



(Continued from last Gazette.)

XLVII. And be it further enacted, That when any dutiable articles are exported for drawback after having been landed in the Province, the evidence of such exportation shall be an affidavit made and subscribed by the owner or consignee of such articles before the Treasurer or Deputy Treasurer as follows, to wit:

I, A. B. do swear that the articles by me now shipped on board the whereof is master, were lawfully imported (or purchased at a Custom House sale, or sale of Government Stores) in the whereof was master from , and that the duties thereon have been paid or secured to be paid by me at this office, and that the same or any part thereof are not intended to be re-landed in the Province, to the best of my knowledge and belief.

also an affidavit made and subscribed by the master of the Vessel in which the articles are to be exported as follows (to wit):

I, A. B. do swear that the articles shipped by as mentioned in his affidavit are now actually on board the whereof I am master, bound for , and that the same or any part thereof are not to be re-landed within the Province, to the best of my knowledge and belief.

Provided always, that before any drawback shall be paid, or a remission of duties upon articles exported in the same bottom, or transhipped into another vessel, and exported without being landed, obtained, it shall be incumbent on the owner or consignee of such articles, to produce to the Treasurer or Deputy to whom the duties shall have been paid or secured, within one year from the time of exportation thereof, a certificate under the hand and seal of the collector or principal officer of the Customs or of the Revenue of the place to which the same were exported, or a certificate of two resident merchants of the place where such dutiable articles may have been landed, that such articles have been there actually landed, and he shall at the same time make and subscribe the following affidavit:

I, A. B. do swear that the articles exported by me in the whereof was master, a certificate of the landing of which is by me now exhibited, have been actually landed at to the best of my knowledge and belief.

XLVIII. And be it further enacted, That if all or any of the articles reported for exportation without being landed, or which having been landed have been shipped for exportation, with a view to obtain a remission of the duties thereon, or to obtain the drawbacks allowed by this Act, have been landed or re-landed contrary to the true intent and meaning of this act, all such articles so landed or re-landed and such as may be on Board at the time of discovering such intended fraud, shall be forfeited, and shall and may be seized and prosecuted to condemnation, and the proceeds of such forfeiture applied as in this Act directed; and if it shall be discovered within one year after the articles so reported for exportation, and which may have been shipped for exportation after having been landed, or after any drawbacks may have been paid or received, that the whole or any part thereof have been fraudulently re-landed within the Province, the owner or consignee of such articles, and the master or owner of the ship or vessel from which the same were re-landed, shall severally pay the sum of one hundred pounds, to be recovered and applied as hereinafter directed.

XLIX. And be it further enacted, That the evidence required to obtain any drawback on goods exported from this Province, shall be a certificate of the Treasurer or Deputy Treasurer as the case may be, that the cattle upon which the drawback is claimed were on the importation of such cattle reported for exportation, also an affidavit shall be annexed in manner and form as follows (to wit):

I, A. B. do swear that the following (here state the number and description of cattle) now on board the whereof is master bound for , and that they are the same, as are mentioned in the annexed certificate, and were reported for exportation, and that the same are not intended to be re-landed in this Province, to the best of my knowledge and belief.

And also the affidavit of the master of the vessel mentioned in the owner's or consignee's affidavit and subscribed by him in form following (to wit):

I, A. B. do swear that the shipped by are now actually on board the whereof I am master, bound for , and that the same are not to be re-landed in this Province, with my knowledge or consent, unavoidable accident excepted.

Which affidavit and certificate shall be filed in the office where taken: Provided always, that no drawbacks shall be allowed and paid in less than one month after the sailing of the vessel in which the cattle for which the same are claimed were shipped, nor unless the cattle reported for exportation shall be actually exported within three months from the time of their importation: Provided always, that if any cattle, shall be fraudulently re-landed in this Province, after shipment for exportation as aforesaid, the same shall be forfeited, and may be sold forthwith without further process by the Treasurer or nearest Deputy Treasurer, and the proceeds applied, one half to the informer, the residue to His Majesty for the use of the Province; and the owner or consignee of such cattle, and the master of the vessel from which they have been fraudulently re-landed, shall severally forfeit and pay a fine of one hundred pounds.

L. And be it further enacted, That the Importer or Consignee of any goods or articles, subject to duty, under and by virtue of any Act of the General Assembly of this Province, the duties upon which would amount to twenty five pounds or upwards may have his option either to secure the duties on the same in the manner prescribed in and by this Act, or to warehouse such articles and pay the duties thereon from time to time as the same may be sold or entered for home consumption and before delivering thereof as hereafter provided.

LI. And be it further enacted, That before the owner, agent or consignee of any such articles, shall have the benefit of the option hereinbefore provided, it shall be the duty of the owner, importer or consignee of any such articles, to enter the same for warehousing and to provide a good and sufficient warehouse to be approved of by the Treasurer or Deputy Treasurer as the case may be, and fitted and prepared to the satisfaction of the said Treasurer or Deputy Treasurer, and before any such articles shall be admitted into any such warehouse, the owner, importer or consignee of the same shall instead of the bonds hereinbefore required, give bonds with two sufficient sureties, to be approved of by the said Treasurer or Deputy Treasurer as the case may be, in double the amount of duties payable on such articles, in such warehouse mentioned in the entry of the same, and for the payment of the duty on such articles or for the exportation thereof according to the account first taken of such articles upon the landing of the same with the further condition that no part shall be taken out of such warehouse, until cleared from thence upon due entry and payment of duty or upon due entry for exportation, and with the further condition, that the whole of such articles shall be so cleared from such warehouse and the duties upon such deficiency (if any) of the quantity according to such first account shall be paid within two years from the date of the first entry thereof.

LII. And be it further enacted, That if any articles which have been entered to be warehoused, shall not be duly carried and deposited in the warehouse, or shall afterwards be taken out of the warehouse without due entry and clearance, or having been entered and cleared for exportation from the warehouse, shall not be duly carried therefrom and shipped or shall afterwards be re-landed, except with the permission of the proper officer of the Treasury, such goods shall be forfeited.

LIII. And be it further enacted, That upon the entry outwards of any article to be exported from the warehouse or for removal from one bonded warehouse to another within the Province, the person entering the same shall give security by bond in treble the duty thereon with two sufficient sureties to be approved by the Treasurer or Deputy Treasurer, conditioned that the same shall be landed at the place for which they be entered outwards, or be otherwise accounted for to the satisfaction of the said Treasurer or Deputy Treasurer; and all articles deposited in any warehouse or removed from one bonded warehouse to another within the Province pursuant to this Act, shall be taken out for home consumption or for exportation within two years from the date of the original report and entry of such articles.

LIV. And be it further enacted, That upon the entry of any goods of foreign growth or produce subject to Provincial duties, and which are

also subject to duties, and intended to be warehoused under the provisions of any Act or Acts of the Imperial Parliament, the importer of such goods may instead of paying or securing the Provincial duties as directed in and by this Act, shall give bond with at least one good and sufficient surety to be approved of by the Treasurer, or Deputy Treasurer, in double the amount of duties payable at the Treasury thereupon, with condition for safe depositing the goods in the warehouse, and for payment of such duties, before taking the same out of the warehouse for home consumption or for the exportation thereof, and with further condition that if the goods be not taken out of the warehouse in two years, the duties shall at the expiration of that period be paid.

LIV. And be it further enacted, That if any goods which shall have been so warehoused shall be fraudulently concealed in or removed from the warehouse, except for exportation, without payment of the Provincial duties imposed thereon, such goods shall be forfeited and may be seized and disposed of in the manner directed by this Act; and if any importer or proprietor of any goods warehoused, or any person in his employ, shall by any contrivance fraudulently open the warehouse or gain access to the goods, such importer or proprietor shall forfeit and pay for every such offence the sum of fifty pounds.

LVI. And be it further enacted, That when any goods or chattels shall be seized as forfeited and prosecuted to condemnation and sale by the Treasurer or any Deputy Treasurer, under the provisions of this or any other Act relating to Revenue, notice of such sale shall be given to the principal officer of the customs nearest to where such condemnation and sale shall take place; and if it shall appear that such goods and chattels so condemned as forfeited are subject to duties by means and powers of any Act or Acts of the Imperial Parliament for the general regulation of trade, and that such duties have not been paid, then and in such case it shall be the duty of the Treasurer or Deputy Treasurer, as the case may be, to deduct the amount of such Parliamentary duties from the proceeds of the sale of such goods and chattels so condemned and sold as aforesaid, and account for the same in the same manner as if the amount thereof had been received by such principal officer of the customs as aforesaid, and the residue of such proceeds shall be applied in the same manner as the proceeds of other seizures are under the provisions of this Act.

LVII. And be it further enacted, That all Vessels and Boats of fifteen tons and under, and all carriages, horses and cattle, which may be seized under this or any other Act relating to the Revenue of the Province, may be prosecuted upon information of the Treasurer, or any Deputy Treasurer, or the commander of any Revenue Vessel, agreeably to the provisions of this Act.

LVIII. And be it further enacted, That all articles which shall have been seized, condemned and forfeited, under and by virtue of this Act, shall under the direction of the Treasurer or Deputy Treasurer at the port or place where such articles shall have been so seized, condemned and forfeited, be sold by Public Auction to the highest bidder, and the proceeds of such sales disposed of as is provided in and by this Act.

LIX. And be it further enacted, That the Treasurer of the Province and the Deputy Treasurers respectively are hereby authorized and empowered to administer all the oaths required to be made and taken for carrying the provisions of this or any other Act relating to the Revenue of the Province into effect, and every person who shall be convicted of making a false oath to any of the particulars required of him to be sworn to, shall be liable to all the pains and penalties to which persons are liable for wilful and corrupt perjury.

LX. And be it further enacted, That the clerk in the office of the Provincial Treasury, at the city of Saint John appointed or to be appointed by the Treasurer of the Province, while in such office, is hereby empowered to administer all oaths required to be administered by the Treasurer of the Province upon entries, manifests, or other proceedings in the said office in like manner as the Treasurer of the Province is authorized to administer the same, and any person who shall make a false oath before such clerk in such office shall be deemed guilty of perjury, and liable to the pains and penalties of the same: Provided always, that the Treasurer of the Province shall first publish in the Royal Gazette the name of such clerk.

LXI. And be it further enacted, That the liability of any article or articles to seizure under and by virtue of this or any other Act relating to Revenue shall be and continue for the term of two years from the time the same are imported, or brought into the Province and no longer.

LXII. And be it further enacted, That the right of recovering any of the duties, penalties, and forfeitures imposed, inflicted, or incurred under the provisions of any former Act or Acts relating to Revenue, and all securities taken by virtue of the same are hereby expressly saved.

LXIII. And be it further enacted, That this Act shall continue and be in force for ten years.

CAP. V.

An Act to continue the laws relating to the fisheries in the County of Northumberland.

Passed 8th March 1836.

WHEREAS the Laws now in force relating to the fisheries in the County of Northumberland will expire on the tenth day of May next;

Be it therefore enacted, By the Lieutenant Governor, Legislative Council and Assembly, that an Act made and passed in the thirty ninth year of the Reign of His Majesty King George the Third, intituled "An Act for regulating the fisheries in the County of Northumberland," and also an Act made and passed in the fifty sixth year of the same Reign, intituled "An Act in amendment of an Act, intituled 'An Act for regulating the fisheries in the County of Northumberland,'" and also an Act made and passed in the fourth year of the Reign of His late Majesty King George the Fourth, intituled "An Act in further amendment of the Laws for regulating the fisheries in the County of Northumberland," so far as the said several Acts are now in force, be and the same are hereby continued and declared to be in force until the tenth day of May which will be in the year of Our Lord one thousand eight hundred and thirty eight.

CAP. VI.

An Act to continue an Act, intituled "An Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland."

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the first year of the Reign of His present Majesty, intituled "An Act to regulate the Assize of Bread in the Towns of Newcastle and Chatham, in the County of Northumberland," be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty.

CAP. VII.

An Act to continue an Act, intituled "An Act to amend the Law relative to the sale of spirituous liquors by tavern keepers and retailers within the County of Saint John, and for the more effectual prevention and punishment of drunkenness."

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the third year of His Majesty's reign, intituled "An Act to amend the law relative to the sale of spirituous liquors by tavern keepers and retailers within the county of Saint John, and for the more effectual prevention and punishment of drunkenness," be and the same is hereby continued for the term of three years.

CAP. VIII.

An Act to continue the Act imposing a duty on Rum and other liquors distilled within the Province.

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative 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 further to increase the Revenue of the Province by imposing a duty upon all Rum and other spirituous liquors that shall be distilled within the same," be and the same is 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 to establish the road leading from Houlton to Woodstock one of the Great Roads of communication in this Province.

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the road leading from Houlton, commencing

at the boundary line between this Province and the state of Maine, through the Richmond settlement, to the Great Road leading through Woodstock in the county of Carleton, be and the same is hereby established one of the Great Roads of communication in this Province.

CAP. X.

An Act in addition to an Act, intituled "An Act for the endowment of King's College at Fredericton, in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province."

Passed 8th March 1836.

WHEREAS in and by the seventh section of an Act, intituled "An Act for the endowment of King's College in the Province of New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province," it is enacted that His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, be authorized and empowered to appoint during pleasure, and to remove as he shall see fit, three or more fit and proper persons in the several Counties of this Province, the Counties of York and Charlotte, and the City and County of Saint John excepted, to be Trustees and Directors of Grammar Schools in each of the said Counties, except the aforesaid, and for which they shall be respectively appointed: And whereas also in and by the thirteenth section of the said Act, it is further enacted that the sum of one hundred pounds annually shall be included in the estimate of the ordinary expenses of the Province for each of the following Counties, that is to say, the Counties of Northumberland, Sunbury, Westmorland, Gloucester, Kent, and Queen's and King's Counties, which said sum of one hundred pounds shall be granted annually for the payment of the Masters thereof respectively, the same to be drawn on the certificate of the Trustees and Directors in favor of the person or persons entitled thereto: And whereas it is expedient to extend the provisions of the said sections to the new County of Carleton;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said two sections of the aforesaid Act shall hereafter be construed to extend to the said County of Carleton, in like manner as if the same had been particularly mentioned therein, anything in the said sections to the contrary notwithstanding, subject nevertheless to all the provisions, restrictions and limitations to which the other Counties in this Province are liable to by virtue of the said Act.

CAP. XI.

An Act to continue an Act, intituled "An Act to grant a bounty on the destruction of Bears in this Province."

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the reign of His late Majesty George the Fourth, intituled "An Act to grant a bounty on the destruction of Bears in this Province," be and the same is 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. XII.

An Act to amend and explain an Act passed in the fifth year of the present Reign, intituled "An Act to authorize and empower the Justices of the Peace for the County of Charlotte, to lease a part of the public landing at Salt Water in the Parish of Saint Stephen."

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, that the power and authority granted to the Justices of the Peace for the County of Charlotte, to lease a part of the public landing at Salt Water in the Parish of Saint Stephen, shall be performed and exercised by them in their General Sessions for the said County and not otherwise, and that this Act shall be deemed a part of the said recited Act, as fully to all intents and purposes as if this Act were incorporated therein.

CAP. XIII.

An Act to continue the Act to provide for the payment of Interest on Warrants.

Passed 8th March 1836.

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His present Majesty, intituled "An Act to provide for the payment of Interest on Warrants which are not paid at the Treasury on demand," be and the same is 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. XIV.

An Act to provide for reporting and publishing the decisions of the Supreme Court.

Passed 8th March 1836.

WHEREAS it is an object of great importance to obtain correct reports of the decisions of the Supreme Court, in cases heard and determined in the same Court;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Commander in Chief of this Province, for the time being, by and with the advice of His Majesty's Executive Council, is hereby authorized to appoint some suitable person learned in the law to be a reporter of the opinions, decisions and judgments which may from time to time be given, made and pronounced by the Supreme Court of judicature in this Province, or the Judges thereof, in, upon or respecting causes pending or that may hereafter be pending therein; and that it shall be the duty of such reporter by his personal attendance or by any other means in his power, to obtain true and authentic reports of such opinions, decisions and judgments; and such reporter shall publish not less than two hundred copies of the same in pamphlets after each term of the said Court.

II. And be it enacted, That the sole liberty of printing and reprinting, and publishing such reports, shall be and the same is hereby vested in and secured to the author and compiler thereof, his heirs and assigns; and if any person shall print, reprint or publish any such reports without the consent of the author and compiler or proprietor thereof, he shall be liable to an action on the case at the suit of such proprietor, in which action such proprietor shall recover double the damages he may have sustained by any such infringement of the copyright hereby secured to him.

III. And be it enacted, That in addition to any profits that may arise from the publication and sale of such reports, such reporter shall receive annually from the Province Treasury the sum of fifty pounds, to be paid by warrant of His Excellency the Lieutenant Governor or Commander in Chief for the time being, on the certificate of the Chief Justice of the said Court, that such reporter has diligently performed the duties by this Act required of him, for the year for which such allowance may be claimed.

IV. And be it enacted, That this Act shall be and continue to be in force for three years and no longer.

CAP. XV.

An Act to authorize the Justices of the Peace for Queen's County to assess the Inhabitants for erecting and building a Court House in said County.

Passed 8th March 1836.

WHEREAS the building occupied as a Gaol and Court House in the County of Queen's is found insufficient for the purpose of a Court House, and it is expedient that a Court House should be built separate and apart from said building;

Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County at any general Sessions of the Peace hereafter to be holden, or any special Sessions for that purpose convened and holden, or the major part of them, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen for building and finishing a Court House in the said County, and to agree for such sum or sums of money as to them may seem meet in order to carry their object into effect; and the said Justices are hereby authorized and empowered to make a rate and assessment of any sum not exceeding six hundred pounds, as they in their discretion may deem necessary for the erecting and finishing a Court House in the said County; the said sum or sums to be assessed, levied, collected and paid in such proportions and in the same manner as any other County Rates can or may be assessed, levied, collected and paid under and by virtue of any Act or Acts in force in this Province for assessing, levying and collecting of rates for public charges.

CAP. XVI.

An Act to authorize the Justices of the Peace in the County of York to make further provision for the payment of the Treasurer of that County.

Passed 8th March 1836.

WHEREAS by the Law now in force, the Sessions of the respective Counties in this Province are precluded from allowing to the