

Justices of the Peace of the City or County of Saint John, in the manner prescribed by the third Section of this Act.

VIII. ' And whereas it sometimes happens that a Ship or Vessel when loading, "discharging or moored, becomes liable to pay for the use of two or more Wharves, "either on account of Dockage or Wharfage, or by reason of obstructing the ad- "joining Wharf or Wharves, and disputes frequently occur in settling the pro- "portion fairly due to each Wharf, subjecting the Master, Agent, Owner or Con- "signee of such Ship or Vessel to several vexatious demands; for remedy "whereof,' Be it enacted that it shall and may be lawful for His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to nominate and appoint, and at his pleasure to remove, and from time to time to re-appoint, three fit and proper persons residents of the said City or Parish, to be Commissioners of Wharves in the same, whose duty it shall be on being thereto required by the person or persons interested, and on receiving a fee of ten shillings each, personally to inspect any Wharf or Wharves in the said City or Parish liable to be partially used, occu- pied or obstructed by a Vessel or Vessels loading, discharging or lying at the adjoining Wharf or Wharves, and upon such inspection to declare in writing under their hands, or the hands of a majority of them, what rate or proportion of the lawful Dockage or Wharfage each party shall thereafter be entitled unto, and such declaration shall be final and conclusive between the parties and the Master, Agent, Owner, Consignee or person in charge of any Ship or Vessel shall be liable to pay to each party the proportion and rate so assigned and no more, so long as the said written declaration shall remain unrescinded or unaltered by such Com- missioners.

Commissioners of Wharves to be ap- pointed to declare the proportions of Dockage or Wharfage each party may be en- titled to where Wharves are liable to be partially used or obstructed by vessels lying at the adjoining Wharf.

Declaration to be final.

IX. And be it further enacted, That it shall and may be lawful for the person or persons entitled to receive any Dockage or Wharfage, or proportion of any Dockage or Wharfage under this Act to proceed therefor by Bailable Capias, any Law to the contrary notwithstanding.

Bailable Capias may be sued out for the recovery of the Dockage or Wharfage.

X. And be it further enacted, That nothing herein contained shall infringe, impair, or do away any right which the Mayor, Aldermen and Commonalty of Saint John have or possess by the Charter of the City as by Law established.

Act not to impair the rights of the City Corporation.

XI. And be it further 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 forty five.

Limitation.

CAP. XL.

An Act to incorporate the Saint Stephen's Marine Assurance Company.

Passed 4th April 1842.

' **W**HEREAS the Trade of this Province in Shipping and Navigation has 'of late greatly increased, and it is expedient for the protection and 'encouragement thereof to establish a Marine Assurance Company at Saint 'Stephen;

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assem- bly, That James Frink, Robert Lindsay, George M. Porter, William Porter, Robert M. Todd, Freeman H. Todd, F. M. Pingree, Z. Chipman, Nehemiah Marks, John Marks, their Associates, Successors and Assigns, be and they are hereby declared to be a Body Corporate, by the name of the Saint Stephen's Marine Assurance Company, and that they shall have all the powers and privi- leges made incident to a Corporation by Act of Assembly in this Province.

Company Incorporated.