

lists may be sent to him.

Accountability.

Remuneration.

Debts under £20 may be prosecuted before two Justices.

Jurisdiction given to the Justices.

4 W. 4, c. 45.

No Jury to be allowed.

Act not to prevent the Attorney General from proceeding when so directed.

to him by order of the Lieutenant Governor or Commander in Chief for the time being ; and every such receiver shall be accountable to Her Majesty, Her Heirs and Successors, for all sums of money which he shall collect and receive as aforesaid, and may retain for his services such reasonable Commission (over and above any costs of proceedings at Law which may be incurred and not otherwise paid) not exceeding the rate of ten pounds out of every one hundred pounds which he may collect, as the Lieutenant Governor or Commander in Chief, by and with the advice of the Executive Council, may direct, provided the whole amount of Commission so received does not exceed one hundred pounds in any one year.

III. And be it enacted, That when any such debt shall not exceed the sum of twenty pounds it shall be lawful for such receiver to sue for and recover the same in the name of Her Majesty, Her Heirs and Successors, before any two of Her Majesty's Justices of the Peace of the County wherein the Debtor may reside, together with costs of suit.

IV. And be it enacted, That such two Justices shall have the like jurisdiction in all respects in any such suit as is given to any Justice of the Peace in Civil Suits between subjects under and by virtue of the Act of Assembly made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*, and any Act in amendment thereof ; and the mode, form and costs of proceedings in such Suits shall be regulated by and made conformable, as near as may be, to the provisions and directions of the said recited Act, subject in all cases to review and reversal before and by the Supreme Court, or any Judge thereof, as in other cases or proceedings under the said recited Act: Provided always, that in no case shall any Jury be allowed or required in any such Suit.

V. And be it enacted, That nothing in this Act contained, shall be construed to prevent the Attorney General or any other Crown Officer from proceeding in the ordinary course for the recovery of any such Crown Debt, when directed so to do by the Lieutenant Governor or Commander in Chief for the time being.

CAP. XXXVII.

An Act for more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John.

Passed 13th April 1844.

‘ WHEREAS a number of Mills have been erected for the manufacture of Lumber along the banks of the River, and around the Harbour of Saint John, in the City and County of Saint John, and great quantities of slabs and edgings are there cut and thrown into the said River and Harbour, thereby filling up the channel, injuring the anchorage, and obstructing the navigation thereof ;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, any person or persons who may be the owner or owners of any Mill or Mills already erected, or that may be erected on or near any part of the Banks or Shores of the River or Harbour of Saint John, or of any Bay, Cove, Creek or Stream falling into the said River or Harbour of Saint John, within the City and County of Saint John, for the manufacture of Lumber of any description, or any person or persons who may be engaged in manufacturing Lumber in any such Mill or Mills, who shall throw, or cause, suffer or permit to be thrown, by any person or persons who may in any way be

Amended by 12th cap
52
Amended by 140th cap 11 local acts
dec cap
Throwing slabs, edgings, &c., from Mills erected on the River Saint John, or Harbour or Creeks falling into the River, within the City and County of Saint John.

be employed by them, any slabs, edgings, rinds, bark, or chips made or cut at any such Mill or Mills, or shall suffer or permit the same, or any part thereof to fall, roll or float into any part of the said River or Harbour of Saint John, within the said City and County of Saint John, or into any Bay, Cove, Creek or Stream falling into the said River or Harbour, within the said City and County, every such owner of such Mill or Mills, or other person or persons manufacturing Lumber at any such Mill or Mills, or any person or persons whether interested in the manufacture of such Lumber or otherwise, offending against the provisions of this Act, shall forfeit and pay a fine for every such offence of a sum not exceeding twenty pounds, nor less than one pound, to be recovered, with costs of suit, before any two of Her Majesty's Justices of the Peace for the City and County of Saint John, at the suit of the Treasurer of the said County for the time being, on the oath of one or more credible witness or witnesses, and to be levied by warrant of distress and sale of the offender's goods and chattels; and if no goods or chattels can be found whereon to levy the same, then the offender or offenders to be committed by the warrant of the Justices to the Common Gaol of the said City and County, there to remain for any time not exceeding fifty days, unless the amount of such fine and costs shall be sooner paid; and such fine, when recovered, shall be paid into the hands of the Treasurer of the said County, for the public uses thereof: Provided always, that no conviction under this Act shall be had or recorded against any Mill owner or manufacturer aforesaid for a breach of this Act by any other person or persons who may have become *bonâ fide* purchasers of any of the articles aforesaid, or may have obtained the same for their own use or for consumption, unless the said Mill owner or manufacturer may have been privy or consenting thereto, for the purpose of getting clear of the cuttings and rubbish aforesaid.

Penalty.

Recovery.

Application.

CAP. XXXVIII.

An Act to provide for a Drawback upon Flour exported in certain cases.

Passed 13th April 1844.

WHEREAS by virtue of an Act, intituled *An Act imposing Duties for raising a Revenue*, passed in the present Session, a Duty is imposed upon Wheat imported into this Province, and it is deemed expedient that in all cases of such Wheat being manufactured into Flour for the purpose of exportation, a Drawback be allowed on such Flour equivalent to the amount of Duty paid on the Wheat from which the same shall have been made, and being such as has been imported and paid Duty as aforesaid;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, whosoever shall export or carry out of this Province, by sea, any superfine Wheat Flour, which shall have been manufactured from Wheat imported into this Province, and upon which a Duty has been paid, shall be entitled to and shall be allowed a Drawback or allowance of the whole amount of such Duty, that is to say, for every barrel of superfine Wheat Flour, of one hundred and ninety six pounds, so exported, a Drawback or allowance equal to the amount of Duty paid on every four bushels of Wheat from which the same shall have been manufactured, under the restrictions and provisions as otherwise provided by an Act, intituled *An Act to provide for the collection of the Revenue of this Province*.

Drawback allowed on exported Flour made from imported Wheat on which Duty has been paid.

6 W. 4, c. 4.

II. And be it enacted, That in all cases of superfine Wheat Flour being exported for Drawback under the provisions of this Act, the exporters thereof shall

Entry to be made at the Treasurer's Office of Flour ex-