

Quarter cords in
Carts defined.

and four feet and four inches in height; and when the said Wood or Bark is measured in carts or other carriages after the rate of one quarter of a cord to each load of such cart or carriage, the said quarter of a cord or load shall be four feet in length, two feet and nine inches, on an average, in breadth or width, and three feet and three inches in height.

Construction of
Carts or Carriages
for conveying
Firewood or
Bark.

II. And be it enacted, That every cart or other carriage, intended and used for the measurement and carriage of Fire Wood or Bark, at the rate of one quarter of a cord to each load thereof, shall be provided with stakes or stanchions on each side of such cart or carriage; which stakes or stanchions shall be so placed as to leave a clear space of two feet eight inches in width between the foremost stakes or stanchions, and of two feet ten inches in width between the two hindmost stakes or stanchions, and the said stakes or stanchions shall be three feet and three inches high from the floor of the cart or carriage, and no higher; and the said stakes or stanchions shall be shouldered with a band of iron round the part which enters the mortice, and the mortices cased with iron, to preserve them, and that at no less than two feet nine inches distance from the floor of such cart or carriage shall be an iron chain fixed across the cart or carriage to the stakes or stanchions, to prevent them spreading wider than the space above mentioned; that the said Wood or Bark shall be well stowed between the said stakes or stanchions up to and even with the tops thereof, and no higher; and the upper surface of the said Wood or Bark, between the tops of the said stakes or stanchions shall be made as flat and level as may be, so that a straight edge may be even, and as nearly as may be in contact with the said Wood or Bark, from the top of each of the stakes or stanchions on one side of the cart or other carriage to the top of each of the stakes or stanchions on the other side of the same, without any rounding or heaping up whatever of the said Wood or Bark higher than the tops of the said stakes or stanchions, any law, usage or custom to the contrary thereof notwithstanding.

[Stowage of the
Wood or Bark.]

Owners of Carts or
Carriages used for
the measurement,
&c. of Wood or
Bark, not so con-
structed, to be
liable to a fine of
five shillings for
each time
employed.

III. And be it enacted, That if any cart or other carriage used for the measurement and carriage of Fire Wood or Bark, shall not be in all respects according to the provisions and requirements of this Act, or if Fire Wood or Bark shall be laid, put or measured on the same otherwise than is described in and by this Act, the owner or driver of such cart or other carriage shall forfeit and pay for every time the said cart or carriage shall be used for the measurement and carriage of Fire Wood or Bark, the sum of five shillings, to be recovered with costs, on complaint and due proof thereof before any one of Her Majesty's Justices of the Peace for the County or City and County wherein the offence shall be committed, and to be appropriated one half to the Overseers of the Poor of the proper Parish, and the other half to whomsoever shall sue for the same.

CAP. XXIV.

An Act to grant a Bounty on the destruction of Bears and Wolves in this Province.

Passed 30th March 1848.

A Bounty granted
for the killing of
Bears and Wolves.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, a reward of thirty shillings shall be paid to any inhabitant or native Indian of the Province for each and every Wolf they may kill or destroy within the limits of the same, and the sum of fifteen shillings for each and every Bear they may kill or destroy within the limits aforesaid.

The issue of
Treasury Warrants
in sums not ex-

II. And be it enacted, That it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, on application

application to him from time to time to be made by any of the several Clerks of the Peace of the Counties in this Province respectively, by and with the advice and consent of Her Majesty's Executive Council, to issue his Warrant on the Treasurer of this Province, or any of his Deputies, directing him to pay over to such Clerk of the Peace, or to his order, out of any monies of any nature or kind soever then in the hands of the said Treasurer or Deputy Treasurer, such sum of money not exceeding fifteen pounds at any one time, as to His Excellency and Her Majesty's Executive Council may seem meet; to be applied by such Clerk of the Peace, and accounted for by him, in the manner hereinafter provided.

ceeding £15, in favour of the Clerks of the Peace, on applications, authorized.

III. And be it enacted, That to entitle any person or persons to the reward of thirty shillings for killing a Wolf, or fifteen shillings for killing a Bear, as mentioned in the first section of this Act, he or they shall bring the nose or noses of the Wolf or Wolves, Bear or Bears, for the killing of which the Bounty is claimed, to any one of Her Majesty's Justices of the Peace residing nearest to the place where the same may have been killed, and shall take and subscribe, (or affix his ordinary mark,) to the following oath, printed or written, that is to say:—

To entitle to the Bounty, the nose of the Bear or Wolf to be produced, and prescribed affidavit made.

' I (or we) do swear, that I (or we) did on the — day of — kill, or assist to kill a Bear (or Bears) or a Wolf (or Wolves) at [here describe the place as near as may be,] in the Province of New Brunswick, and that the nose (or noses) now produced by me (or us) is (or are) the nose (or noses) of the Bear (or Bears) Wolf (or Wolves) so killed, for which the Bounty granted by Law is claimed, and that no other person has received the Bounty for the same.'

*Ref: 20/21 by
1/6 Dec 48
by [unclear]
Harris
in this provision*

Which oath the said Justice is authorized and required to administer without any fee; and shall burn or otherwise destroy the nose or noses so produced before him; and shall also certify under his hand in the jurat of the said affidavit, that he verily believes the statement therein contained to be true, and that he has burned or destroyed the said nose or noses, and shall deliver the said affidavit and certificate to the deponent or deponents.

Justice to certify his belief of the facts, on the jurat.

IV. And be it enacted, That it shall and may be lawful for the several Clerks of the Peace, in their respective Counties, and they are hereby required on presentation of any such affidavit or affidavits, with certificate or certificates as aforesaid, to any of them respectively, forthwith and without any fee, reward, deduction or abatement whatsoever, to pay over to the deponent or deponents, or his or their order, out of the monies in the hands of the said Clerks of the Peace, by virtue of the Warrant in the second section of this Act mentioned, the sum of thirty shillings for each and every Wolf, and the sum of fifteen shillings for each and every Bear so proved to have been killed as aforesaid, for which the said deponent or deponents, or person receiving the same, shall thereupon give the Clerk of the Peace paying the same a receipt or acquittance.

Clerks of the Peace to pay the Bounty on production of the certified affidavit;

V. And be it enacted, That it shall and may be lawful for the several and respective Clerks of the Peace who may make application for and receive a Warrant or Warrants on the Treasury under the provisions of this Act, and they are hereby required on or before the first day of December in each and every year, to make up and transmit to the Office of the Secretary of the Province, a statement in writing signed by such Clerk of the Peace, and sworn to before any Justice of the Peace of this Province, who is hereby authorized to administer such oath, crediting the Province with the amount of monies by him received by virtue of such Warrant, and specifying by names the several parties to whom he may have paid Bounties during the preceding year, and the amount paid to each, accompanied with the vouchers and receipts for the same; which Schedule, vouchers and receipts shall be laid before the House of Assembly at its next sitting.

And transmit Accounts by the 1st of December, to the Provincial Secretary.

Commission of five per cent. allowed.

On receipt of moneys, the Clerks to be deemed Provincial Debtors.

Limitation.

VI. And be it enacted, That the said Clerks of the Peace so intrusted with the distribution of the Wolf and Bear Bounties in their respective Counties as aforesaid, shall be allowed to retain out of the gross amount of the Warrants to them severally made payable, at and after the rate of five per centum and no more; and that immediately on the receipt of the monies in the Warrant or Warrants in their favour respectively specified, the said Clerks of the Peace shall be and be deemed and taken to be debtors to the Province in the amount of the same respectively, subject nevertheless to the provisions of this Act.

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

CAP. XXV.

An Act to prevent the growth and increase of Thistles.

Passed 30th March 1848.

Justices in General Sessions to make regulations to prevent the increase of Thistles.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Her Majesty's Justices of the Peace in their General Sessions, shall make such rules and regulations as to them from time to time shall seem proper and necessary for the preventing the growth and increase of Thistles within such Counties respectively; and the rules and regulations so made, shall be published by posting the same in three or more of the most public places in the Parish or Parishes within the said County in which Parish or Parishes such rules and regulations are to be in force.

Inspectors to be appointed in each Parish to carry the rules into execution

II. And be it enacted, That the said Justices in their General Sessions as aforesaid, shall appoint two or more persons in each Parish within such County, to be Inspectors for the purpose of carrying into execution the rules and regulations so made; and if the persons so to be appointed, or any or either of them, shall refuse to accept such office, or having accepted the same shall neglect his or their duty therein, he and they shall forfeit and pay a fine not exceeding two pounds, to be recovered with costs on complaint and due proof before any one of Her Majesty's Justices of the Peace of the County in which the offence shall be committed, and on non-payment thereof, to be levied by distress and sale of the offender's goods and chattels, by Warrant under the hand and seal of the said Justice, one half of such fine to be paid to the person or persons who shall prosecute the same to effect, and the other half to be paid into the hands of the County Treasurer for the use of the said County.

Penalty for neglect of duty.

Recovery.

Application.

Inspectors to notify parties on whose lands Thistles may be growing, to destroy them.

III. And be it enacted, That it shall and may be the duty of the said Inspector or Inspectors, at such times and seasons as the said Court of General Sessions by their said rules and regulations may direct, and at all and any other time or times in which it may be thought necessary, by a written or verbal notice, to order and direct the owner or occupier of any land on which Thistles may be growing and likely to run to seed, to the injury and annoyance of the adjacent lands, to cut down, pull up or otherwise destroy the said Thistles; and in case the said owner or occupier of any land, after six days notice, shall neglect or refuse to obey the directions therein contained or expressed, he or they shall be liable to pay a fine not exceeding forty shillings, to be recovered with costs on the oath of one or more credible witness or witnesses, on complaint and due proof thereof before any Justice of the Peace of the County in which such offence shall be committed, such fine to be paid into the hands of the County Treasurer for the use of the said County.

Penalty on the land occupant for neglect.

Recovery.

Application.