

or within such further time as the Commissioner upon good cause shewn therefor on affidavit shall grant, then and in such case the certificate of such Bankrupt shall be deemed and taken to be refused.

CAP. VII.

An Act for the better prevention of Trespasses on Crown Lands and Private Property.

Passed 11th April 1850.

Illegally cutting and carrying away trees, logs, &c., made a misdemeanor.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, whosoever shall wilfully and without legal authority therefor, cut and carry away, or cause to be cut and carried away, or being cut shall carry away, or cause to be carried away off any Lands, granted or ungranted, any trees, logs, or timber of any kind, shall be guilty of a misdemeanor, and shall be liable to be imprisoned in the common gaol of the County where the offence may be committed for any term not exceeding one year, or fined in any sum not exceeding fifty pounds, at the discretion of the Court.

How property to be laid in the indictment.

II. And be it enacted, That when any such offence has been committed upon ungranted Lands, the property in the trees, logs or timber cut or carried away shall be laid to be in Her Majesty the Queen; and in case such offence had been committed upon granted Lands, the property in the trees, logs or timber so cut or carried away, may be laid to be in the owner of the freehold of such granted Lands; and in case such offence be committed upon Land held from the Crown, under lease or licence, the property in the trees, logs or timber so cut or carried away, may be laid to be in the lessee or licensee of such Land.

Lessees or licensees of Crown Lands may recover damages.

III. And be it enacted, That whenever any timber, trees or logs are cut and carried away from any grounds held under lease or licence from the Crown, the lessee or licensee may recover damages therefor in an action of trespass or replevin against the person or persons so cutting and carrying away, in any Court of competent jurisdiction, and such lessee or licensee, for the purpose of such action, shall be deemed and taken to be the owner of such property.

Act not to affect any civil remedy.

IV. And be it enacted, That nothing in this Act contained shall in any wise affect any civil remedy of any parties injured by any such trespasses.

Limitation.

V. And be it enacted, That this Act shall continue and be in force for two years and no longer.

CAP. VIII.

An Act to amend the Act providing for the Collection and Protection of the Revenue of this Province.

Passed 11th April 1850.

Warehoused goods may be removed on permission from one Warehouse to another in the same Port.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any goods which have been or shall be hereafter warehoused in some Warehouse in any Port in this Province, may, with the permission of the Treasurer or Deputy Treasurer at such Port first obtained, be removed to any other Warehouse in the same Port in which goods may be warehoused on importation.

Goods so removed and the proprietors to be liable as before.

II. And be it enacted, That all goods which hereafter shall be removed from one Warehouse for or to another in the same Port, and all proprietors of such goods, shall be held subject in all respects to all the conditions to which they would have been held subject if such goods had remained in the Warehouse where the same had been originally warehoused.

Warehouse Bonds may be cancelled and new Bonds

III. And be it enacted, That if any goods shall have been warehoused in any Warehouse, and particular security, as in such case is required, shall have been given

given by the importer of such goods, in respect of the same, and such goods shall have been sold or disposed of, so that the original bonder shall be no longer interested in or have control over such goods, it shall be lawful for the Treasurer, Deputy Treasurer, or other authorized officer, to admit fresh security to be given by the bond of the new proprietor of such goods, or persons having control over the same, with two sufficient sureties, to be approved of by such officer, and to cancel the bond given by the original bonder of such goods, or to exonerate him and his sureties to the extent of the fresh security so given; and so in like manner, if any further transfer be made of the said goods, while in any Warehouse; provided that all such goods be taken out of the Warehouse by payment of Duties or for exportation, within two years from the first entry thereof.

taken in case of sale.

IV. And be it enacted, That no transfer of any goods while remaining in any Warehouse shall be valid until the new security, authorized to be taken by this Act, shall be given by the person to whom such transfer has been made, or by the person having control over the same.

Transfer of warehoused goods not valid until new security be given.

V. And be it enacted, That the Master or person in charge of any vessel, if laden, arriving inward at Saint John, and bound for Fredericton, shall make report of such vessel at the Treasurer's Office in Saint John, and shall, before proceeding up the River, take on board a tidewaiter, or other authorized officer, who shall remain on board until such vessel is duly entered at Fredericton; and any Master or person who shall neglect or refuse so to make such report, or who shall proceed up the River without taking such officer on board, shall forfeit and pay the sum of one hundred pounds.

Inward laden vessels bound for Fredericton, to be reported at Saint John and Revenue Officer taken on board.

Penalty for neglect.

VI. And be it enacted, That the Master or person in charge of any such vessel, on board of which any officer is so stationed, shall provide every such officer sufficient room, under the deck, or some part of the fore-castle, or steerage, for his bed or hammock, and shall also provide such officer, while so on board, with good and sufficient food; and in case of neglect or refusal so to do, shall forfeit and pay the sum of ten pounds.

Revenue Officer to have sufficient berth room and food.

VII. And be it enacted, That any goods duly warehoused at any Port or place within this Province, may be delivered out of such Warehouse to be shipped as Stores for any ship or vessel of the burthen of fifty tons or upwards, bound on a voyage to any Port or place out of this Province, the probable duration of which, out and home, will not be less than thirty days; provided always, that due proof on affidavit shall be made to the Treasurer, Deputy Treasurer, or other authorized officer, by the Master or owner of the ship or vessel, that the articles to be delivered are requisite and necessary for the voyage, and are actually intended therefor.

Goods may be delivered out of Warehouse to be shipped as ship stores for vessels of fifty tons or upwards, on a voyage of thirty days or upwards.

VIII. And be it enacted, That it shall be lawful for the Treasurer or Deputy Treasurer at any Port or place in this Province, to allow the owner of any goods duly warehoused, to sort, separate, pack and repack such goods, and to make such alterations therein, or arrangements thereof, as may be necessary either for the preservation of such goods, or in order to the sale, shipment, or legal disposal of the same; provided always, that no alteration shall be made in any such goods or packages, except at such times and in such manner, and under such regulations and restrictions as the Treasurer or Deputy Treasurer shall require and direct.

Warehoused goods may be sorted, &c., in the Warehouse, under the direction of the Treasurer.

IX. And be it enacted, That if any person or persons shall break open any Warehouse, or by any contrivance illegally or improperly gain access to any goods in any Warehouse established under the provisions of the Act of Assembly made and passed in the eleventh year of the Reign of Her present Majesty, intituled

Breaking open a Warehouse, or illegally gaining access to goods, made a misdemeanour.

11 V. c. 2.

intituled *An Act to provide for the collection and protection of the Revenue of this Province*, to which this Act is an amendment, every such offender shall be guilty of a misdemeanor, and liable to fine or imprisonment, or both, in the discretion of the Court where such offender may be tried and convicted.

Recovery of Penalties to be as Act 11 V. c. 2.

X. And be it enacted, That the penalties hereby imposed shall be recovered and applied according to the provisions of the Act aforesaid to which this is an amendment.

Limitation.

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

CAP. IX.

An Act to consolidate the Laws relating to Buoys and Beacons.

Passed 11th April 1850.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the tenth and eleventh years of the Reign of King George the Fourth, intituled *An Act to repeal an Act, intituled "An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester;"* also an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to empower the Deputy Treasurer at Miramichi to recover from the Commissioners of Buoys and Beacons for the County of Northumberland the balance of monies now remaining in their hands;* also an Act made and passed in the third year of the same Reign, intituled *An Act in addition to and amendment of an Act, intituled "An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester;"* also an Act made and passed in the fifth year of the same Reign, intituled *An Act to alter and amend an Act, intituled "An Act to repeal an Act, intituled An Act for the better security of the Navigation of certain Harbours in the County of Northumberland, and to make more effectual provision for the better security of the Harbours in the Counties of Northumberland, Kent and Gloucester, so far as the same relates to the Bay and Harbour of Restigouche, in the said County of Gloucester;"* also an Act made and passed in the same year of the same Reign, intituled *An Act relating to the Navigation of the Inner Bay of Passamaquoddy;* also an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act relating to Buoys and Beacons in the Harbour of Shediac, in the County of Westmorland;* also an Act made and passed in the eleventh year of the same Reign, intituled *An Act to increase the Duty imposed on Shipping entering the Bay or Harbour of Miramichi, for the support of Buoys and Beacons;* also an Act made and passed in the twelfth year of the same Reign, intituled *An Act relating to Buoys and Beacons in the Harbour of Buctouche, in the County of Kent;* be and the same are hereby repealed; Provided always, that all acts, matters and things heretofore done under and by virtue of any of the said Acts hereby repealed, shall be and remain good, valid and effectual, so far as the same are in accordance with the provisions of the said several Acts or any of them; and provided also, that all appointments heretofore made, and all bonds entered into under and by virtue of the said several Acts, or any of them, shall continue and remain valid and effectual until other appointments are made and other bonds entered into under and by virtue of the provisions of this Act.