

C A P. IX.

AN ACT to regulate and establish the Salaries and other Emoluments of the Officers employed in the Collection of the Revenue at the several Inland Ports in this Province, and for other purposes.

(14th March, 1829.)

MOST GRACIOUS SOVEREIGN,

Preamble.

WHEREAS it is expedient to regulate and establish the Salaries and other Emoluments of the Officers employed in the collection of the Revenue, at the several Inland Ports of the Province, as well as the incidental expenses attending that service; May it therefore please Your Majesty that it may be enacted, and be it enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the Province of Lower-Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of Great-Britain, intituled, "An Act to repeal certain parts of an Act passed in the fourteenth year of His Majesty's Reign, intituled, "*An Act for making more effectual provision for the Government of the Province of Quebec, in North America*;" and to "make further provision for the Government of the said Province;" And it is hereby enacted by the authority of the same, that it shall and may be lawful for the Governor, Lieutenant Governor, or person administering the Government of this Province for the time being, by Warrants under his hand, to order that out of the unappropriated monies, which now are or hereafter may come into the hands of the Receiver General of this Province, there be paid the sums herein-after mentioned to the Officers employed in the collection of the Revenue at the several Inland Ports of the Province, and for the incidental expenses attending that service for and during the continuance of this Act, and no longer, that is to say;—For the annual salary of the Collector at the Port of Saint John, a sum not exceeding three hundred pounds, currency; For the annual salary of the Comptroller at the same Port, a sum of one hundred and fifty pounds, currency; For the annual salary of the Guager at the same Port, a sum not exceeding one hundred pounds, currency; For the annual salary of two Land Waiters at the same Port, at the rate of seventy pounds, currency, each, a sum not exceeding one hundred and forty pounds, currency; For the annual salary of one Land Waiter at Lacole, a sum not exceeding twenty-five pounds, currency; For the annual allowance to the Collector at the Port of Saint John, for rent of the Custom House, a sum not exceeding forty pounds, currency; For the annual salary of the Collector and Inspector of Merchandise at the Port of Côteau

Governor authorised to grant warrants for the salaries of certain officers of the customs.

Amount of salaries and incidental expenses.

Côteau du Lac, a sum not exceeding two hundred and fifty pounds, currency ; For the annual salary of a Comptroller at the same Port, a sum not exceeding one hundred and twenty-five pounds, currency ; For the annual salary of two Land Waiters at the same Port, at the rate of thirty pounds, currency, each, a sum not exceeding sixty pounds, currency ; For the annual allowance to the Collector at the same Port, for rent of Custom House, a sum not exceeding thirty-six pounds, currency ; for the annual allowance to the Comptroller and Land Waiter at the same Port, for a Boat and hands a sum not exceeding sixty pounds Currency ; For the annual allowance to the Collector at the Port of Stanstead, for rent of the Custom House, and all other contingencies whatever, a sum not exceeding forty pounds, currency ; For the commission of the Collector at the Port of Stanstead, upon the duties collected, such sum as the said commission may amount to at the rate of fifty per cent, upon the amount collected, provided that such commission shall not exceed the annual sum of one hundred pounds, currency ; For the commission of the Collector at the Port of Sainte Marie Nouvelle Beauce, upon the duties collected, such sum as the said commission may amount to at the rate of fifty per cent, upon the amount collected ; Provided that such commission shall not exceed the annual sum of one hundred pounds, currency.

Proviso.

Fees established by Act 59 Geo. III. Cap. 4, re-established & continued and a table of them to be affixed & kept in some conspicuous place in the Custom House

II. And whereas it is expedient that the fees established by an Act passed in the fifty-ninth year of the reign of His late Majesty King George the Third of Glorious Memory intituled “ an Act to impose duties on divers articles therein mentioned, and to regulate for a limited time the Trade with the United States of America by land or by inland navigation, and to suspend certain Acts and Ordinances therein mentioned,” should be re-established, and continued, be it therefore further enacted by the authority aforesaid that for and during the continuance of this Act the Collector or other Chief Officers at the several Inland Ports of Entry established or to be established according to Law shall cause to be affixed and constantly kept in some public and conspicuous place in the Custom House a Table of Fees to be taken by the Officers of the Customs at the said Ports respectively, which Fees shall be as follows, that is to say : For every report of the arrival of and permit to unload any vessel, boat or batteau, under five tons burthen two shillings and sixpence currency ; for every report of the arrival of and permit to unload any vessel, boat or batteau of five tons or upwards and not exceeding twenty tons burthen, five shillings currency : For the like of any vessel exceeding twenty and not exceeding fifty tons burthen, ten shillings currency. For the like of any vessel exceeding fifty tons burthen twenty shillings currency. For the like of any Waggon, Cart, Sleigh or other Carriage,

Carriage, one shilling currency. For every entry of Goods imported by water communication two shillings and sixpence currency; For the like Goods subject to duty by any Cart, Sleigh, or other Carriage one shilling Currency; For every Certificate of Goods having paid duty and protection for the same two shillings and six pence currency; For every Bond for payment of duties two shillings and six pence currency; For every Entry of a raft not exceeding twenty Cribs and in that proportion for larger rafts, five shillings currency; For entry of Horses and neat Cattle, not exceeding ten in number two shillings and six pence currency, and in that proportion for any greater number, which Fees shall be divided between the Collector and Comptroller of every such Inland Port of Entry respectively, in the proportion of two thirds thereof to the Collector and one third to the Comptroller.

Salaries
to be in lieu
of all Fees.

III. And be it further enacted by the authority aforesaid, that the salaries, allowances and fees hereby established and granted to the several officers of the Inland Ports of Entry shall be in lieu and stead of all other Fees or Allowances whatsoever, and the said salaries and allowances shall be paid to the said Officers respectively by Warrants under the hand of the Governor, Lieutenant Governor or Person administering the Government of the Province for the time being; provided always, that no such Warrant shall be issued in favor of any such Collector or Comptroller for any sum to him due by virtue of this Act until a certificate be granted by the proper Officer that the Quarterly Accounts of Duties received by such Collector, accompanied by receipts from the Receiver General of the Province for the total amount collected, shall have been duly transmitted.

Collector of
the Port of St.
John indemnified
for certain
expenses incurred
by him.

IV. And be it further enacted by the authority aforesaid, that it shall be lawful for the Governor, Lieutenant Governor, or Person administering the Government of the Province for the time being, by Warrant under his hand, to authorize the payment of a sum not exceeding twenty-five pounds, currency, out of any unappropriated monies in the hands of the Receiver General of the Province to the Collector of the Port of Saint John, to indemnify him for certain expenses incurred in transmitting to Quebec certain public monies by him received since the fifth July, one thousand eight hundred and twenty-seven.

V.

V. And be it further enacted by the authority aforesaid, that the due application of the monies of which the payment is hereby authorized shall be accounted for to His Majesty, His Heirs and Successors, through the Lords Commissioners of His Majesty's Treasury, in such manner and form as His Majesty, His Heirs and Successors shall be pleased to direct.

Application of the money to be accounted for to His Majesty, &c.

A detailed account of the monies expended to be laid before the Assembly fifteen days after the opening of the next Session.

VI. And be it further enacted by the authority aforesaid, that a detailed Account of the monies expended under the authority of this Act shall be laid before the Commons House of Assembly, within fifteen days after the opening of the next Session of the Provincial Parliament.

Continuance of this Act.

VII. And be it further enacted by the authority aforesaid, that this Act shall be and remain in force until the first day of May, one thousand eight hundred and thirty, and no longer.

C A P. X.

AN ACT to extend the Benefit of the Trial by Jury.

(14th March, 1829.)

Preamble.

WHEREAS by an Ordinance of the late Province of Quebec, made and passed in the twenty-fifth year of the Reign of His late Majesty, King, George the Third, of Glorious Memory, intituled, "An Ordinance to regulate the proceedings in the Courts of Civil Judicature, and to establish Trials by Juries in actions of a commercial nature and personal wrongs to be compensated in damages;" it is amongst other things enacted, "that all and every person having suits at law and actions in any of the said Courts of Common Pleas, grounded on debts, promises, contracts and agreements of Mercantile nature only, between merchant and merchant, and trader and trader, so reputed and understood according to law, and also of personal wrongs proper to be compensated in damages, may, at the opinion and choice of either party, have and obtain the Trial and Verdict of a Jury, as well for the Assessment of damages on personal wrongs committed, as the determination of matters of fact in any such cause;" And whereas it is expedient to extend the benefit of the Trial by Jury; Be it therefore enacted by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Assembly of the