

Wilfully destroy-
ing or damaging
works adjudged
felony, and to be
punished as in 1
W. 4. c. 14.

Legislative grants
limited to £1,250;
all further expen-
ses to be borne by
individual sub-
scription.

Commissioners
not to proceed
with the Canal
until a sufficient
sum be raised
from subscription.

Canal and lands
to be public prop-
erty and free
from any toll.

IV. And be it enacted, That if any person or persons shall wilfully or maliciously, and to the prejudice of the said undertaking, break, damage, throw down, destroy, injure or remove any of the works to be erected or materials to be used by virtue of this Act, any such person or persons so offending shall be deemed and adjudged guilty of felony, and being lawfully convicted thereof shall be liable and subject to the punishment prescribed for felony in and by an Act made and passed in the first year of the reign of His late Majesty King William the Fourth, intituled "An Act for improving the administration of Justice in Criminal cases."

V. Provided always and be it enacted, That no greater sum shall be granted by the Legislature of this Province for the cutting, making and completing of the said Canal, and for the land through which the same shall be cut, then the sum of one thousand two hundred and fifty pounds, and that all further expence incurred in and about the making and completing of the same, shall be borne by individual subscription.

VI. And be it enacted, That it shall not be lawful for the Commissioners to be appointed under the provisions of this Act, to enter into any Contract for the cutting, making and completing of the said intended Canal until a sufficient sum of money shall be raised and paid from individual subscriptions; which, with the said sum of one thousand two hundred and fifty pounds mentioned in the fifth section of this Act, shall be deemed sufficient to complete the said work, anything in this Act contained to the contrary notwithstanding.

VII. And be it enacted, That the said Canal and all and singular the lands on either side taken in the manner hereinbefore pointed out, and all roads and paths along the same, and all other the appurtenances to the said lands and Canal belonging, shall be deemed and taken to the public property of the Province, and under the control of the Legislature thereof, and shall be free from any toll or charge.

CAP. XXXV.

An Act for the improvement of the Practice in the Court of Chancery.

Passed 23d March 1839.

Preamble.

WHEREAS the Practice of the Court of Chancery is in many respects 'dilatory and expensive, and ill adapted to the state of the Province, 'and requires extensive alterations and amendments;

Chancellor with
the advice of Mas-
ter of the Rolls to
direct the forms of
process and pres-
cribe the practice.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Chancellor, by and with the advice and consent of the Master of the Rolls, shall have full power and authority from time to time to direct and declare the forms of process, and to prescribe, modify, alter and amend the practice and proceedings to be observed in all matters of which the said Court now has or hereafter may have cognizance and jurisdiction.

Terms of the
Court.

II. And be it enacted, That there shall be three Terms of the said Court in each year, that is to say: Hilary Term, to commence on the last Tuesday in January and to end on the Saturday then next ensuing; Trinity Term, to commence on the first Tuesday in June and to end on the Saturday then next ensuing; and Michaelmas Term, to commence on the first Tuesday in October and to end on the Saturday then next ensuing; and that causes and other matters to be heard in the said Court may be brought to hearing and heard and determined in vacation as well as in term, under such regulations as may be established in that behalf by the rules and orders of the said Court.

Causes may be
determined in va-
cation.

III.