

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1848. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1848.

11 Victoria – Chapter 3

An Act to provide for the necessities occasioned by the failure of the Potato and other Crops during the past year. Passed 30th March 1848.

Whereas from the failure of the Potato and other Crops during the past year, and the stagnation of business usually carried on during the Winter season, much necessity and distress is found to be prevailing in various parts of this Province: And whereas it is deemed expedient to appropriate a part of the public money to relieve the same, and also to assist new Settlers and others to procure Seed the ensuing Spring;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in order to relieve the distresses now prevailing, and also to assist new Settlers and others to procure Seed the ensuing Spring, there be granted to His Excellency the Lieutenant Governor or person administering the Government for the time being, the sum of five thousand one hundred pounds, to be distributed in the following manner, that is to say:

For the County of Carleton a sum not exceeding five hundred pounds;
For the County of York a sum not exceeding four hundred and fifty pounds;
For the County of Charlotte a sum not exceeding four hundred and fifty pounds;
For the County of King's a sum not exceeding four hundred pounds;
For the County of Saint John a sum not exceeding four hundred pounds;
For the County of Westmorland a sum not exceeding five hundred pounds;
For the County of Albert a sum not exceeding two hundred and fifty pounds;
For the County of Kent a sum not exceeding four hundred pounds;
For the County of Northumberland a sum not exceeding six hundred pounds;
For the County of Gloucester a sum not exceeding four hundred pounds;
For the County of Restigouche a sum not exceeding two hundred and fifty pounds;
For the County of Queen's a sum not exceeding three Hundred pounds;
For the County of Sunbury a sum not exceeding two hundred pounds:

The said sums to be paid by the Treasurer of the Province, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury, or as payment may be made at the same.

II. And be it enacted, That it shall be lawful for the Justices of the Peace, at any General Sessions in their respective Counties to be holden, or at any Special Sessions of the Peace for that purpose to be called, of which meeting due notice shall be sent by the Clerk of the Peace to every Magistrate residing in the respective Counties, to agree upon and determine the amount required for such Counties respectively, and to apply for and receive the same; provided that the amount

so applied for in any one County shall not exceed the amount named for such County in the preceding section of this Act.

III. And be it enacted, That the said Justices shall at the time of such meeting, agree upon and determine the amount to be allowed for the relief of the several and respective Parishes within such Counties, or such number of the Parishes as may require relief; the several sums so appropriated and apportioned, to be paid as soon as may be by the said Justices, into the hands of the Overseers of the Poor for the said Parishes, without any charge or per centage for the same.

IV. And be it enacted, That it shall be the duty of the Overseers of the Poor in their respective Parishes, forthwith to appropriate and distribute the sums so allowed, for the relief of paupers, and for the relief of such persons, not being paupers, and for the purchase of Seed the ensuing Spring, as they the said Overseers, or the major part of them, may deem just and reasonable.

V. And be it enacted, That it shall further be the duty of the Overseers of the Poor for their respective Parishes, to make out and transmit to the Clerks of the Peace for their several and respective Counties, true and correct accounts, duly attested, of all the monies by them received and delivered under and by virtue of this Act, setting forth the names of the several persons to whom relief may have been extended, with the sums of money paid to each person, including in a list by themselves the names of all paupers, and the sums severally paid to relieve them; which said accounts shall be subject to the same inspection and report of the Grand Juries, and the examination and allowance or disallowance Justices, as other public accounts are by the present laws now in force.

VI. And be it enacted, That it shall be the duty of the Justices of the Peace in their respective Counties, to order an assessment on the several and respective Parishes, for the sums of money so advanced under this Act, distinguishing in their Warrants to the Assessors of Rates, the amount advanced for the relief of paupers, from the amount advanced to other persons, not being paupers, and accompanying such Warrants with a correct copy of the names of all persons, not being paupers, who may have received relief under this Act, with the sums advanced to such persons respectively.

VII. And be it enacted, That it shall be the duty of the Assessors of Rates in their respective Parishes to include the amount so advanced to paupers, and any deficiency that may have arisen by reason, of the death or removal from the Parish of other persons who may have received relief, in one general assessment, and to add thereunto, in a separate column, all the sums so advanced to individuals not being paupers, opposite to their respective names; such assessments in every other respect to be subject to all the provisions of the laws now in force for assessing and collecting rates for public charges; and the money, when collected, shall be paid by the several and respective Collectors into the hands of the County Treasurers, to be by them paid into the Treasury of the Province, on behalf of the several Counties, for the repayment of the sums advanced under this Act.

VIII. Provided always, and be it enacted, That the several sums so to be refunded, shall be collected and paid into the Treasury of the Province within the period of three years after the passing of this Act; and provided also, that nothing in this Act contained shall extend or be construed to extend to render the inhabitants of the Parish of Simonds, in the County of Saint John, liable to refund any sum that may have been advanced for the relief of the Black Refugees, and their descendants, resident in that Parish, but that any sum so advanced shall be refunded by general assessment on the City and County of Saint John.

IX. And be it enacted, That the Assessors and Collectors of Rates, Overseers of the Poor, and all other persons acting under the authority of this Act, shall be severally and respectively liable to all the penalties and forfeitures for neglect of duty or misconduct under this Act, as such Assessors, Collectors, Overseers of the Poor, and such other persons are made liable to under the other laws of this Province now in force.