

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.

‘ **W**HEREAS 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-

ported for draw-back.

shall make entry thereof and attest to the same at the office of the Treasurer or Deputy Treasurer at the Port from whence exported, setting forth the names of the vessel and master, and from whence imported, and the rate of Duty paid per bushel on such Wheat from which the Flour so as aforesaid may have been manufactured.

CAP. XXXIX.

2 G. 4, c. 6.

An Act to amend an Act intituled *An Act to make more effectual Regulations relating to Pilots within this Province.*

Passed 13th April 1844.

Preamble.

2 G. 4, c. 6.

Repealed by 13 Geo 4 c 51

WHEREAS by the Act made and passed in the second year of the 'Reign of King George the Fourth, intituled *An Act to make more effectual Regulations relating to Pilots within this Province*, no power is given to 'the Justices of the Inferior Courts of Common Pleas to remove any person who 'may have been once appointed to the office of Warden of any of the Ports in 'the several Counties in this Province, although such person from age or infir- 'mity, or other cause, may not be able or willing to perform the duties of such 'office: And whereas by the construction put upon the said recited Act, it 'requires the joint recommendation of all the Wardens who may be appointed 'for the several Counties for the time being, before the said Justices can appoint 'any Branch Pilot for the Port or Ports in such Counties respectively: And 'whereas great inconvenience frequently arises in consequence thereof;

Justices of Inferior Courts of Common Pleas in Term Time may remove or appoint Port Wardens.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Justices of the Inferior Courts of Common Pleas in Term Time in the several Counties in this Province to remove from time to time any Port Warden or Port Wardens who may have been or shall be hereafter appointed, and to appoint other fit persons in their room.

Port Wardens may examine and recommend persons for Branch Pilots, whom the Justices may in their discretion appoint.

II. And be it enacted, That it shall be lawful for two or more of the Wardens now or hereafter to be appointed in each of the several Counties in this Province, to examine, and in their discretion recommend such persons as shall make application to be appointed Branch Pilots, which persons so recommended, the said Justices may in their discretion in Term Time appoint Branch Pilots for the Port or Ports in such Counties respectively.

2 G. 4, c. 6, so far as inconsistent with this Act, repealed.

III. And be it enacted, That any provisions in the said recited Act inconsistent with the provisions of this Act, be and the same are hereby repealed.

CAP. XL.

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An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John.

Passed 13th April 1844.

Preamble.

WHEREAS sundry large Debts are now due by the said Justices of the 'Peace for the City and County of Saint John, and it is expedient to 'authorize them to raise by a Loan a sum not exceeding three thousand pounds, 'to be applied in part payment of such Debts;

Justices in Sessions authorized to borrow £3000 to pay off the County Debts.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace for the said City and County, to raise by Loan a sum of money not exceeding three thousand pounds, for the purpose of paying off, or in part paying off, debts now actually