

THE GLEANER.

AND NORTHUMBERLAND, KENT, GLOUCESTER, AND RESTIGOUCHE
COMMERCIAL AND AGRICULTURAL JOURNAL.

New Series, Vol. I:

Nec arancurum sane textus ideo melior, quia ex se fila gignunt, nec noster vilior quia ex alienis libamus ut apes.

No. 25.

Niramichi, Monday Evening, March 13, 1843.

Provincial Legislature:

New-Brunswick.

A BILL

To restrain the operation of the Fifth Section of an Act, intituled 'an Act for the support of the Civil Government of this Province,' and also to regulate the manner of levying the Duty upon Timber, Masts, Spars, and other description of Lumber.

Whereas in consequence of the alteration of protective duties upon Colonial Timber, and other circumstances affecting its value, it is thought reasonable and just to reduce the rates of tonnage duty on Timber and Lumber cut upon Crown Lands, and to adopt a less difficult and expensive mode for its collection; And whereas also it is considered necessary for the purpose of sustaining the Public Revenues that a small export duty should be imposed upon all Timber and Lumber exported from this Province;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the day appointed for this Act to come into operation, there be imposed, and there is hereby imposed upon all Timber, Masts, Spars, sawn Lumber and Scantling exported from this Province, whether cut upon Crown Lands or otherwise, the following rates of duty, that is to say—

For every forty cubic feet of Pine, Spruce, Juniper, or Hardwood Timber, Masts or Spars, the sum of—

For every thousand superficial feet of sawn Lumber or Scantling, the sum of—

Provided always, and be it further enacted, That the duty imposed by this Section shall not be payable upon the exportation of any Timber, Masts, Spars, sawn Lumber and Scantling which shall have been cut upon Crown Lands under a Licence from the Lieutenant Governor or Commander in Chief for the time being, before this Act shall come into operation; nor upon any Timber, Masts, Spars, sawn Lumber or Scantling cut upon granted Lands within this Province, and actually carried to the Port of Shipment before this Act shall come into operation, and the duties hereby imposed shall be remitted as hereinafter is provided.

II. And be it further enacted, That it shall and may be lawful for his Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of the Executive Council, to grant Licences under such rules, regulations, conditions and restrictions not inconsistent with the provisions of this Act, as the said Governor and Council may from time to time consider advisable and necessary, for cutting Timber, Logs, Masts, Spars and Scantling upon Crown Lands, and to renew the same to the former licensee then occupying the ground, upon application before the previous Licence shall have expired, provided the said Licence had been actually worked during the previous year; provided that if two or more persons shall make application on the same day, for licence upon the same ground then being vacant, such licence, after due notice being first given, shall be sold by public sale to the highest bidder among the said applicants.

III. And be it further enacted, That each and every person to whom licence shall be granted under the provisions of this Act, shall at such time as may be determined by the Lieutenant Governor, by and with the advice and consent of the Executive Council, pay to the Receiver General of her Majesty's Casual Revenue, a fee upon every licence so granted, of such amount as may be determined by the Lieutenant Governor, by and with the advice and consent aforesaid, but in no case to exceed the sum of — for each and every square mile granted in and by such licence, and the person obtaining such licence shall likewise pay all necessary expenses for surveying and marking out the ground so licensed to him.

IV. And be it further enacted, That

it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time, by and with the advice and consent of the Executive Council, to make and establish such rules and regulations as may be found necessary from time to time to prevent trespasses upon Crown Lands, collision between parties, and other difficulties.

V. And be it further enacted, That at the time appointed for this Act to come into operation, it shall be the duty of all persons owning any Timber, Masts, Spars, sawn Lumber or Scantling fit for exportation, and who may claim the same to be exported free of duty, to cause a particular account of the same to be taken and certified under the hand of the Seizing Officer of the District in which such Timber, Masts, Spars, sawn Lumber or Scantling may be, which account shall be filed in the office of the Surveyor General of the Province, and a duplicate thereof shall be filed in the office of the Treasurer or Deputy Treasurer at the port or district where such Timber, Masts, Spars, sawn Lumber or Scantling may be shipped, and upon the exportation of such Timber, Masts, Spars, sawn Lumber or Scantling by the person who may have had such Timber, Masts, Spars, sawn Lumber or Scantling on hand, although the Timber, Masts, Spars, sawn Lumber or Scantling so exported may not be the identical Timber, Masts, Spars, sawn Lumber or Scantling mentioned in accounts aforesaid, all duties imposed by this Act upon Timber, Masts, Spars, sawn Lumber or Scantling to the extent of the quantity so taken an account of, shall, on Shipment of the quantity so taken an account of, be remitted by the said Treasurer or Deputy Treasurer, and an indorsement thereof made by him upon such duplicate account, to be taken and filed in the office of the said Treasurer or Deputy Treasurer, which account shall be transmitted with the other accounts of exportation of Timber, Masts, Spars, sawn Lumber and Scantling to the Secretary of the Province.

VI. And be it further enacted, That it shall in all cases be the duty of the Shippers or of the Exporters from this Province of Timber, Masts, Spars, sawn Lumber or Scantling, and they are hereby respectively required to render to the Treasurer or Deputy Treasurer of the Port or place of Shipment within this Province, a just and true statement on oath, (before such Treasurer or Deputy Treasurer, who is hereby authorized and required to administer such oath) of all the Timber, Masts, Spars, sawn Lumber or Scantling that shall be shipped on board of any Ship or Vessel for exportation, and at the same time to pay the duty thereon, which is imposed by the first section of this Act, (except such as is entitled to a remission of duty) into the hands of such Treasurer or Deputy Treasurer.

VII. And be it further enacted, That any person or persons who shall make a false report or manifest of the quantity of Timber, Masts, Spars, sawn Lumber or Scantling entered for exportation, shall upon conviction thereof forfeit and pay a sum not exceeding — pounds, to be recovered and levied in the name of Her Majesty and for Her Majesty's use.

VIII. And be it further enacted, That the said Treasurer and Deputy Treasurer shall keep a distinct and particular account of all the duties received under and by virtue of this Act, and the same shall be considered to belong to Her Majesty's Casual and Territorial Revenue, and shall be appropriated in the same manner as any other Her Majesty's Casual and Territorial Revenues, by the Lieutenant Governor, by and with the advice and consent of the Executive Council, agreeably to the provisions of the fourth Section of the Act for the support of the Civil Government of this Province.

IX. And be it further enacted, That it shall not be lawful for the Collector or other Custom House Officer, of any Port within this Province, to grant, and he is hereby expressly prohibited from granting to any Vessel laden with Timber, Masts, Spars, sawn Lumber

and Scantling for exportation, a clearance or authority in any way to sail from any Port in this Province, until a certificate shall be first produced to such Collector or Custom House Officer as aforesaid, under the hand and seal of the Treasurer or Deputy Treasurer at the Port of Shipment, that all the duty imposed by the first Section of this Act upon the Timber, Masts, Spars, sawn Lumber or Scantling laden on board of such Vessel has been duly paid into his hands agreeably to the provisions of this Act, or that no duty is chargeable thereon, which certificate shall be filed by the Collector or Custom House Officer clearing such Vessel, to be by him transmitted to the Secretary of the Province, to be annually laid before the Legislature.

X. And be it further enacted, That for and during the continuance of this Act so much of the fifth Section of an Act, intituled 'An Act for the support of the Civil Government of this Province,' as relates to the sale of Timber and other Lumber and Wood by Auction, be, and the same hereby repealed.

XI. And be it further enacted, That this Act shall not come into operation until the — day of — now next and shall continue in force until the — day of — which will be in the year of our Lord one thousand eight hundred and —

A BILL

To facilitate the negotiation of a Loan of Money in England to pay off the Public Debt.

WE, Her Majesty's Dutiful and Loyal Subjects, the Assembly of New Brunswick, in General Assembly convened, having taken into consideration the present state of the Finances of this Province, and seeing the necessity of sustaining the Public Credit by raising a Loan and applying the Monies obtained thereby in payment of the existing demands on the Province Treasury; for raising and securing the necessary funds for the semi-annual payment of the interest of such Loan, and the gradual redemption of the principal thereof, have freely resolved to give and grant to the Queen's Most Excellent Majesty, Her Heirs and Successors, the Rates and Duties hereinafter mentioned, and do therefore pray Your Excellency that it may be enacted;

And be it therefore enacted by the Lieutenant Governor, by and with the advice and consent of the Legislative Council and Assembly, and by the authority of the same, that from and after the passing of this act, there be and are hereby granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province, for the semi-annual payment of the interest of such Loan, and for the ultimate redemption of the principal thereof, for and upon all articles the manufacture of the United Kingdom, imported or brought into this Province, whether by sea or inland carriage or navigation, or which may be saved from any wrecked or stranded ship or vessel, or not otherwise charged with duty, nor hereinafter declared to be free of duty, also all manufactures of Silk or Cotton of the British East India Possessions, Pepper and all other description of Spices; for every hundred pounds of the true and real value thereof,

excepted Agricultural Implements

And be it enacted, That the Duties hereinafter imposed shall be paid by the Importer or Importers of such articles respectively, and shall be held and taken to be in addition to and over and above any duties which are and may be imposed and collected by any act or acts of the Imperial Parliament, and shall be collected and secured by means and under the regulations and penalties, and shall be drawn back on exportation, or warehoused, in the way and manner provided by an act or acts of the General Assembly for collecting the Revenue of this Province.

And be it enacted, That all Goods which shall have been warehoused in this Province before this act comes into

operation, and which shall remain so warehoused after the operation thereof commences, and upon which the Provincial Duties heretofore imposed have not been paid or secured by a subsisting or continuing security, shall in lieu of all former dues become liable to and be charged with Provincial Duties hereby imposed on the like goods and merchandize, and shall be paid at the time of taking such goods and merchandize out of the warehouse.

And be it enacted, That immediately after the passing of this act, it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, to nominate and appoint three persons whom he may think most fit, (of whom the Treasurer of the Province shall be one) Commissioners for arranging and negotiating in England the mode and terms in and upon which such Loan may be most advantageously raised and created, and to advance and pay to such Commissioners such sum or sums as shall be reasonable to defray the expenses attending their employment, and that such Commissioners, subject to instructions to be from time to time given by the Lieutenant Governor or Commander in Chief for the time being, shall have full power and authority to negotiate the said Loan for the sum of sterling money, on behalf of this Province: Provided always, that the monies so to be obtained by way of Loan under and by virtue of this act shall not exceed in the whole, including all charges attending the negotiating and obtaining of the same, the sum of sterling money of Great Britain.

And be it enacted, That it shall be lawful for the Lieutenant Governor or Commander in Chief for the time being, to cause and direct Debentures to be made in sums of one thousand pounds sterling each, not exceeding the amount herein authorized to be raised, for any person or persons, body or bodies corporate or politic, who shall agree to advance a sum or sums of money upon such Debentures, which said Debentures shall be according to the form prescribed in the Schedule to this act annexed, and shall be signed by the Lieutenant Governor or Commander in Chief for the time being, and countersigned by the said Commissioners or any two of them.

And be it enacted, That the interest upon the said Debentures shall become due and payable semi-annually on the first days of June and December in each and every year, at a rate not exceeding per centum per annum.

And be it enacted, That all such Debentures, with the interest thereon, and charges incident thereto, shall be and they are hereby declared to be charged and chargeable upon, and shall be borne and paid respectively as they shall become due, out of the Revenue so to be raised from the Duties made payable as in this act heretofore provided, and from all other Duties paid into the Treasury of this Province under and by virtue of acts of the Imperial Parliament.

And be it enacted, That the Lieutenant Governor or Commander in Chief for the time being, shall out of the monies to be raised by such Loan, direct and order the payment in full of all and every the Public Warrants and interest due thereon, issued and payable at the Treasury before and at the time of the passing of this act, according to the numerical priority of such Warrants.

And be it enacted, That the residue of the said sum so to be raised, if any there be, after payment of such Warrants and interest as heretofore provided, shall be paid into and remain in the Treasury of this province, subject to such disposal and appropriation as the Legislature may from time to time direct and appoint.

And be it enacted, That the Treasurer of this Province or the Treasurer for the time being, shall each and every year during the continuance of this act, collect and retain in a separate and distinct fund, all monies collected and paid into the Treasury by virtue of any act or acts of the Imperial Parliament, and