



CAP. IV.

An Act to authorise the enlargement of the Sittings of the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in this Province.
Passed 17th March 1835.

WHEREAS the sittings of the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the several Counties in this Province at which Juries are summoned to attend, are sometimes found insufficient for the transaction of the business depending in the said Courts;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for the said Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the several Counties in this Province, at the terms at which Juries are summoned to attend, if the Justices of the said Courts respectively shall deem the same expedient, to adjourn the sittings of the said Courts or either of them to the week next succeeding the said Terms respectively; and all causes and matters heard and determined, and all business transacted, on any day during the week next succeeding the said Terms respectively, pursuant to such adjournment, shall have the same and the like force and effect to all intents and purposes as if heard and determined and transacted at any time during the said Terms respectively; and all parties concerned shall take due notice of such adjournment from time to time and govern themselves accordingly: Provided always, That no trials of any issues by Jury shall be had at any such adjourned sittings.

II. Provided also, and be it further enacted, That the days of the Tests and Return of all Writs in the said Courts shall be and remain in each respective Term as heretofore accustomed and established.

CAP. V.

An Act to continue an Act, intituled *An Act to amend an Act, intituled An Act to repeal an Act passed in the fifth year of the reign of His Majesty King George the Third, intituled An Act to declare the qualification of Church Warden and Vestrymen in the several Parishes in this Province, and of the persons having voices in their election, and to make more effectual enactments in lieu thereof, so far as relates to the Parish Church of Saint Andrews.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the second year of the reign of His present Majesty King William the Fourth, intituled *An Act to amend an Act, intituled An Act to repeal an Act passed in the fifth year of the reign of His Majesty King George the Third, intituled An Act to declare the qualifications of Church Warden and Vestrymen in the several Parishes in this Province, and of the persons having voices in their election, and to make other and more effectual enactments in lieu thereof, so far as the same relates to the Parish Church of Saint Andrews*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty.

CAP. VI.

An Act to revive an Act, intituled *An Act for the more speedy and effectual punishment of Persons keeping Disorderly Houses.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the ninth and tenth years of the reign of His late Majesty King George the Fourth, intituled *An Act for the more speedy and effectual punishment of persons keeping Disorderly Houses*, be and the same is hereby revived, and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

CAP. VII.

An Act to alter the time of holding the November Term of the Inferior Court of Common Pleas of the County of Gloucester.
Passed 17th March 1835.

WHEREAS the time of holding the November Term of the Inferior Court of Common Pleas in and for the County of Gloucester, has been found inconvenient; for remedy whereof, Be it enacted by the Lieutenant Governor, Council and Assembly, That the said Term of the said Inferior Court of Common Pleas heretofore held on the first Tuesday in November, shall hereafter be held on the last Tuesday in October in each and every year; any law, usage or custom to the contrary notwithstanding.

CAP. VIII.

An Act to continue an Act, intituled *An Act for the better extinguishing of Fires that may happen within the City of Saint John, and to repeal all the Acts now in force relating to the same, and also An Act to amend the Act for the better extinguishing of Fires that may happen within the City of Saint John.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the seventh year of the reign of His Majesty King George the Fourth, intituled *An Act for the better extinguishing of Fires that may happen within the City of Saint John*, and to repeal all the Acts now in force relating to the same, and also an Act made and passed in the second year of the reign of His present Majesty, intituled *An Act to amend the Act for the better extinguishing of Fires that may happen within the City of Saint John*, be and the same are hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

CAP. IX.

An Act further to continue an Act, intituled *An Act for the more effectual punishment of persons who shall be guilty of the trespasses therein mentioned in the City of Saint John.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the fifty-ninth year of the reign of His Majesty King George the Third, intituled *An Act for the more effectual punishment of persons who shall be guilty of the trespasses therein mentioned in the City of Saint John*, be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year one thousand eight hundred and forty.

CAP. X.

An Act to revive an Act, intituled *An Act in addition to and in amendment of an Act, intituled An Act to revive and make perpetual an Act authorising the Mayor, Aldermen and Commonalty of the City of Saint John to make regulations for the more effectual prevention of Fires within the said City.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the fifty-ninth year of the reign of His Majesty King George the Third, intituled *An Act in addition to and in amendment of an Act, intituled An Act to revive and make perpetual an Act authorising the Mayor, Al-*

dermen and Commonalty of the City of Saint John to make regulations for the more effectual prevention of Fires within the said City," be and the same is hereby revived and declared to be in full force until the first day of April which will be in the year one thousand eight hundred and forty.

CAP. XI.

An Act to continue an Act, intituled *An Act to repeal all the Laws now in force for the regulation of Seamen and to make more effectual provision for that purpose.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled *An Act to repeal all the Laws now in force for the regulation of Seamen, and to make more effectual provision for that purpose*, be and the same is hereby continued and declared to be in full force until the first day of April one thousand eight hundred and forty.

CAP. XII.

An Act for prohibiting and suppressing of Lotteries in this Province.
Passed 17th March 1835.

WHEREAS Lotteries have been found by experience to be very injurious to Society, and tend to the great detriment and frequent ruin of minors, mechanics, traders and other unwary persons, by the evil habits engendered and fraudulent practices to which they give rise;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That all Lotteries are and shall be taken and adjudged to be common and public nuisances.

II. And be it enacted, That no person or persons whatsoever shall publicly or privately exercise, keep open, show or expose to be played at or thrown at, or shall draw, play or throw at any Lottery, either by dice, lot, cards, balls, tickets, or any other numbers or figures, or any other way whatsoever; and that every person who shall exercise, expose, open, or show to be played, throw, or draw at any such Lottery, shall forfeit for every such offence the sum of one hundred pounds, to be recovered by information, bill, plaint or action at Law in the Supreme Court or any Inferior Court of Common Pleas; one moiety thereof to the use of the poor of the Parish, where such offence shall be committed, and the other moiety together with cost of suit to the party that shall inform and sue for the same.

III. And be it enacted, That every person who shall play, throw or draw at any such Lottery, or become the owner or purchaser of any lot, card or ticket for any such Lottery, shall forfeit for every such offence the sum of ten pounds, to be sued for, recovered and levied before any two Justices of the Peace; one moiety thereof to the use of the poor of the Parish where such offence shall be committed, and the other moiety together with the costs of suit to the party who shall inform and sue for the same.

IV. And be it enacted, That every person who shall set up, or shall by writing or printing publish the setting up of any Lottery with intent to have such Lottery drawn, or to induce persons to purchase tickets for any such Lottery, shall forfeit for every such offence the sum of twenty pounds, to be recovered and applied in the same manner as the penalty imposed in and by the second Section of this Act is above directed.

V. Provided nevertheless, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to the disposal or allotment of Fishing Lots or drafts in the City of Saint John, under the direction of the Mayor, Aldermen and Commonalty of the said City, in manner heretofore accustomed.

VI. And be it enacted, That this Act shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty.

CAP. XIII.

An Act to continue an Act, intituled *An Act to extend the provisions of an Act, intituled An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town, to the Towns of Newcastle and Chatham and their vicinities in the County of Northumberland.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the ninth year of the reign of His late Majesty King George the Fourth, intituled *An Act to extend the provisions of an Act, intituled An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town, to the Towns of Newcastle and Chatham and their vicinities in the County of Northumberland*, be and the same is hereby continued 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 forty.

CAP. XIV.

An Act to continue an Act, intituled *An Act to authorise the Justices of the Peace in the several Counties in their General Sessions to make regulations for Carmen, Waggoners and Truckmen, and to establish the rates and fares to be taken for the cartage and truckage of goods in the several Towns throughout the Province, and also to regulate the measurement of Coals and Salt.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the tenth and eleventh years of the reign of His late Majesty King George the Fourth, intituled *An Act to authorise the Justices of the Peace in the several Counties in their General Sessions to make regulations for Carmen, Waggoners and Truckmen, and to establish the rates and fares to be taken for the cartage and truckage of goods in the several Towns throughout the Province, and also to regulate the measurement of Coals and Salt*, be and the same is hereby continued until the first day of April which will be in the year of our Lord one thousand eight hundred and forty-five.

CAP. XV.

An Act to alter the boundary line between certain Parishes in the County of Westmorland.
Passed 17th March 1835.

WHEREAS the boundary line between the Parishes of Monckton and Dorchester in the County of Westmorland as at present established, has been found inconvenient;

Be it enacted by the Lieutenant Governor, Council and Assembly, That from and after the seventeenth day of November next, all that tract of Land in the present Parish of Dorchester in the County of Westmorland which lies to the north of a line commencing at Fox Creek on the northern line of the Des Barres tract, so called, and running thence easterly along the said line to the extension thereof on the Memramcook river, thence along the prolongation of said line until it strikes the western line of Shediac Parish, shall be annexed to and form a part of the Parish of Monckton in said County.

CAP. XVI.

An Act to remove doubts which may arise from the formation of two distinct Councils in this Province, relating to acts required to be done by His Majesty's Council.
Passed 17th March 1835.

WHEREAS by His Majesty's Commission bearing date at Westminster the third day of December, in the third year

of His reign, two distinct and separate Councils were formed with in this Province, to be respectively called the Legislative Council and the Executive Council: and whereas by reason of the formation of the said two distinct and separate Councils, doubts may arise as to acts heretofore required to be done by His Majesty's Council this Province while one body, having both Legislative and Executive powers, or by one or more members thereof;

Be it declared and enacted by the Lieutenant Governor, Council and Assembly, That any act, matter or thing required by any Law, Charter, Grant or Public Instrument to be done or performed by, to or with His Majesty's Council in this Province, or by, to or with any member or members of His Majesty's Council, without specifying the Legislative Council, shall be deemed to be required to be done and performed by, to or with the Executive Council of the said Province, or any member or members thereof, as the case may be; excepting only such matters and things as belong to the Legislative Council, or the members thereof, as a branch of the Legislature of the said Province.

CAP. XVII.

An Act to declare all Acts of Assembly to be public Acts.
Passed 17th March 1835.

WHEREAS in this Province all Acts of the General Assembly are enrolled and printed and published in the same manner, whether they be in their nature public or private, and it is therefore expedient that they should all be deemed public Acts;

Be it enacted by the Lieutenant Governor, Council and Assembly, That every Act of the General Assembly of this Province heretofore made and passed, or which hereafter may be made and passed, shall be deemed and taken to a public Act, and shall be judicially taken notice of as such by all Judges, Justices and others without being specially pleaded, although it may concern only particular things or persons; unless in cases where the Act itself may expressly specify the contrary.

CAP. XVIII.

An Act to continue an Act, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town*, and an Act, intituled *An Act to extend the power of the Firewards in the Parish of Fredericton, and to make further regulations for the better extinguishing of Fires that may happen in the said Parish.*
Passed 17th March 1835.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act made and passed in the fifth year of the reign of His late Majesty King George the Fourth, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires, so far as the same relate to the Town of Fredericton, and to make regulations more suitable to the said Town*, and an Act made and passed in the seventh year of the reign of His late Majesty King George the Fourth, intituled *An Act to extend the power of the Firewards in the Parish of Fredericton, and to make further regulations for the better extinguishing of Fires that may happen in the said Parish*, be and are hereby continued 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 thirty seven.

CAP. XIX.

An Act to erect the South-Western part of the Parish of Richibucto into a separate and distinct Parish.
Passed 17th March 1835.

WHEREAS from the great extent of the Parish of Richibucto, and the increased population, render it inconvenient and difficult for the Parochial officers to perform the several duties required of them; and it is therefore expedient that the same be divided into two Parishes;

Be it enacted by the Lieutenant Governor, Council and Assembly, That from and after the tenth day of January next, all that part of the Parish of Richibucto lying to the Southward of the Richibucto River, on a line from the mouth of Saint Nicholas River, following the course of that River to the East Branch, so called, then following the course of the East Branch until it comes to Black Brook, so called, and from thence South until it strikes the Parish of Wellington; and also that part of the said Parish of Richibucto lying on the West side of the River Richibucto, commencing at the upper line of a tract of Land granted to William Harley, from thence following the course of the said line until it strikes the rear of the Indian Reserve, and from thence a due west course until it strikes the Parish of Carleton, be and the same is hereby erected into a separate and distinct Town or Parish to be distinguished and known by the name of Weldford.

CAP. XX.

An Act to authorise the Justices of the Peace for the County of Charlotte to assess the Inhabitants of the Parish of Grand Manan for the erection of a Lock-up House in the said Parish.
Passed 17th March 1835.

WHEREAS by reason of the great distance of the Island of Grand Manan from the Shire Town, and the risk, inconvenience and expense of the removal of persons from thence to the County Gaol, the ends of Justice are frequently obstructed and sometimes altogether frustrated; for remedy whereof;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That His Majesty's Justices of the Peace for the said County of Charlotte or the major part of them at any General Sessions of the Peace, be and they are hereby authorised and empowered to contract and agree with able and sufficient workmen for building and finishing a Lock-up House or House of Correction at Grand Manan in the said County, and to agree for such sum or sums of money as to them may seem meet in order to carry this object into effect, and the said Justices or the major part of them at their General Sessions as aforesaid are hereby authorised and empowered to make rate and assessment upon the Inhabitants of the Parish of Grand Manan for a sum not to exceed one hundred pounds, for defraying the expense of the erection and finishing of the said Lock-up House or House of Correction, and from time to time to make such rules and regulations for the management of the said Lock-up House or House of Correction, as to them may seem meet.

II. And be it enacted, That it shall and may be lawful for the High Sheriff of the said County or for any other officer having legal custody of any person or persons who shall or may be arrested on the said Island of Grand Manan or on any of the Islands adjacent to the same, in all cases in which the said Sheriff or other officer could legally lodge the said person or persons in the common Gaol of the said County, to commit the said person or persons to the said Lock-up House or House of Correction until the said person or persons can be removed to the said County Gaol: Provided always, That no person under civil arrest shall be detained in such Lock-up House or House of Correction for any space of time exceeding Twenty Days.

III. And be it enacted, That the said sum of one hundred pounds so to be assessed, shall be assessed, collected and paid agreeably to any Acts in force for the assessing, collecting and levying of County rates.

CAP. XXI.

An Act to provide for the establishing and maintaining a Boom for securing Masts, Logs and Lumber in the County of York.
Passed 17th March 1835.

WHEREAS it has been found necessary to erect a Boom on the River Nashwaak in the County of York for the purpose of securing such Timber as may be hauled out and thrown into the same until it can be conveniently rafted by the respective owners; and whereas it is expedient that proper regulations should be established to insure the safe delivery of the same to the owners;

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for His Majesty's Justices of the Peace for the said County of York in their General Sessions to make and establish such rules and regulations as to them may appear proper respecting such Boom as has been erected or may hereafter be erected on said River, and to appoint Boom master or masters from time to time, and to establish fees for attending to such Booms and superintending the safe delivery of the Lumber passing through the same: Provided always, that such Boom be so constructed as to secure a clear and sufficient space way of passage for conveying boats, rafts of boards or other lumber through the same.