shall be
appointed, which said Commissioners and Surveyors shall be
sworn to the faithful discharge of their respective offices, for
the year ensuing, before the said Sessions or before any one
of the Justices of the Peace within or nearest to the said
Town or Parish for which such Commissioners or Surveyors
shall be so appointed; and any person being so nomina-
ted and appointed, who shall refuse to accept of such office,
to which he shall be so nominated and appointed, or shall
neglect to be sworn as aforesaid, within fourteen days next
after being duly notified of such nomination, or having ac-
cepted, shall neglect his duty, shall forfeit for every refusal
or neglect five pounds to be recovered with costs of suit,
before any two of His MAJESTY'S Justices of the Peace,
and the forfeiture shall be applied for the repairing of the
Highways. Provided always, and be it further enacted,
That in case of the death or removal or other incapacity of
any person so appointed and sworn, or of the neglect or re-
fusal of any person so appointed, to accept of the said office,
it shall be lawful for the three Justices in or nearest to the
Parish for which such person was appointed, or for the Jus-
tices at the general or any special Sessions of the Peace, to
appoint another in his stead, and that such person so appoint-
ed shall be liable to the same penalty for refusing to qualify
within fourteen days after being notified of the same ap-
pointment, or for neglect or refusal to do the duty, after be-
ing qualified as is herein before provided for the persons to
be first appointed, and so toties quoties.

II. And be it further enacted, That the Commissioners,
or the major part of them, in the respective Towns or Pa-
rishes for which they shall be appointed Commissioners, are
hereby empowered and authorized to lay out such public
Highways and Roads, as they or the major part of them
shall think most convenient, as well for travellers, as for the
inhabitants of each Town or Parish and the next adjacent
Towns, Villages and Neighborhoods, and also to regulate
the Highways, Roads, and Streets, already laid out, and if
any of them shall appear inconvenient, and an alteration
absolutely necessary, and the same be certified upon oath,
by twelve disinterested Freeholders of the County in which
such Highways, Roads, and Streets lie, to be summoned by
the High Sheriff, his Deputy, or any Constable in the
County, by virtue of a Warrant to be issued by two Jus-
tices of the Peace for that purpose, on the application of
twelve or more Freeholders residing within the Parish where
the said Highways, Roads, or Streets lie, then the said Com-
missioners shall alter the same, and the said Commissioners
or the major part of them shall instead thereof lay out such
other Highways or Roads as they judge most convenient to
answer the purpose aforesaid; which Highways and Roads
so laid out, shall be common Highways, and the charge
arising from summoning such Jury, shall be paid by the
persons applying to said Justices. Provided always, that
nothing in this clause shall extend to prevent the Commis-
sioners from altering any Highways or Roads, with the con-
sent of the inhabitants of such Parish, without the necessity
of summoning such Jury: The said inhabitants to be noti-
fied in writing by the Commissioners one month previous to
any alteration whatever, in three of the most public places
of such Parish aforesaid.

III. And be it further enacted, That if any person or
persons do or shall hereafter alter, stop up, or encroach on
any Street, Highway, or Public Road, by laying timber,
wood, carts, trucks, or any thing thereon, such person so of-
fending contrary to the meaning of this Act, shall for every
such offence forfeit the sum of forty shillings, to be recover-
ed with costs of suit before any one Justice of the Peace,
upon the Oath of one or more credible witnesses or witnesses,
and levied by warrant directed to the Constable of the Town
or Parish where such offence shall be committed, by dis-
training the Goods and Chattels of the offenders, and where
no such effects are to be found, the offender or offenders to
be imprisoned for six days, or in case such offender shall not

be known or found, the same shall be recovered by the sale
of so much of the Timber or Wood, and the Carts and
Trucks, or other things incumbering or stopping up such
Highways, Roads, or Streets, as aforesaid. And the said
Constable after public notice is given by him of the selling
such distress, shall make sale thereof, and out of the pro-
duce, shall pay the forfeiture and charges, and return the
overplus, if any there be, to the owner or owners thereof
when found, which said forfeitures shall be applied by the
Commissioners for and towards the repairing the Public
Roads, Highways, or Streets, within the district of the Town
or Parish, where the same may arise, and if the said nuisance
shall continue, the same shall be deemed a new offence, and
shall be prosecuted and liable to the penalty aforesaid.

IV. And be it further enacted, That the width of all
Highways or Roads hereafter to be laid out, shall be left to
the discretion of the Commissioners for the time being of
the Town or Parish where such Highways or Roads may
be laid out, so that they do not exceed in breadth six rods,
and are not less than two rods.

V. And be it further enacted, That the Highways,
Roads and Bridges within each County, shall be cleared,
maintained and repaired by the inhabitants thereof, and that
all male inhabitants of the age of sixteen years and upwards
(except as herein after mentioned) shall either in person or
by able sufficient men in their stead, in each and every year,
provided with such necessary implements as shall be direct-
ed by the respective Surveyors, work six days (allowing
eight hours to each days work) on the said Highways,
Roads, Streets and Bridges, within the Town or Parish
where they respectively dwell. Provided always, that
persons above sixteen and under twenty-one years of age,
apprentices, and hired servants, shall be obliged to work three
days and no more, common laborers and journeymen me-
chanics, four days and no more. Provided also, that upon
application to two of His MAJESTY'S Justices of the Peace
in the County, the said Justices shall and may, at their dis-
cretion, lessen the number of days labor to be performed by
any indigent person.

VI. And be it further enacted, That the Commissioners
in each Town or Parish for the time being, shall, by the first
day of May in each and every year, make out a list of the
inhabitants in such Town or Parish, with the number of days
work to be performed by each, and shall advertise the same
at the most public place in such Town or Parish, and shall
also furnish the Surveyors in their respective districts with a
list of such inhabitants and the number of days work to be
done by each, and shall within fifteen days direct the said
Surveyors at what places the work shall be done; which
work shall be done by such inhabitants under the direction
of such Surveyors. And it shall further be the duty of the
said Commissioners to add to their list the names of such
persons as may come into their respective Parishes to reside,
after the first day of May, unless they produce a certificate
of their having performed their respective proportions of la-
bor in some other Town or Parish.

VII. And be it further enacted, That if any person in
such list named, prefer paying money to doing such labor,
it shall and may be lawful for such Commissioners to take
and receive from such persons the sum of four shillings per
day for each days labor required to be done by them; and
the monies which may be paid in lieu of such labor, as well
as forfeitures which may be received by virtue of this Act,
shall be laid out under the direction of such Commissioners,
on such Highways, Streets, Roads and Bridges between
the first day of May and the first day of November in every
year, and accounted for by them to the Justices at their
first General Sessions in every year.

VIII. And be it further enacted, That the Surveyors
of Highways in their respective districts, shall be, and are
hereby empowered in the fittest and most reasonable time
between the first day of May and the first day of Novem-
ber yearly, to summon the persons contained in their re-
spective lists, giving them at least six days notice of the time
and place where they are to be employed, and shall there
oversee and order the persons so summoned, to labor in mak-
ing, mending or repairing the Highways, Roads, Streets,
and Bridges in the most useful manner, during the number
of days appointed for each person to labor, and when any
Surveyor of Highways shall judge the use of waggons,
carts, trucks, ploughs or harrows more necessary than the
labor of men, in that case he may call on any person within
his district, keeping any waggon, cart, truck, plough or har-
row with two oxen or two horses, which waggon, cart, truck,
plough or harrow with two oxen or two horses with a com-
petent driver shall be equal to two days labor; and such
Surveyors of Highways shall be excused from any other ser-
vice on the Highways than the summoning, ordering and
directing thereof.

IX. And be it further enacted, That if any person or
persons when so summoned to labor as aforesaid, by the
Surveyors of their respective districts, shall neglect or refuse
to appear and labor agreeably to such summons, it shall be
the duty of such Surveyor, forthwith to make report of
such delinquency to some one of the Commissioners, who