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THE  
STATUTES OF NOVA SCOTIA,  
PASSED IN THE  
THIRTIETH YEAR OF THE REIGN  
OF HER MAJESTY  
QUEEN VICTORIA:

BEING THE

FOURTH SESSION OF THE TWENTY-THIRD GENERAL  
ASSEMBLY CONVENED IN THE SAID  
PROVINCE.



HALIFAX, N. S.

Printed by ALPIN GRANT, Printer to the Queen's Most  
Excellent Majesty.

1867.



At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Saturday, the 16th day of March, 1867, in the thirtieth year of the reign of our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., &c., &c., being the fourth session of the twenty-third General Assembly convened in the said Province. \*

\*In the time of His Excellency Sir William Fenwick Williams of Kars, Baronet, Lieutenant-General in Her Majesty's Army; Knight, Commander of the Most Honorable Order of the Bath; Grand Officer Legion d'Honneur; first class of the Turkish Order of Medjidee, &c., &c., &c.; Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova Scotia and its Dependencies, &c., &c., &c.; Edward Kenny, President of the Legislative Council; John C. Wade, Speaker of the Assembly; Charles Tupper, Provincial Secretary; and H. C. D. Twining, Clerk of Assembly.

CHAPTER 1.

- |                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                         |
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| <ul style="list-style-type: none"> <li>1. Public Officers. Treasurer. Treasurer's Clerk.</li> <li>2. Commissioner of Public Works and Mines. Chief Clerk of Works. Chief Clerk of Mines.</li> <li>3. Provincial Secretary. Clerk.</li> <li>4. Attorney General.</li> <li>5. Office of Solicitor General abolished.</li> </ul> | <ul style="list-style-type: none"> <li>6. Duties of Financial Secretary performed by Provincial Secretary.</li> <li>7. Treasurer and Commissioner of Public Works and Mines must hold seat in Legislative Council or House of Assembly.</li> <li>8. Inconsistent Acts repealed.</li> <li>9. Act to have effect when Imperial Union Act comes into operation.</li> </ul> |
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An Act relative to certain Public Officers and their Salaries.

(Passed 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. From and after the coming into operation of this Act—
  - Instead of a Receiver General, there shall be a Treasurer, who shall perform the duties of the Receiver General, and give the like bonds for the faithful performance thereof, to whom there shall be paid a salary of two thousand dollars; and there shall be a Treasurer's Clerk, to whom there shall be paid a salary of one thousand dollars, and who shall give bonds in four thousand dollars, with two sureties in two thousand dollars each, for the faithful discharge of his duties.
2. Instead of a Board of Works and a Clerk of Works, and Chief Commissioner of Mines, there shall be a Commissioner of Public Works and Mines, who shall perform the duties of the Board of Works and Chief Commissioner of Mines, to whom there shall be paid a salary of two thousand dollars; and a Chief Clerk of Works, and a Chief Clerk of Mines, to each of whom there shall be paid a salary of one thousand dollars.

Public Officers.  
Treasurer.  
Treasurer's Clerk.  
Commissioner of Public Works and Mines.  
Chief Clerk of Works.  
Chief Clerk of Mines.



Provincial Secretary.

Clerk.

Attorney General.

Office of Solicitor General abolished.

Duties of Financial Secretary performed by Provincial Secretary.

Treasurer and Commissioner of Public Works and Mines must hold seat in Legislative Council or House of Assembly.

Inconsistent Acts repealed.

Act to have effect when Imperial Union Act comes into operation.

3. Instead of the salary now paid to the Provincial Secretary, there shall be paid to that officer a salary of two thousand four hundred dollars, and to his clerk there shall be paid a salary of twelve hundred dollars.

4. Instead of the salary now paid to the Attorney General, there shall be paid to him a salary of sixteen hundred dollars.

5. The office of Solicitor General shall be abolished.

6. There shall no longer be a Financial Secretary, but all the duties required by law to be performed by that officer shall hereafter be performed by the Provincial Secretary.

7. The Treasurer and Commissioner of Public Works and Mines shall not be disabled from becoming a Member of the Legislative Council, or House of Assembly. The seat of any Member of the House of Assembly accepting either of such offices, shall nevertheless become vacant; but he may be re-elected and hold his seat on the same terms and conditions as other departmental officers.

8. All Acts, or portions of Acts, in force in this Province, inconsistent with this Act, shall be repealed.

9. This Act shall not have any force or effect until the Act of the Imperial Parliament of Great Britain and Ireland, entitled, "An Act for the Union of Canada, Nova Scotia, and New Brunswick, and the government thereof, and for purposes connected therewith," shall be brought into full operation by the Proclamation of Her Majesty the Queen.

## CHAPTER 2.

1. House of Assembly—how composed.

2. Boundaries of Counties and Polling Districts continued same as established.

3. Secs. 3, 4, 5 and 6, cap. 3, Revised Statutes, repealed.

An Act to amend Chapter 3 of the Revised Statutes, "Of the Duration of and Representation in the General Assembly."

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

House of Assembly—how composed.

1. The House of Assembly shall hereafter be composed of thirty-eight members, of whom three shall be elected by the County of Halifax, three by the County of Pictou, and two by each of the other Counties.

Boundaries of Counties and Polling Districts continued same as established. Secs. 3, 4, 5 and 6, cap. 3 Revised Statutes, repealed.

2. The boundaries of Counties and Polling districts for the purposes of this Act shall be the same as now established.

3. Sections three, four, five and six, of Chapter 3, of the Revised Statutes, "Of the Duration of and Representation in the General Assembly," are hereby repealed.

## CHAPTER 3.

## An Act to amend Chapter 2 of the Revised Statutes, "Of Executive and Legislative Disabilities."

(Passed the 7th day of May, A. D. 1867.)

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|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|
| 1. Members of Senate or House of Commons not eligible for Legislative Council or House of Assembly. | 2. Sec. 5 of Amended Act shall apply to office of Treasurer and Commissioner of Public Works and Mines. |
|-----------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1. No person being a member of the Senate or House of Commons of Canada, shall be capable of being appointed to, or of sitting or voting in, the Legislative Council of this Province, or of being elected to, or of sitting or voting in, the House of Assembly thereof. And if any person being a member of the Legislative Council, or of the House of Assembly of this Province, shall accept a seat in the Senate, or be elected as a member of the House of Commons of Canada, his seat in the Legislative Council or House of Assembly of this Province, as the case may be, shall thereby be vacated.

Members of Senate or House of Commons not eligible for Legislative Council or House of Assembly.

2. The provisions of the fifth section of the Act hereby amended, shall extend to the Offices of Treasurer and Commissioner of Public Works and Mines.

Sec. 5 of amended Act shall apply to office of Treasurer and Commissioner of Public Works and Mines.

## CHAPTER 4.

## An Act further to amend Chapter 70 of the Revised Statutes, "Of Provincial Government Railroads."

Preamble.

1. In Counties of more than one Sessional District, Custoses and Clerks of Peace to perform duties prescribed in case of single Custos, &c.

2. Sec. 3, cap. 70, repealed.

(Passed the 7th day of May, A. D. 1867.)

Whereas, the Custos and Clerk of the Peace respectively, in the Counties in which the railroad is being constructed, were required to perform certain duties under the said Act, and whereas there are at present in the County of Hants a Custos and Clerk of the Peace for each of the two districts in that County—

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. In the County of Hants, and in any other County where there may be more than one Custos or Clerk of the Peace, any one or either of the said Custoses or Clerks of the Peace respectively, may and shall, within their respective districts, have under the provisions of said Act, all the authority and

In Counties of more than one Sessional District, Custoses and Clerks of Peace to perform duties prescribed in case of single Custos &c.

powers conferred by the said Act on the Custos and Clerk of the Peace of any County, and shall and may execute and perform the duties in said Act imposed on the said officers respectively, and the acts performed by them, or either of them, under the authority aforesaid, shall be as binding, and have the same effect as if the said officers were styled the Custos or Clerk of the Peace respectively for such County.

2. Section 3 of said Chapter is hereby repealed.

Sec. 3, cap. 70,  
repealed.

## CHAPTER 5.

An Act to amend Chapter 70 of the Revised Statutes, "Of Provincial Government Railroads."

(Passed 7th day of May, A. D. 1867.)

1. Railway Land Damages in Hants and Kings to be apportioned by Commissioners.  
Commissioners how appointed.
2. When Sessions fail to appoint.

Be it enacted by the Governor, Council, and Assembly, as follows:

Railway Land  
Damages in  
Hants and  
Kings to be  
apportioned by  
Commissioners.

Commissioners  
how appointed.

When Sessions  
fail to appoint.

1. The assessment for lands taken for the construction of the Windsor and Annapolis railroad, and any liability or sum chargeable for existing railways in the County of Hants, unassessed, instead of being apportioned by the Sessions shall be apportioned upon the said County by Commissioners,—three of whom not residents of said County, to be appointed by the Governor in Council; two by the General Sessions of the Western division; and two by the General Sessions of the Eastern division of said County, as in the said Section of the said Act provided.

2. In case either of the General Sessions shall fail to make such appointment at the first sittings thereof, the Governor in Council shall make the same, which shall be as valid to all intents and purposes as if the appointment had been made by such General Sessions.

## CHAPTER 6.

An Act to amend Chapter 70 of the Revised Statutes, "Of Provincial Government Railroads."

(Passed the 29th day of March, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Debentures au-  
thorized under  
amended cap.—  
how issued.

1. The debentures authorized under the chapter hereby amended, may be issued from time to time as the Railway proceeds, at such rates as the same may command; and the Governor in Council shall determine at what periods of time, in what amounts, and on what conditions such debentures shall be issued.

## CHAPTER 7.

An Act to amend the Act to provide for the construction of two other sections of the Provincial Railway.

(Passed the 7th day of May, A. D. 1867.)

## Preamble.

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Governor and Council may contract loan of £188,600 stg., in addition to £32,000 stg.</p> <p>2. Governor and Council may issue debentures bearing interest at 6 per cent.</p> | <p>3. Form of debentures and coupons. When to be paid.</p> <p>4. Debentures to be delivered to company at par. One half from time to time, and remainder on completion of work.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Whereas, in and by the Act hereby amended, it was provided, amongst other things, that the Chief Commissioner of Railways should be authorized, under the direction of the Governor in Council, to enter into contract with any responsible parties for the construction of the Provincial Railway, including the section from Windsor to Annapolis, on the terms therein set forth; and whereas it was further provided by section three of the said Act, that the contractors for the said section should receive a subvention of four per cent. per annum for twenty years on twenty-four thousand dollars per mile of said section, with the exception of a bridge or viaduct across the Avon river; and whereas, by section five of the said Act it was further provided that the Governor, by an Order in Council, should have power at any time to declare that the said subvention should cease, and that the contractors should be paid in lieu thereof the amount of such subvention capitalized, either in cash or Provincial Debentures, at the option of the Governor in Council; and whereas, by articles of agreement entered into on the twenty-second day of November, A. D. 1866, between Avar Longley, Chief Commissioner of Railways, of the one part, and William Henry Punchard, Frederick Barry, and Edwin Clarke, of the other part, for the construction by the parties of the second part of the said section of railroad from Windsor to Annapolis, it was, amongst other things, agreed by the parties thereto, that the said subvention authorized by the Act hereby amended should be capitalized at the sum of one hundred and eighty-eight thousand six hundred pounds sterling, and that the further sum of thirty-two thousand pounds should be paid to the said parties of the second part by the said Avar Longley, on behalf of the Province of Nova Scotia, for the construction of a bridge or viaduct over the Avon River,—

Preamble.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Governor, by and with the advice of the Executive Council, may, in addition to the said sum of thirty-two thousand pounds, contract a loan to the extent of one hundred and eighty-eight thousand six hundred pounds sterling, on the pledge of the revenues of the Province, whether arising from the duties upon imports, the sale of Crown lands, the royalty

Governor and Council may contract loan of £188,600 stg., in addition to £32,000 stg.

188,600  
32,000

paid upon minerals, or the tolls to be collected on the railways owned by the Province.

Governor and Council may issue debentures bearing interest at 6 per cent.

2. Certificates of debt to be called debentures, bearing interest at six per cent. per annum, or at a less rate, as the Governor in Council may direct, may be issued from time to time as may be necessary; and the Governor in Council may determine at what periods of time, in what amounts, and on what conditions such certificates shall be issued.

Form of debentures and coupons.

3. The debentures shall be in the form to be directed by the Governor in Council, with coupons annexed thereto. They shall be signed by the Governor, and countersigned by the Receiver General. The interest thereon shall be paid half-yearly, at such places as shall be mentioned therein, and the principal money of such debentures shall be paid in full at the expiration of twenty years from the date of their respective issues to the then holder.

When to be paid.

Debentures to be delivered to Company at par

4. Such debentures shall be delivered at par to the said William Henry Punchard, Frederick Barry, and Edwin Clarke, or their assigns or nominees, at such times, during the construction of the said Railway, as the Governor in Council may see fit, in pursuance of the terms of such agreement, provided that the amount so delivered shall not exceed fifty per cent. of the whole amount expended by the Company, according to the certificates from time to time of the Chief Railway Engineer of Nova Scotia, or of some other engineer for that purpose appointed by the Governor in Council, and the balance of such debentures, if any, on the completion of the said Railway.

One half from time to time, and remainder on completion of work.

## CHAPTER 8.

An Act to amend the Act to regulate the Terms of the Supreme Court in the Island of Cape Breton.

(Passed the 7th day of May, A. D. 1867.)

1. Court to sit at Sydney 2d Thursday after 4th Tuesday of October.
2. Proceedings had at adjourned term last November, confirmed.

Be it enacted by the Governor, Council, and Assembly, as follows:

Court to sit at Sydney 2d Thursday after 4th Tuesday of October.

The Supreme Court shall hereafter sit at Sydney on the second Thursday after the fourth Tuesday of October, instead of the second Thursday after the second Tuesday of October, as provided by Chapter 39 of the Acts of 1866, hereby amended; and so much of Section 1 of such Chapter as is inconsistent with this Act is repealed.

Proceedings had at adjourned term last November, confirmed.

2. All proceedings had at the adjourned term of the Supreme Court, at Sydney, in November last, with reference to the drawing of grand and petit jurors, and all Acts connected therewith, and all matters and things transacted at such adjourned term, are hereby ratified and confirmed.

## CHAPTER 9.

An Act to continue Chapter 9 of the Revised Statutes, "Of Excise Duties," and the Act in amendment thereof.

(Passed the 29th day of March, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 9 of the Revised Statutes, "Of Excise Duties," as amended by Chapter 3 of the Acts of 1866, is hereby continued in force until the first day of April, in the year one thousand eight hundred and sixty-eight.

Cap. 9 Revised Statutes, as amended, continued to 1st April, 1868.

## CHAPTER 10.

An Act to continue the Act to regulate Customs Duties.

(Passed the 29th day of March, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 2 of the Acts of 1866, entitled, an Act to regulate Customs Duties, is hereby continued in force until the first day of April, in the year one thousand eight hundred and sixty-eight.

Cap. 2, Acts 1866, continued to 1st April, 1868.

## CHAPTER 11.

An Act to continue Chapter 18 of the Revised Statutes, "Of Light House Duties."

(Passed the 29th day of March, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 18 of the Revised Statutes, "Of Light House Duties," is hereby continued in force until the first day of April, in the year one thousand eight hundred and sixty-eight.

Cap. 18 Revised Statutes continued to 1st April, 1868.

## CHAPTER 12.

An Act further to amend Chapter 15 of the Revised Statutes,  
 "Of the Exportation of Goods, and of Drawbacks."

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Section 1 of Chapter 24 of the Acts of 1866, entitled, "An Act to amend Chapter 15 of the Revised Statutes "Of the Exportation of Goods, and Drawbacks," is hereby repealed.

Sec. 1, Cap. 24,  
 Acts 1866, re-  
 pealed.

## CHAPTER 13.

An Act to amend Chapter 157 of the Revised Statutes of Nova Scotia (third series), "Of Offences relating to the Army and Navy."

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Marks to be used on H. M. Stores.</li> <li>2. Admiralty and War Department, and Contractor, &amp;c., may apply such marks.</li> <li>3. Person unlawfully using such marks, guilty of a misdemeanor.</li> <li>4. Any person unlawfully obliterating or concealing said mark, guilty of felony.</li> <li>5. Person unlawfully keeping or selling stores so marked, guilty of misdemeanor.</li> <li>6. Knowledge that goods bear mark, presumed until contrary shewn.</li> <li>7. Where value of stores does not exceed \$25, case to be tried summarily.</li> <li>8. Persons in whose possession stores with mark are found, must prove that he obtained them lawfully. Former possessor may be summoned, and liable to conviction.</li> </ol> | <ol style="list-style-type: none"> <li>9. What shall be deemed possession.</li> <li>10. Unlawful to creep, dredge, &amp;c., for stores, within 100 yards of H. M. vessels, wharves, &amp;c., without permission.</li> <li>11. Person contravening last section liable to summary conviction.</li> <li>12. Officer commanding Naval or Military forces alone able to prosecute.</li> <li>13. Nothing in this Act shall prevent indictment under this or any other Act.</li> <li>14. Term "Stores" defined.</li> <li>15. Proof under Sec. 2 and 3 of amended Cap.</li> <li>16. Imprisonment under this Act may be in City Prison.</li> </ol> |
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Be it enacted by the Governor, Council, and Assembly, as follows :

1. The marks described in the schedule to this Act may be applied in or on Her Majesty's Naval, Military, Ordnance, Barrack, Hospital, and Victualling Stores, to denote Her Majesty's property in stores so marked.

2. It shall be lawful for the Admiralty and War Department, their contractors, officers, and workmen, to apply the said marks, or any of them, in or on any such stores as are described in the said schedule.

3. If any person, without lawful authority (proof of which authority shall lie on the party accused), applies any of the said marks in or on any such stores, he shall be guilty of a misdemeanor, and shall be liable to be imprisoned for any term not exceeding two years, with or without hard labor.

Marks to be used on H. M. Stores.

Admiralty and War Department, and Contractor, &c., may apply such marks.

Person unlawfully using such marks guilty of a misdemeanor.

4. If any person, with intent to conceal Her Majesty's property, in any Naval, Military, Ordnance, Barrack, Hospital, or Victualling Stores, takes out, destroys, or obliterates, wholly or in part, any such mark as aforesaid, he shall be guilty of felony, and shall be liable to be imprisoned for any term not exceeding two years, with or without hard labor, and with or without solitary confinement.

Any person unlawfully obliterating or concealing said mark, guilty of felony.

5. If any person, without lawful authority (proof of which authority shall lie on the party accused), receives, possesses, keeps, sells or delivers, any Naval, Military, Ordnance, Barrack, Hospital, or Victualling Stores, bearing any such mark as aforesaid, knowing them to bear such mark, he shall be guilty of a misdemeanor, and shall be liable to be imprisoned for any term not exceeding one year, with or without hard labor.

Person unlawfully keeping or selling stores so marked, guilty of a misdemeanor.

6. Where the person charged with such a misdemeanor as last aforesaid, was, at the time at which the offence is charged to have been committed, a dealer in Marine Stores, or a dealer in old metals, or in Her Majesty's Service or employment, knowledge on his part that the stores to which the charge relates bore such mark as aforesaid shall be presumed until the contrary is shewn.

Knowledge that goods bear mark, presumed until contrary shewn.

7. Any person charged with such a misdemeanor as last aforesaid in relation to stores, the value of which does not exceed twenty-five dollars, shall be liable, on summary conviction before two Justices of the Peace, a Stipendiary Magistrate, or the City Court of Halifax, to a penalty not exceeding one hundred dollars, or in the discretion of the Court, or Justices, or Magistrate, to be imprisoned for any term not exceeding six months, with or without hard labor.

Where value of stores does not exceed \$25, case to be tried summarily.

8. In order to prevent a failure of justice in some cases, by reason of the difficulty of proving knowledge of the fact that stores bore such a mark as aforesaid, if any Naval, Military, Ordnance, Barrack, Hospital or Victualling stores, bearing any such mark, are found in the possession of any person not being a dealer in marine stores, or a dealer in old metals, and not being in Her Majesty's Service, and such person, when taken or summoned before two Justices of the Peace, a Stipendiary Magistrate, or the City Court of Halifax, does not satisfy the Justices, Stipendiary Magistrate, or the Court, that he came by the stores so found lawfully, he shall be liable, on conviction, to a penalty not exceeding twenty-five dollars; and if any such person satisfies the Justices, Stipendiary Magistrate, or the Court, that he came by the stores so found lawfully, the Justices, Stipendiary Magistrate, or the Court, at their discretion, as the evidence given and the circumstances of the case require, may summon before them every person through whose hands such stores appear to have passed; and if any such person as last aforesaid, who has had possession thereof, does not satisfy the Justices, Stipendiary Magistrate, or the Court, that he came by the same lawfully, he shall be liable, on conviction, to a penalty

Persons in whose possession stores with mark are found, must prove that he obtained them lawfully.

Former possessor may be summoned.

And liable to conviction.



not exceeding twenty-five dollars, and in default of payment, to imprisonment for any period not exceeding three months, with or without hard labor.

What shall be deemed possession.

9. For the purposes of this Act, stores shall be deemed to be in the possession or keeping of any person, if he knowingly has them in the actual possession or keeping of any other person, or in any house, building, lodging, apartment, field or place, open or enclosed, whether occupied by himself or not, and whether the same are so had for his own use or benefit, or for the use or benefit of another.

Unlawful to creep, dredge, &c., for stores, within 100 yards of H. M. vessels, wharves, &c., without permission.

10. It shall not be lawful for any person, without permission in writing from the Admiralty, or from some person authorized by the Admiralty in that behalf, to creep, sweep, dredge, or otherwise search for stores in the sea, or any tidal water, within one hundred yards from any vessel belonging to Her Majesty, or in Her Majesty's Service, or from any mooring place or anchoring place appropriated to such vessels, or from any mooring belonging to Her Majesty, or from any of Her Majesty's wharves or docks, victualling or steam factory yards.

Person contravening last Sec. liable to summary conviction.

11. If any person acts in contravention of this provision, he shall be liable, on summary conviction before two Justices of the Peace, or a Stipendiary Magistrate, or the City Court of Halifax, to a penalty not exceeding twenty-five dollars, or to be imprisoned for any term not exceeding three months, with or without hard labor.

Officer commanding Naval or Military forces alone able to prosecute.

12. And it shall not be competent for any person other than the officer commanding the Naval or Military Forces in this Province, or persons acting under his authority, to institute or carry on under this Act any prosecution or proceeding for any offence.

Nothing in this Act shall prevent indictment under this or any other Act.

13. Nothing in this Act, or the Act hereby amended, shall prevent any person from being indicted under this Act or otherwise, for any indictable offence made punishable on summary conviction by this Act, or prevent any person from being liable under any other Act or otherwise, to any other or higher penalty or punishment than is provided for any offence by this Act, so that no person be punished twice for the same offence.

Term "Stores" defined.

14. The term "Stores" shall include any single store or article.

Proof under Sec. 2 and 3 of amended Cap.

15. In all prosecutions under sections one, two and three of the chapter hereby amended, proof that any soldier, seaman or marine was actually doing duty in Her Majesty's Service shall be *prima facie* evidence that his enlistment, entry, or enrolment has been regular.

Imprisonment under this Act may be in City Prison.

16. Persons convicted and sentenced to imprisonment under this Act, and the chapter hereby amended, before the City Criminal Court of Halifax, may, in the discretion of the Court, be imprisoned in the City Prison with hard labor, instead of the County Jail.

## SCHEDULE.

*Marks appropriated for Her Majesty's use in or on Naval, Military, Ordnance, Barrack, Hospital and Victualling stores.*

STORES.	MARKS.
Hempen Cordage and Wire Rope.	White, black, or colored worsted threads laid up with the yarns and the wire, respectively.
Canvas, Fearnought Hammocks, and Seamen's Bags.	A blue line in a serpentine form.
Bunting.	A double tape in the warp.
Candles.	Blue or red cotton threads in each wick, or wicks of red cotton.
Timber, Metal, and other stores not before enumerated.	The broad arrow, with or without the letters W. D.

## CHAPTER 14.

An Act relating to the refining of Sugar and the manufacture of Tobacco.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. It shall be lawful for the proprietor or proprietors of any Sugar refinery or Tobacco manufactory in the Province, being the importer or owner of sugar, molasses, or other material, from which refined sugar can be produced, or tobacco leaf, or raw material, from which the manufactured article is produced, to refine the said sugar or manufacture the said tobacco in bond, provided such refining or manufacturing be done under such regulations as the Governor in Council shall, from time to time, make and impose for that purpose.

Sugar may be refined, and tobacco manufactured, in bond, under order of Governor or Council.

## CHAPTER 15.

An Act further to amend the Act relating to the division and partition of Lands.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The provisions of Chapter 16, of the Acts of 1866, shall apply and be extended to cases of undivided lands of testate as well as intestate estates.

Provisions of Cap. 16, Acts 1866, extended to testate estates.

## CHAPTER 16.

## An Act to amend Chapter 25 of the Revised Statutes, "Of Mines and Minerals."

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Who may buy or sell gold quartz within 8 miles of Gold District.</li> <li>2. Violation of preceed'g Sec. a misdemeanor.</li> <li>3. Justice of Peace may issue search warrant for gold illegally concealed. May make order for its restoration.</li> <li>4. Decision of Justice liable to appeal.</li> <li>5. Malice must be proved in action against complainant.</li> </ol> | <ol style="list-style-type: none"> <li>6. Possession of gold by operative workmen.</li> <li>7. Property—in whom laid in the indictments.</li> <li>8. Abandoned excavation under prospecting licenses to be filled up.</li> <li>9. Penalty for not complying with last Section.</li> <li>10. Distinct offence every day such excavation is open.</li> </ol> |
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Be it enacted by the Governor, Council and Assembly, as follows:

1. After the passing of this Act it shall not be lawful for any person except the owner or agent of mining claims then being worked, or unless by the authority in writing of the Deputy Commissioner of Mines of the district, to sell or purchase, except from such owner or authorized person, any quartz containing gold or smelted gold, at or within three miles of any gold district.

2. Any person violating the provisions of this Act shall be guilty of a misdemeanor.

3. On the complaint in writing made to any Justice of the Peace of the County, by any person interested in any mining claim, that mined gold or gold bearing quartz is illegally deposited in any place or held by any person contrary to the provisions of this Act, a general search warrant may be issued by such Justice as in the case of stolen goods, including any number of places or persons named in the said information or complaint, and upon the recovery of any gold or gold bearing quartz, under such warrant, the Justice shall make such order for the restoration thereof to the lawful owner as he shall consider right.

4. The decision of such Justice shall be subject to appeal, as in ordinary cases, to the Supreme Court of the County; but before such appeal shall be allowed, the appellant shall give bonds to the value of the gold or gold bearing quartz, that he will prosecute his appeal at the next sittings of the Supreme Court of the County, and will pay the costs of the appeal in case of a decision against him, and in case of the defendant appealing to pay such fine as the court of appeal may impose, with costs.

5. No action shall be sustained against any complainant unless express malice be proved.

6. When smelted gold or gold bearing quartz is found in the possession of any operative workman or laborer, actively engaged in, or on, any mine, contrary to the provisions of this Act, it shall be *prima facie* evidence that the same has been stolen, and he may be proceeded against accordingly.

Who may buy or sell gold quartz within 8 miles of Gold District.

Violation of preceeding Sec. a misdemeanor.

Justice of Peace may issue search warrant for gold illegally concealed.

May make order for its restoration

Decision of Justice liable to appeal.

Malice must be proved in action against complainant.

Possession of gold by operative workmen.

7. In any indictment brought against any party under the provision of this Act, it shall be sufficient evidence to lay property in the Queen or in any person as owner; and any variance in the latter case, or where the owner is not proved, may be amended on the trial by laying the property in the Queen.

Property—in whom laid in the indictments.

8. It shall be obligatory upon all persons who have obtained license to search for minerals, called "prospecting licenses," under the Chapter hereby amended, to fill up all holes, pits, or excavations, which they may have made for prospecting purposes, and afterwards abandoned.

Abandoned excavation under prospecting licenses to be filled up.

9. Any person leaving any such pit, hole, or excavation, for the space of eight days, open, and unfilled to the depth of one foot or more, without having the same walled or fenced round, at least four feet in height, at all times when not working, the same shall forfeit for each offence a sum not exceeding one hundred dollars, to be recovered by any person who will sue for the same.

Penalty for not complying with last section.

10. Parties violating the provisions of the preceding Section shall be guilty of a distinct offence for every day that such pit, hole, or excavation shall remain open, and unfilled, or without the proper wall.

Distinct offence every day such excavation is open.

## CHAPTER 17.

An Act to repeal Chapter 19 of the Acts of 1859, and to substitute other provisions in lieu thereof.

(Passed the 7th day of May, A. D. 1867.)

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| <p>1. Cap. 19, Acts 1859, repealed.</p> <p>2. Court for nomination of Candidates for General and Local Parliaments, held at Court House in shire town.</p> | <p>3. Altered lines of Polling Districts to have no effect until 24th June, 1868.</p> <p>4. Inconsistent Acts, repealed.</p> |
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Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 19 of the Acts of 1859, entitled "An Act to regulate the manner of conducting elections in Electoral Divisions," is hereby repealed.

Cap. 19, Acts of 1859, repealed.

2. At the election hereafter of members to serve in the House of Commons of Canada, and the Legislative Assembly of Nova Scotia, the Court for the nomination of Candidates shall be held at the Court House, in the shire town of each County, anything in the said Chapter to the contrary notwithstanding.

Court for nomination of Candidates for General and Local Parliaments, held at Court House in shire town.

3. The Acts passed during the present Session, altering the lines of polling districts, shall not have any effect or operation at any election held before the twenty-fourth day of June, in the year of our Lord one thousand eight hundred and sixty eight; but until that date all elections shall be held and conducted in the same way as if said Acts had not passed.

Altered lines of Polling District to have no effect until 24th June, 1868.

4. Any Act or part of any Act inconsistent herewith is hereby repealed.

Inconsistent Acts repealed

## CHAPTER 18.

An Act further to amend Chapter 120 of the Revised Statutes, "Of the solemnization of Marriage, and the registration of Marriages, Births and Deaths."

(Passed the 7th day of May, A. D. 1867.)

1. Issuers to receive 50 cents.

2. Salary of Deputy Registrars.

Be it enacted by the Governor, Council, and Assembly, as follows:

Issuers to receive 50 cents.

1. Section 23 of the said Act is hereby amended by substituting fifty cents for twenty-five cents, as the fee payable to the issuers.

Annual Salary of Deputy Registrars.

2. Clause 4 of Section 27 of the said Chapter 120 of the Revised Statutes is repealed, and the following substituted, "An annual salary of five dollars shall be paid to each Deputy Registrar and Issuer of Marriage Licenses."

## CHAPTER 19.

An Act to amend certain Chapters of the Revised Statutes.

(Passed the 7th day of May, A. D. 1867.)

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| <p>1. Sec. 54 of Cap. 127, "Of Probate Court," repealed. Estate may be declared insolvent. Such insolvency may be pleaded in bar of action. Costs.</p> <p>2. Cap. 185 "Of Witness," &amp;c.. amended. Sec. 11, repealed. In all causes in Supreme Court where discovery is sought, interrogatories in writing may be served on persons competent to be witnesses. How</p> | <p>attested. Neglect to answer to be deemed a contempt of Court.</p> <p>3. Schedule of Cap. 155, "Of Costs," &amp;c. amended. 2nd clause "Of Counsel Fees," repealed. Substituted clause.</p> <p>4. Sec. 23, Cap. 141, of "Absent or Absconding Debtors," &amp;c., amended. Security may be approved by Prothonotary.</p> <p>5. Agent may sue for balance of costs.</p> |
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Be it enacted by the Governor, Council, and Assembly, as follows:

1. Section 54 of Chapter 127 of the Revised Statutes, "Of the Probate Court," is hereby repealed, and the following clause shall be substituted therefor: "Any executor or administrator may make oath before the Judge of Probate who has granted him administration of the estate, that he believes the same to be insolvent; and the Judge may, if he shall think fit, by an order for that purpose, declare the estate insolvent, and the executor may plead such order in bar of any legal proceedings instituted against such executor or administrators, for any cause of action accruing against the deceased; in such case the Court or a Judge may, from time to time, make such order for a stay of proceedings, or such other order or orders as justice may

Sec. 54 of Cap. 127, "Of Probate Court," repealed.

Estate may be declared insolvent.

Such insolvency may be pleaded in bar of action.

require, the costs to be in the discretion of the Court or a Judge.”

2. Chapter 135 of the Revised Statutes, “Of witness, and evidence, and proof of written documents,” is amended thus. Section eleven of the said Chapter is repealed, and the following substituted therefor: “In all causes in the Supreme Court, by order of the Court or a Judge, the plaintiff or defendant may at any time deliver to the opposite party, or his attorney, provided such party, if not a body corporate, would be liable to be called and examined as a witness upon such matter, interrogatories in writing upon any matter as to which discovery may be sought: and require such party, or, in the case of a body corporate, any of the officers of such body corporate, within ten days, to answer the questions in writing, by affidavit, to be sworn before and attested by the Court, a Judge, or Commissioner, or Justice of the Peace, and to be subscribed by the party answering, and filed in the Prothonotary’s office, and notice hereof given to the attorney on the opposite side; and any party or officer omitting, without just cause, sufficiently to answer all questions as to which a discovery may be sought within the above time, or such extended time as the Court or a Judge shall allow, shall be deemed to have committed a contempt of the court, and shall be liable to be proceeded against accordingly.”

Cap. 135 “Of Witness,” &c., amended.

Sec. 11 repealed.

In all causes in Supreme Court where discovery is sought, interrogatories in writing may be served on persons competent to be witnesses.

How attested.

Neglect to answer to be deemed a contempt of Court.

3. The schedule to Chapter 155 of the Revised Statutes, “Of Costs and Fees,” is amended thus: The second clause under the head of Counsel Fees is repealed, and the following is substituted: “In all other causes after appearance or plea in argument for new trials, on demurrer or in special cases submitted, or in bills taxed between attorney and client, to be taxed at the discretion of the Judge, but not to be allowed in cases of default, nor except in cases of demurrer, unless there shall have been a plea pleaded.”

Schedule of Cap. 155, “Of Costs,” &c., amended. 2nd clause “Of Counsel Fees,” repealed. Substituted clause

4. Section 23 of Chapter 141, “Of suits against absent or absconding debtors,” is amended as follows: “The security mentioned in the said section hereby amended, if approved by the Prothonotary, shall have the same operation as if approved by the Court or a Judge; but no such approval by the Prothonotary shall be given unless upon affidavits verifying the sufficiency of the security.”

Sec. 23, Cap. 141, “Of Absent or Absconding Debtors,” &c., amended. Security may be approved by Prothonotary.

5. The sixteenth section of the last mentioned Chapter is amended as follows: “If it shall appear that the agent has goods or credits in his hands or under his control, but not sufficient to pay his reasonable taxed costs, the agent, upon a Judge’s order to be made, shall be entitled to sue out execution against the plaintiff for the balance.”

16 Sec. amended

Agent may sue for balance of costs.

## CHAPTER 20.

## An Act to amend the Practice of the Supreme Court.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Securities given in name of Prothonotary as Obligee may be enforced at Law by his successors or other Prothonotary under order of Court, &c.

1. Any obligation or security for the performance of any duty, or the doing of any thing which heretofore has been, or hereafter may be ordered by the Supreme Court, at Law, or in Equity, or any Judges or Judge thereof, to be made to any Prothonotary of the Supreme Court, as the obligee thereof, may be enforced by action at law, by and in the name of any succeeding Prothonotary, or of any other Prothonotary, under an order of the Court, or a Judge, and after such order no action shall be brought, or, if commenced, shall be continued on any such obligation or security, by or in the name of the original obligee or his executors, administrators, or assigns.

## CHAPTER 21.

## An Act to abolish the next July Term, and to extend the next December Term of the Supreme Court, at Halifax.

(Passed the 7th day of May, A. D. 1867.)

1. Next July Term abolished.

2. December Term extended.

Be it enacted by the Governor, Council, and Assembly, as follows:

Next July Term abolished.

1. The next July Term of the Supreme Court, at Halifax, is hereby abolished.

December Term extended.

2. The December Term of said Court is hereby extended to such time as may be necessary to dispose of the arguments and other business appertaining in any way to such Term, or to the July Term hereby abolished.

## CHAPTER 22.

## An Act to legalize the Revisors' Lists of Electors of the Province of Nova Scotia.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Revisors lists of Electors for whole Province confirmed.

1. The list of electors qualified to vote at elections of members to serve in the House of Assembly for the province of Nova Scotia, as prepared and selected by the revisors for each

revising section in the Province, for the present year, is hereby legalized and confirmed, notwithstanding any informalities in the appointment of the assessors or revisors, and notwithstanding that the said revisors' list or the assessment roll from which the same was prepared, may not have been completed within the time limited therefor, under Chapter 28 of the Acts of 1863, entitled "An Act to regulate the election of Members to serve in the General Assembly," and notwithstanding any omissions, errors, or irregularities in the preparation thereof, or in any of the proceedings had under the said Act.

## CHAPTER 23.

### An Act relating to Highway Labor.

(Passed 7th day of May, A. D. 1867.)

1. Cap. 68, Revised Statutes, (2d series) in force in seven counties. Cap. 62 R. S. (3d series) in force in other counties. This act not to apply to City of Halifax.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 68, Revised Statutes, (second series), "Of Surveyors of Highways and Highway Labor," except in Halifax, as amended by Chapter 40 of the Acts of 1860, shall hereafter be in force in the following Counties, that is to say, in the Counties of Lunenburg, Inverness, Victoria, Cumberland, Digby, Queens, Halifax, and Kings; and Chapter 62 of the Revised Statutes, (third series), shall hereafter be in force in all the other Counties of this Province. This Act shall in no way apply to the City of Halifax.

Cap. 68 Rev. Statutes (2d series) in force in seven counties.

Cap. 62 R. S., (3rd series), in force in other counties. This act not to apply to city of Halifax.

## CHAPTER 24.

### An Act to provide for the holding of a Provincial Agricultural Exhibition in the year 1868.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Central Board of Agriculture shall be entitled to draw from the Provincial Treasury, upon the order of the President or Vice-President, a sum not exceeding six thousand dollars, in order to aid the necessary expenses of a Provincial Agricultural Exhibition, to be held in the City of Halifax in the year 1868, under the provisions of Chapter 96 of the Revised Statutes, "Of the Encouragement of Agriculture."

Central Board may draw \$6000 to aid Exhibition in Halifax.



## CHAPTER 25.

An Act to amend the Act in reference to the Militia, and the Act in amendment thereof.

(Passed the 7th day of May, A. D. 1867.)

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| <p>1. Sec. 17, Chap. 16, Acts 1865 amended, by putting number 14 before word section.</p> <p>2. Section 22 amended, substituting word "Sergeants" for "Non-Commissioned officers."</p> | <p>3. Sec. 50 amended. Fine.</p> <p>4. Men compelled to wear uniform when provided.</p> <p>5. Sec. 10, Cap. 34, Acts 1866, amended.</p> <p>6. Commanding officers exempted from Juries.</p> |
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Be it enacted by the Governor, Council, and Assembly, as follows:

Sec. 17 Cap. 16 Acts 1865, amended by putting number 14 before word section.

1. Section 17 of Chapter 16 of the Acts of 1865 entitled, "An Act in reference to the Militia" is amended, by substituting the number 13 instead of 14, after the word section in such section.

Sec. 22 amended, substituting word "Sergeants" for "non-Commissioned officers."

Sec. 50 amended. Fine.

2. Section 22 of said act is amended by substituting the word "Sergeants" instead of the words "Non-Commissioned Officers"; and the Sergeant of Volunteers shall be paid the sum of five dollars in addition to the sum of ten dollars.

3. Section 50 of said act is amended, by substituting the words "shall pay a fine of one dollar," instead of the words "shall be liable to make up training or duty within the year."

Men compelled to wear uniform when provided.

4. Where the men of a regiment have been provided with a uniform they shall, when ordered, be compelled to wear it, and shall not be at liberty to wear it at any other time, subject to a fine, in either case, of one dollar for omission or transgression of duty.

Sec. 10 Cap. 34 Acts 1866, amended.

5. Section 10 of Chapter 34 of the Acts of 1866, entitled "An Act to amend the Act in reference to the Militia" is amended, by substituting the words "three-quarters," instead of the words "two-thirds," in such section.

Commanding officers exempt from juries.

6. The commanding officers of the brigades and regiments of the local forces shall be exempted from serving on juries.

## CHAPTER 26.

An Act to amend the Act to authorize the sale of School Houses in certain cases.

(Passed 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Where land and house belong to same parties, both may be sold.

1. Where the land on which any School House is situate, belongs to the same parties who own the house, the land, as well as the house, may be sold under the provisions of the act hereby amended.

## CHAPTER 27.

An Act to revest in the Crown certain public grounds in the Town Plot of Chester.

(Passed the 7th day of May, A. D. 1867.)

Preamble.

1. Bounds of lands revested.

Whereas it has been agreed by the General Sessions of the Township of Chester that a certain piece of ground, situate in the town plot, as is hereinafter described, shall be appropriated for the purpose of erecting a Militia Drill Shed ;

Be it therefore enacted by the Governor, Council, and Assembly as follows :

1. One hundred and thirty feet, extending in depth along the line of the parsonage grounds, of the ground allotted for a Court House and Jail in Chester, and sixty feet in width and fronting on the public road is hereby revested in the Crown, for the purpose of erecting a Militia or Military Drill Shed.

## CHAPTER 28.

An Act to vest in the Crown certain Public Lands in the Town of Lunenburg.

(Passed the 7th day of May, A. D. 1867.)

Preamble.

1. Title to lots 6, 7, 8, & 9, vested in Crown for Militia and Military purposes.

Whereas four lots of land situate in the Town of Lunenburg, viz. :—Lots numbers six, seven, eight, and nine, in Strasburg division, Letter D, on which a Militia Drill Shed is now being erected, were granted with other pieces of land in the year 1785 to John Creighton and six other persons, their heirs and assigns, in trust for public uses ; and whereas those trustees are long since deceased, and many inconveniencies have arisen from the trust devolving on the heirs of such trustees ;

And whereas an act passed in the seventeenth year of Her Majesty's reign, Chapter 52, entitled " An Act relating to certain public lands in the Town of Lunenburg," empowering the Governor to appoint trustees of a certain portion of said lands as originally granted ; but which act does not affect the lots above named, to which no new trust has been created, and such lots have become neglected ;

Be it therefore enacted by the Governor, Council, and Assembly as follows :

1. The title to the said lots numbers six, seven, eight, and nine, are hereby vested in the Crown, to be used for Militia or Military purposes.

## CHAPTER 29.

An Act further to amend Chapter 96, Revised Statutes, "Of the encouragement of Agriculture," and the Act in amendment thereof.

(Passed the 7th day of May, A. D. 1867.)

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| 1. More than four Societies may be recognized in each County.                         | 3. Board may expend \$600 for cost of management. |
| 2. Certificate of subscriptions to be certified under Oath of Secretary or Treasurer. | 4. Inconsistent clauses repealed.                 |

Be it enacted by the Governor, Council and Assembly, as follows:

More than four societies may be recognized in each county.

1. In Counties where more than four societies are, or may be formed, the Board shall be empowered, if deemed judicious, and on special application, to recognize the whole or any of such additional societies, and to divide the County Grant among the whole of the societies, including those so recognized.

Certificate of subscriptions to be certified under oath of Secretary or Treasurer.

2. The correctness of the certificate of annual subscriptions, paid into the funds of each society, shall be certified under the oath of its Secretary or Treasurer before such society shall be entitled to draw its proportion of annual grant.

Board may expend \$600 for cost of management.

3. The Board shall be entitled to expend out of the grant placed at their disposal, for expenses of management, a sum not exceeding six hundred dollars, to pay the salaries of their officers, and a further sum not exceeding one hundred dollars for stationery and other incidental expenses.

Inconsistent clauses repealed

4. So much of said Chapter and of the Act in amendment thereof, as is inconsistent with this act, is hereby repealed.

## CHAPTER 30.

An Act to amend Chapter 89 of the Revised Statutes entitled, "Of the Settlement and Support of the Poor."

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

When Town Meeting fail to appoint Clerk, Overseers may do so.

1. In case of failure of the inhabitants of any District, at a Town Meeting, to appoint a Clerk of such Poor District, and to award him remuneration as provided by the twenty-second section of said Act; it shall be lawful for the Overseers of the poor of such Poor District to appoint one, and to award to and pay him reasonable remuneration for his services.

## CHAPTER 31.

## An Act to amend Chapter 152 of the Revised Statutes, "Of the Lunatic Asylum."

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Governor in Council shall appoint three persons as a Board of Commissioners, who shall have the general supervision of the Provincial Lunatic Asylum, and who shall be paid two hundred dollars each annually for their services.

Governor in Council to appoint three Commissioners.

2. The Governor in Council shall appoint an Assistant Physician, who shall receive a salary of one thousand dollars per annum, and shall receive his board and lodging in the Asylum, and shall perform such duties as shall be assigned to him by the Board of Commissioners.

Assistant Physician. Salary and duties.

## CHAPTER 32.

## An Act to amend Chapter 92 of the Revised Statutes, "Of the Preservation of useful Birds and Animals."

(Passed the 7th day of May, A. D. 1867.)

1. Sec. 1 Cap. 92 repealed, and following substituted. No person shall kill or have in his possession Partridge between 1st January and 1st September; nor Woodcock nor Snipe between 1st March and September.

2. Killing or having each bird a separate offence.

3. Sections 4 and 6 repealed.

4. Section 3 amended.

5. Section 4 repealed. Moose only to be

killed during months of September, October, November, and December. Moose skin and fresh meat. Cariboo only to be killed between 1st March and September.

6. Section 6 repealed. Penalty for violation of three last sections.

7. Export of Moose or Cariboo hides prohibited.

8. Snares for Hares allowed between 1st March and September. Penalty.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Section one of the said Act is hereby repealed, and the section and words following are hereby substituted:—No person shall take or kill, or attempt to take or kill, any partridge between the first days of January and September in any year, or shall sell, buy, or have in his possession, any partridge so taken or killed, between the said last mentioned days each inclusive, or shall take or kill, or attempt to take or kill, or have in his possession, any woodcock or snipe, between the first days of March and September in any year.

Sec. 1, Cap. 92 repealed, and following substituted. No person shall kill or have in his possession Partridge, between 1st Jan'y and 1st Sept. Nor Woodcock nor Snipe, between 1st March and September.

2. Section two of said Act is hereby amended, by adding thereto the following words:—"The killing, taking, or having

Killing or having each bird—a separate offence.

as aforesaid, each partridge, snipe, or woodcock, shall be deemed to constitute a separate offence."

Secs. 4 and 6 repealed.

3. Sections four and six of the said Act are hereby repealed.

Sec. 3 amended.

4. In section three the words "nor shall any huntsman or number of persons together at any one time"; and the words "nor shall any person knowingly kill any cow moose," between the first day of January and the first day of September in any year, are hereby struck out of said third section.

Sec. 4 repealed.

Moose only to be killed during months of Sept. Oct., Nov., and Dec.

5. The words following are substituted in the place of section four hereby repealed, that is to say:—"No person shall kill, or pursue with intent to kill, any moose, save only during the months of September, October, November, and December, or shall expose for sale, or have in his or her possession, any green moose skin or moose skin, or fresh moose meat, save only in the months aforesaid, and the first five days in the month of January; and no person shall kill, or pursue with intent to kill, any cariboo between the first days of March and September inclusive in any year."

Moose skin and fresh meat.

Cariboo only to be killed between 1st March and Sept.

Sec. 6 repealed.

6. The section and words following are substituted in the stead of section six hereby repealed, that is to say:—"Any person violating any one of the three next preceding sections shall be liable to a penalty of not less than twenty dollars, nor more than fifty dollars for each offence, to be recovered by any person who may sue for the same. And in case the amount of such penalty and costs be not paid, and the defendant in such prosecution be committed to jail, he shall not be admitted to the benefit of the Insolvent Debtors' Act, until after an imprisonment, without jail limits, of one day for each dollar of such penalty and costs.

Penalty for violation of three last sections.

Export of Moose or Cariboo hides prohibited.

7. The export from this Province of moose or cariboo hides is hereby prohibited and unlawful, and the hides attempted to be exported shall be forfeited, and the owner or person attempting to export the same shall, on conviction, be liable to pay a sum not to exceed five dollars on each hide, to be recovered in the name of any prosecutor in a summary manner before two Justices of the Peace, and, when recovered, to go to the prosecutor.

No snares for Hares allowed between 1st March and September.

8. No snares shall be set for hares between the first days of March and September in any year, under a penalty of two dollars for each offence; and all snares shall be taken up during the aforesaid close season under a penalty of two dollars for each snare not removed by the parties setting the same, on or before the first day of March, to be recovered in the same manner as in the preceding section.

## CHAPTER 33.

## An Act further to amend the Act for the better encouragement of Education.

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Boards of Commissioners may unite two or more sections into one.</li> <li>2. Union—when to take effect.</li> <li>3. Council of Public Instruction may appoint Provincial Boards of Examiners. Examiners—how paid.</li> <li>4. Clerk of Peace to be paid for Lists.</li> </ol> | <ol style="list-style-type: none"> <li>5. Each male resident of full age to pay one dollar for support of Public Schools.</li> <li>6. Where property lies in city and owner resides in Dartmouth.</li> <li>7. Superintendent to pay Commissioners' grants for Teachers.</li> <li>8. Commissioners may dispose of Debentures</li> <li>9. Commissioners to receive \$1000 annually.</li> </ol> |
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Be it enacted by the Governor, Council, and Assembly, as follows:

1. The several Boards of Commissioners shall have power at the semi-annual meeting in May of each year, by vote of at least two-thirds present thereat, to unite two or more school sections into one school section, on a petition addressed to the Board of Commissioners by a majority of the rate payers of each of the Section, setting forth that they have agreed among themselves on the terms on which the existing liabilities shall be borne by the rate-payers of the several sections.

Boards of Commissioners may unite two or more sections into one.

2. The union shall take effect on the day fixed by law for the next annual school meeting, notice of which meeting shall be issued by a County Inspector, and such meeting shall elect a Board of three Trustees for the new section.

Union—when to take effect.

3. The Council of Public Instruction shall be empowered to appoint four qualified persons to constitute a Provincial Board of Examiners, to examine and report upon the written exercises of all candidates for license to teach in the Public Schools of this Province. The Council shall also have power to prescribe the mode in which examinations shall be conducted, to designate the times and places at which candidates shall present themselves for examination, and to make such further arrangements as may be necessary, in order to insure the uniform classification and licensing of teachers. The Examiners, so appointed, shall be paid at the rate of five cents for each paper submitted for their judgment, provided that such payment shall not exceed an average of seventy-five cents per candidate for licenses of the several grades, and the person appointed to conduct the examination in each County shall be paid a sum not exceeding three dollars per diem while actually engaged in the duty. The foregoing provision shall be in lieu of those contained in the "Act for the better encouragement of Education," respecting Provincial and District Examiners.

Council of Public Instruction may appoint Provincial Board of Examiners.

Examiners—how paid.

4. In cases where the number of rate-payers in any school section exceeds twelve, the Clerk of the Peace shall be entitled

Clerk of Peace to be paid for Lists.

to receive twenty-five cents for affixing to the trustees' list the amount of real and personal property for which the rate-payers of the section are assessed in the county rate roll.

## CITY OF HALIFAX.

Each male resident of full age to pay one dollar for support of Public Schools.

5. Every male person of full age having been resident in the city six months or upwards immediately previous to the levying of the assessment in any year, not being assessed to the amount of one dollar for the support of public schools in respect of real or personal property, shall be assessed in the sum of one dollar for the support of such schools during the year; but the City Council shall have power to exempt from the payment of such assessment any person whom they may deem unable to pay the same; and upon the production to the presiding officer of the receipt for such payment, the holder thereof shall be entitled to vote for Mayor and Alderman at any election in the ward wherein such party resides for the year, wherein such payment shall have been made.

Where property lies in city and owner resides in Dartmouth.

6. The words "real and personal property within the county of the residents of the section," in the third clause of the Act of 1866, to amend the act for the better encouragement of Education, applies and shall be understood to apply, to property lying in the city of Halifax, the owner whereof resides in Dartmouth, or other school section in the county, and the words "to be levied and collected from the inhabitants thereof," in clause 19 (4) of the said act, applies and shall be understood to apply, to property lying within the county, the owner whereof resides in the city; and on the payment of the required fee, the City Assessors shall furnish to the Trustees of Dartmouth or other school section, and the Clerk of the Peace for the county shall furnish to the City Assessor, the information necessary in order to give effect to this provision. Any person who may have been assessed, both in the city and in Dartmouth, or any of the school sections, in respect of the same property, shall be entitled to receive back the amount paid by him, either in the city or in Dartmouth or other school section, as the case may be, in accordance with the foregoing construction of the law.

Superintendent to pay Commissioners, grants to teachers.

7. The Superintendent of Education shall be empowered to pay quarterly to the Board of Commissioners the grants provided by law for teachers and assistants employed in the city.

Commissioners may dispose of debentures.

8. The Board of Commissioners for the city shall be empowered to dispose of debentures, authorized under the act hereby amended, at current rates.

Commissioners to receive \$1000 annually.

9. The Board of Commissioners for the city shall be entitled to receive a sum, in no case to exceed a thousand dollars annually, as remuneration for their services, such remuneration to be apportioned according to the promptness and regularity of the attendance of the members of the Board, and the amount of labor performed by each, as the Board may decide.

## CHAPTER 34.

## An Act to provide for the inspection of Petroleum, and Coal Oils and Burning Fluids, and to Regulate the Manufacture and Sale thereof.

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Mayor and Aldermen shall appoint Inspector of petroleum, &amp;c. Inspector's name to be placed on cask.</li> <li>2. Oils that will not bear test of 120° unsafe. Penalty for putting false marks</li> <li>3. Manufacturers in Halifax shall cause oil to be inspected. Penalty for breach of above.</li> <li>4. Penalty for selling oil, &amp;c., not inspected</li> </ol> | <ol style="list-style-type: none"> <li>5. Prosecutions under Secs. 3 and 4 by indictment.</li> <li>6. The Mayor, Aldermen, and Police shall examine oil kept for sale.</li> <li>7. Penalty for importer neglecting to have oil inspected.</li> <li>8. Oil marked unsafe—how stored. Penalty for non-compliance with above.</li> <li>9. Act to come into operation 1st July.</li> </ol> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

The Mayor and Aldermen of the City of Halifax shall, on or before the first day of July, annually appoint one or more persons to be inspectors of petroleum, and coal oils and burning fluids, who shall be sworn to the faithful discharge of their duties; and it shall be their duty, when requested, to inspect such oils and burning fluids by applying the fire-test, with some accurate instrument, to ascertain the igniting or explosive point thereof, in degrees of Fahrenheit thermometer; and they shall cause every vessel or cask thereof by them so inspected to be plainly marked by the name of such inspector, and the igniting or explosive points of the contents thereof.

Mayor and Aldermen shall appoint Inspector of Petroleum, &c.

Inspector's name to be placed on cask.

2. Whenever any cask or vessel of such oil or fluid will not bear the fire-test of at least one hundred and twenty degrees Fahrenheit without ignition or explosion, the same shall be marked as aforesaid, and shall also be marked as unsafe for illuminating purposes; and if any inspector shall knowingly put false marks upon any such casks or vessels of such oils or fluids inspected by him, he shall be punished by a fine not exceeding five hundred dollars, or by imprisonment in the County Jail for six months.

Oils that will not bear test of 120° unsafe.

Penalty for putting false marks.

3. Every person and corporation engaged in manufacturing in the City of Halifax any such petroleum or coal oil or burning fluid, shall cause every cask or other vessel thereof to be inspected and marked as aforesaid, by a sworn inspector; and if any person, or the agent or officer of any corporation, shall manufacture and sell within Halifax any such oil or burning fluid, without first causing it to be inspected and marked as aforesaid, or that has been so inspected and marked as aforesaid as unsafe for illuminating purposes, he shall be punished by a fine of not exceeding five hundred dollars, or by imprisonment six months in the County Jail.

Manufacturers in Halifax shall cause oil to be inspected.

Penalty for breach of above



Penalty for selling oil, &c. not inspected.

4. No person shall sell any such oil or burning fluid without first causing each cask or vessel of the same to be duly inspected and marked as aforesaid, unless it has already been so marked and inspected in Halifax; and if any person shall sell such oil or burning fluid that has not been so inspected and marked, or that has been so inspected and so marked as unsafe for illuminating purposes, he shall be punished by a fine of not exceeding five hundred dollars, or by six months's imprisonment in the County Jail.

Prosecution under Secs. 3 and 4 by indictment. The Mayor, Aldermen, and Police shall examine oil kept for sale.

5. All prosecutions under the second, third, and fourth sections of this Act shall be by indictment.

6. The Mayor, Aldermen, and Police of Halifax, and the Police Magistrate, or any one of them, shall have the right at all times to examine all such oil and fluids kept for sale, and to cause the same to be inspected and tested, and it shall be their duty to do so in all cases where they are informed or believe such oil or fluids are kept for sale in violation of law; and whenever they shall find any person keeping or selling any such oil or fluid in violation of this Act, it shall be their duty to cause such persons to be prosecuted therefor.

Penalty for importer neglecting to have oil inspected.

7. Every importer of petroleum and coal oil and burning fluids, or holder thereof, when the same is not duly marked under the law, must cause the same to be inspected and marked, and on neglecting to do so he shall be punished by a fine not exceeding five hundred dollars, or by six months' imprisonment in the County Jail.

Oils marked unsafe—how stored.

8. All petroleum and coal oil which shall, under the provisions of this Act, be marked unsafe for illuminating purposes, shall be stored in such place of safety, remote from buildings in the city, as the Mayor and Aldermen or Stipendiary Magistrate shall direct; and any person refusing or neglecting to remove and store any petroleum or coal oil in such place of safety, when the same shall have been appointed, shall be liable to a penalty of five hundred dollars, or six months imprisonment in the County Jail.

Penalty for non-compliance with above.

9. This act shall take effect on and after the first day of July next.

Act to come into operation 1st July.

## CHAPTER 35.

## An Act to provide for Defraying certain Expenses of the Civil Government of this Province.

(Passed the 7th day of May, A. D. 1867.)

1. \$9,025—Civil List.	\$40,000—Post communication.
\$2,000—Board of Statistics.	\$8,000—Public printing.
\$12,200—Crown Lands.	\$12,000—Poor's Asylum.
\$4,355—Mines.	\$51,515—Revenue expenses.
\$400—Distressed Seamen.	\$12,393—Poor.
\$10,805—Educational purposes.	\$210,000—Roads and Bridges.
\$1,316—Indians.	\$50,000—Special Grant.
\$4,000—Immigration.	\$200—Land damages.
\$38,200—Legislative expenses.	\$150,000—Provincial Railway.
\$54,000—Military defence.	\$12,340—Steamboats, Packets, and Ferries.
\$16,700—Miscellaneous.	
\$24,340—Navigation Securities.	Aforesaid sums—how paid.
\$195,000—Public Works.	

Be it enacted by the Governor, Council, and Assembly, as follows :

1. There shall be granted to His Excellency the Governor the several sums of money hereinafter mentioned, to provide for defraying certain expenses.

A sum, not exceeding nine thousand and twenty-five dollars, to defray certain charges on the Civil List. \$9,025—Civil List.

A sum not exceeding two thousand dollars, towards defraying the expenses of the Board of Statistics. \$2,000—Board of Statistics.

A sum, not exceeding twelve thousand two hundred dollars, to provide for the expense of the Crown Land Department. \$12,200—Crown Lands.

A sum not exceeding four thousand three hundred and fifty-five dollars, towards defraying the expenses of the Department of Mines. \$4,355—Mines.

A sum, not exceeding four hundred dollars, towards defraying expenses of distressed seamen. \$400—Distressed Seamen.

A sum, not exceeding ten thousand eight hundred and five dollars, for certain educational purposes. \$10,805—Educational purposes.

A sum, not exceeding one thousand three hundred and sixteen dollars, to provide for the relief of Indians. \$1316—Indians.

A sum, not exceeding four thousand dollars, towards the encouragement of Immigration. \$4,000—Immigration.

A sum, not exceeding thirty-eight thousand two hundred dollars, to provide for the pay of the members and officers and contingent expenses of the Legislature. \$38,200—Legislative expenses.

A sum, not exceeding fifty-four thousand dollars, towards defraying the expense of the military defence of the Province. \$54,000—Military Defence.

A sum, not exceeding sixteen thousand seven hundred dollars, to defray certain miscellaneous expenses. \$16,700—Miscellaneous.

A sum, not exceeding twenty-four thousand three hundred and forty dollars, to provide for certain navigation securities. \$24,340—Navigation Securities.

\$195,000—  
Public Works.

A sum, not exceeding one hundred and ninety-five thousand dollars, to provide for certain public works.

\$40,000—Post  
Communication

A sum, not exceeding forty thousand dollars, to defray the expense of postal communication.

\$8,000—Public  
Printing.

A sum, not exceeding eight thousand dollars, towards defraying the expense of public printing.

\$13,000—Poor's  
Asylum.

A sum, not exceeding thirteen thousand dollars, towards defraying the expense of the Poors' Asylum at Halifax.

\$51,515—Reve-  
nue Expenses.

A sum, not exceeding fifty-one thousand five hundred and fifteen dollars, to defray certain charges for the collection and protection of the revenue.

\$12,333—Poor.

A sum, not exceeding twelve thousand three hundred and ninety-three dollars, for the relief of transient and lunatic paupers.

\$210,000—  
Roads and  
Bridges.

A sum, not exceeding two hundred and ten thousand dollars, to provide for the great and bye road and bridge service; and a further sum of fifty thousand dollars, for a special grant for roads and bridges.

\$50,000—Sp'cial  
Grant.

A sum not exceeding two hundred dollars, to provide for certain land damages.

\$200—Land  
Damages.

A sum, not exceeding one hundred and fifty thousand dollars, to provide for the expense of the Provincial Railway.

\$150,000—  
Provincial  
Railway.

\$12,340—Steam-  
boats, Packets,  
and Ferries.

A sum, not exceeding twelve thousand three hundred and forty dollars, to provide for certain steam-boats, packets and ferries.

Aforesaid sums  
—how paid.

2. The several sums of money before mentioned shall be paid by the Receiver General, by warrant of the Governor in Council, out of moneys now in the Treasury, or as payment may be made at the same.

**PRIVATE ACTS.**



# PRIVATE ACTS.

## CHAPTER 36.

### An Act to incorporate the Windsor and Annapolis Railway Company.

(Passed the 7th day of May, A. D. 1867.)

#### Preamble.

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| <ol style="list-style-type: none"><li>1. Incorporation.</li><li>2. Company may sue and be sued in their corporate name.</li><li>3. Capital. Shares.</li><li>4. Liability of shareholders.</li><li>5. Meetings of company—when and where held.</li><li>6. Solicitor to Company. Service of process, &amp;c.</li><li>7. Land and materials required for Railway provided gratis. Company may hold</li></ol> | <ol style="list-style-type: none"><li>land and other property. May lease and mortgage road, &amp;c.</li><li>8. Company may purchase and lease other lines of road.</li><li>9. Company shall own road. Shall appoint officers and fix their salaries.</li><li>10. May construct railway across roads and other railways.</li><li>11. Contract of 1866 and Act 28 Vic., Cap. 13, made part of this Act.</li><li>12. Nothing in this Act to interfere with Contract.</li></ol> |
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Whereas, under and by virtue of an Act of the General Assembly, passed in the twenty-eighth year of the reign of Her Majesty Queen Victoria, Chapter 13, entitled "An Act to provide for the construction of two other sections of Provincial Railways," provision is made for the construction of a section of the Provincial Railway from Windsor to Annapolis, and authority given the Chief Commissioner of Railways to contract with any responsible party or parties for the construction of the same; and whereas the Chief Commissioner of Railways for Nova Scotia did, under and by virtue of the powers and authority of the said Act, on or about the twenty-second day of November, in the year of our Lord one thousand eight hundred and sixty-six, enter into a contract with William Henry Punchard, Frederick Barry, and Edward Clark, of London, Esquires, to construct the said railway.

Preamble

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. Thomas Brassey, William Henry Punchard, Edwin Clark, Thomas Hendry, Edmund Kell Blyth, George Washington Harris, and Julian Howe Solme, and such other persons as shall become shareholders in the company hereby created, their successors and assigns, are hereby constituted a body politic by the name of the Windsor and Annapolis Railway Company, for the purpose of constructing, under the authority, powers,

Incorporation.

and provisions of the said Act; and also of the Act, Chapter 70 of the Revised Statutes, so far as the same shall be applicable, and also of the said contract, a railway from Windsor to Annapolis, for the conveyance and transportation of Her Majesty's, or her successors, mails and passengers, freight, and generally the transaction of all business connected therewith, or necessarily or usually performed on or by railways, and for constructing such wharves, docks, bridges, or piers, as may be necessary for the same.

Company may sue and be sued in their corporate name.

2. The company, in their corporate name, may sue and be sued, implead and be impleaded, and by their solicitor appear and defend all and every action, suit, plaint, and demand, in any of Her Majesty's Courts of Judicature, or in any Courts not of record, or before any tribunal of Her Majesty's dominions.

Capital.

3. The capital of the company shall consist of five hundred thousand pounds sterling, in twenty-five thousand shares of twenty pounds sterling each.

Shares.

Liability of shareholders.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Meetings of Company—when and where held.

5. Meetings of the company shall be held at such times and places as the Board of Directors may appoint, or otherwise, according to the articles of association; and they may, in their bye-laws, provide the time and manner of choosing the officers of the said corporation.

Solicitor to Company.

6. The company, through their directors or otherwise, shall appoint a recognized solicitor, resident in this Province, service on whom of all process, notices, and other documents, shall be held to be sufficient service on the company, and the name and address of such solicitor shall be filed with the Registrar of Deeds for each County where the works of the company are situated; in default of such appointment, or in case of the absence or death of such solicitor, process notices and documents may be served on any of the directors or managers of the company.

Service of process, &c.

Lands and materials required for railway, provided gratis.

7. The lands required for the railway tracts and appurtenances shall be provided gratis to the said company, with the right of entering on all ungranted lands belonging to this Province, and taking free of cost all materials required for the said railway, as under the provisions of section 11, Chapter 70 of the Revised Statutes, the lands so acquired to be the property of the company, who are hereby authorized to exercise all the powers necessary for locating and completing the said railway, to purchase and hold within or without the Province, lands, houses, materials, engines, cars, and all the appurte-

ances of a railway, to make such connection as they may think proper, with other railway or steamboat companies, within or without the Province, either by leasing their road to other corporation or corporations, on such terms and for such length of time as may be agreed upon, or by consolidating the stock of their road with that of other railway companies or company, upon such terms as may be agreed upon to make, execute, and deliver good and sufficient mortgage deed or deeds of their road, and all its branches, to such private persons or corporation within or without this Province as they may think the interest of the stockholders requires.

Company may hold land and other property.

May lease or mortgage road. &c.

8. The company shall have power and be at liberty to negotiate for the purchase of, and in their corporate name to purchase and lease any line or lines of railroad or railroads, tramroad or tramroads, with all the plant, privileges, and appurtenances to the same belonging or appertaining; and the same to re-sell and sub-lease, and all proper and necessary deeds, leases, re-leases, assignments and conveyances, to execute and deliver, and to receive and hold, and the lines of railroads or tramroads so purchased or leased to possess, hold, use and enjoy, in as full and ample a manner as if built under the powers of this Act.

Company may purchase and lease other lines of road.

9. The company shall own the said railroad, and generally shall do all acts and make all rules and regulations in respect thereof, and in the construction and management thereof, as may be necessary and expedient; and the company shall have power to appoint, remove, and fix the salaries of all officers, servants, and others to be by them employed in and about the construction and management of the railroad; and shall have power to make and ordain and establish all necessary bye-laws and regulations consistent with the laws in force in this Province, and the Act herein first above mentioned for their own government, the due and orderly conducting of affairs, the levying of tolls, and the general management of their property.

Company shall own road.

Shall appoint officers and fix their salaries.

10. It shall be lawful for the company to make or construct a railway over and across any roads in the line of the projected railroad, and over and across any railroad or tramroad, and over any river, brook, or stream; subject, nevertheless, in such cases, to regulations to be made by the Court of Sessions to ensure the safety of the inhabitants and their property.

May construct railway across roads and other railways.

11. The several conditions, agreements, provisoes and terms contained and mentioned in the said contract or agreement entered into by the Chief Commissioner of Railways, and the said William Henry Punchard, Fredereick Barry, and Edwin Clark, dated on or about the said twenty-second day of November, one thousand eight hundred and sixty-six, and the said Act of the Twenty-eighth Victoria, chapter 13, so far as the same is not altered or modified by this Act, and each and every of them shall be incorporated into and made part and parcel of this Act.

Contract of 1866 and Act 23 Vic. Cap. 13, made part of this Act



Nothing in this Act to interfere with Contract.

12. Nothing in this Act shall abridge, lessen, or affect the liability of the contractors, the said William Henry Punchard, Frederick Barry and Edwin Clarke, or their assigns, to carry on and complete the said railroad according to the said contract and agreement, or generally to perform, fulfil and keep the several terms and conditions in the said contract and agreement contained on their part to be performed, fulfilled and kept.

CHAPTER 37.

An Act to incorporate the British and American Telegraph Company.

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Company may lay submarine cable between Europe and Nova Scotia.</li> <li>3. May build line of telegraph from point of landing to border of New Brunswick Only provided the Nova Scotia Electric Telegraph Company shall not convey their messages satisfactorily to Govern- or in Council. From its being laid to</li> </ol> | <table border="0"> <tr> <td style="border-left: 1px solid black; padding-left: 5px;"> <ol style="list-style-type: none"> <li>4. Company may sue or be sued by corpo- rate name.</li> <li>5. Liability of shareholders.</li> <li>6. Meetings—when held.</li> <li>7. Solicitor to company : service of process.</li> <li>8. Government to have precedence in sending messages.</li> </ol> </td> <td style="padding-left: 5px;">                 the satisfaction of the Governor in Council.             </td> </tr> </table> | <ol style="list-style-type: none"> <li>4. Company may sue or be sued by corpo- rate name.</li> <li>5. Liability of shareholders.</li> <li>6. Meetings—when held.</li> <li>7. Solicitor to company : service of process.</li> <li>8. Government to have precedence in sending messages.</li> </ol> | the satisfaction of the Governor in Council. |
| <ol style="list-style-type: none"> <li>4. Company may sue or be sued by corpo- rate name.</li> <li>5. Liability of shareholders.</li> <li>6. Meetings—when held.</li> <li>7. Solicitor to company : service of process.</li> <li>8. Government to have precedence in sending messages.</li> </ol>                                                                                                 | the satisfaction of the Governor in Council.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                   |                                              |

Be it enacted by the Governor, Council, and Assembly, as follows :

Incorporation.

1. Sir David Brewster, Sir Patrick Calquhoun, R. N. Fowler, William A. Henry, Charles Miller Layton, William McDougall, Peter Mitchell, Freeman H. Morse, Thomas Page, John Maule Sutton, and Thomas Womersley, and all other persons who shall become proprietors in the company hereby established, their successors and assigns, shall be a body corporate and politic, by the name of the British and American Telegraph Company.

Company may lay submarine cable between Europe and Nova Scotia.

2. The company shall have power to lay down a telegraphic submarine cable between Europe and the Province of Nova Scotia, and to land the same in some suitable place on the coast of the said Province, for the transmission of intelligence between this Province and the United Kingdom of Great Britain and Ireland.

May build line of telegraph from point of landing to border of New Brunswick.

3. The company may build a line of telegraph, beginning at the point at which the submarine line shall be landed on the coast of this Province, and from thence, by the most direct and convenient route, to an office or offices in the city of Halifax, and from thence, for the purpose of transmitting the messages from and to such cable or cables, and for no other purpose whatever, running through the said Province until it reaches the borders of the Province of New Brunswick ; and shall have full power and authority to set up posts for supporting the wires of the said telegraph in and upon any public road, street, or highway, and to make the necessary excavations in the same

for placing such posts or poles; and such posts or poles, and all wires and other apparatus therewith connected shall be, and be deemed to be, to all intents and purposes, the property of the said company—although the lands in which the same are set up be not property purchased or obtained by the said company—under this Act.

Provided that the provision hereinbefore made for building a line of telegraph from the city of Halifax to the borders of New Brunswick shall not have any effect, if the Nova Scotia Electric Telegraph Company, or their lessees, shall promptly convey across and over the lines of the said Nova Scotia Electric Telegraph Company, the messages of the said British and American Telegraph Company, to and from any cable or cables laid by them, at the usual and customary rates, in a manner satisfactory to the Governor and Council, and shall from and after the period of three months from the landing of a cable by the said British and American Telegraph Company, on being indemnified by the said British and American Telegraph Company against any actual loss from the failure of the cable, within twelve months, by a separate wire from those used for any other purpose, forward and convey without delay, and by operators approved by the Governor in Council, all messages of the said British and American Telegraph Company, by and over, and to and from the cable or cables to be laid by the last-mentioned company between Halifax and the borders of New Brunswick, at the usual rate, when any such cable or cables is or are laid, and after reasonable notice and request from the said British and American Telegraph Company, or their agent, to the satisfaction of the Governor in Council; but in case of failure so to do in any or either respect, the Governor in Council may, by proclamation, declare that the said provision shall have effect; and thereupon the said British and American Telegraph Company may build and work the said line from Halifax to the borders of New Brunswick, as provided in this section of the Act.

Only provided the Nova Scotia Electric Telegraph Company shall not convey their messages satisfactorily to Governor in Council.

From its being laid to the satisfaction of the Governor in Council.

4. The company in their corporate name may sue and be sued, implead and be impleaded, and by their solicitor appear and defend all and every action, suit, plaint, and demand in any of Her Majesty's Courts of Judicature, or in any courts not of Record, or before any tribunal of Her Majesty's dominions.

Company may sue and be sued by corporate name.

5. No member of the corporation shall be liable, in his person or separate estate, for the liabilities of the corporation, to a greater amount in the whole than the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount, by becoming surety for the debts of the company.

Liability of shareholders.

6. Meetings of the company may be held at such times and places as the Board of Directors shall appoint, or otherwise according to the articles of association; and they may in their

Meetings—when held.

bye-laws provide the time and manner of choosing the officers of the said corporation.

Solicitor to  
company.

7. The company, through their directors or otherwise, shall appoint a recognized solicitor, resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the company; and the name and address of such solicitor shall be filed with the Registrar of Deeds for each County where the works of the company are situated; and in default of such appointment, or in case of the absence or death of such solicitor, process, notices and documents may be served on any of the directors and managers of the company.

Service of pro-  
cess.

Government to  
have preced'nce  
in sending  
messages.

8. The Government of this Province shall at all times have a preference in point of time in the transmission of intelligence relative to the public service to or from any station of the company within this Province, and all public and political news shall be promulgated on the most favored terms to the press and people of this Province simultaneously with the further transmission of the same.

## CHAPTER 38.

### An Act to incorporate the "St. Lawrence and Bay of Fundy" Canal Company.

(Passed 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital. Shares. When to go into operation.</li> <li>3. First meeting—when and where held. Directors. Bye-laws. Powers of Directors. Officers.</li> <li>4. Liability of shareholders. Transfer of shares.</li> <li>5. Agent. Service of process.</li> <li>6. Company when to go into operation.</li> <li>7. Meetings, when and where held.</li> <li>8. Company may cut and open canal; may make piers, &amp;c.; deepen channels of rivers, &amp;c.</li> <li>9. May construct towing-paths, walks and roads.</li> </ol> | <ol style="list-style-type: none"> <li>10. Canal, &amp;c. free and open to Her Majesty's subjects on payment of tolls.</li> <li>11. Canal may be constructed under roads or railroads, subject to Court of Sessions.</li> <li>12. Proceedings to obtain lands.</li> <li>13. Books and accounts open to inspection.</li> <li>14. List of stockholders.</li> <li>15. Company may drain marsh land, and assess owner for portion of expense. Rate, how assessed.</li> <li>16. Proceedings when land cannot be let to pay rate and costs.</li> <li>17. Company may take and hold ungranted lands required for canal.</li> <li>18. Company to be exempt from payment of taxes.</li> <li>19. Act when to cease.</li> </ol> |
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Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Thomas C. Kinnear, Edward B. Chandler, Robert B. Dickey, William A. D. Morse, and John Campbell, their associates, successors, and assigns, are hereby incorporated by the name of the "Saint Lawrence and Bay of Fundy Canal Company," for the purpose of constructing and operating a canal between the Gulf of St. Lawrence and the Bay of Fundy, and for purchasing, conveying, holding, and selling real and personal estate, and for all the business connected therewith.

2. The capital stock of the company shall be three hundred thousand dollars, in shares of twenty dollars each, with power to the Board of Directors to increase the same to the sum of eight hundred thousand dollars, which shares shall be personal property, and may be transferred and assigned as such, and the corporation shall have power to issue mortgage bonds from time to time, bearing interest, payable semi-annually, or otherwise, if the issue of mortgage bonds be advisable and so decided by a vote of at least two-thirds of the stockholders; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid up.

Capital.  
Shares.

When to go  
into operation.

3. The first meeting of the company shall be held at such time and place in the Province of Nova Scotia or New Brunswick as any three of the corporators shall determine, of which public notice shall be given in one or more of the newspapers published in Nova Scotia or New Brunswick, at least twenty days previous to such meeting, at which meeting or at any subsequent meeting, the company may be organized by the adoption of bye laws, and the election from the shareholders, of a Board of Directors, not less than three nor more than nine in number. The number of Directors may be changed from time to time by an alteration of the bye-laws. There shall be an annual meeting of the stockholders at such time and place as the bye-laws shall prescribe, at such, or at any subsequent annual or special meeting, the bye-laws may be made or changed and the Board of Directors chosen or elected. Special meetings of the stockholders may also be called by the Directors on due notice thereof being given to the Stockholders. The Directors shall have power to transact the business of the company, subject to the bye-laws. A majority of the Board of Directors shall constitute a quorum for the transaction of business; the Directors for the time being shall hold over until others shall be chosen in their places. In case of a vacancy in the Board of Directors, by death, resignation, or otherwise, it may be filled for the residue of the term by the remaining members of the board. The President, Secretary, and such other Officers as may be required, shall be appointed in such manner as the bye-laws may provide.

First meeting,  
when and where  
held.

Directors.

Bye-laws.

Powers of  
Directors.

Officers.

4. No shareholder shall be liable in his person or separate estate for the debts of the company to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account thereof, unless he shall have rendered himself liable for a greater amount by becoming security for the debts of the company; but no stockholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts entered into before the date of such transfer, unless he shall have paid up in full for his stock, so as any action in respect of such liability shall be brought within six months after such transfer.

Liability of  
shareholders.

Transfer of  
shares.

Agent.  
Service of  
process.

5. The Directors shall appoint an agent, resident in this Province, service on whom of all processes, notices, and other documents, shall be held to be sufficient service on the company. The name and address of such agent shall be filed with the Registrar of Deeds in the county of Cumberland, and in case of the death or absence of such agent from the Province, and before another be appointed, service of process may be made by affixing a copy upon some conspicuous building or office of the company, in the county of Cumberland, and advertising the same for two weeks in a newspaper published in that county.

Company when  
to go into  
operation.

6. The company may go into operation as soon as it may be organized by the adoption of bye-laws and the election of a Board of Directors, and a sum equal to twenty-five per cent. of the capital stock is actually paid in.

Meetings when  
and where held

7. The meetings of the directors and stockholders may be held at any place within this Province, or the Province of New Brunswick, as the bye-laws may from time to time provide or prescribe, and the offices for the receipt of subscriptions to stock, the transfer of shares, and the transaction of all business of the company may also be established in such places within this Province, or the Province of New Brunswick, as the bye-laws may from time to time prescribe.

Company may  
cut and open  
canal.

8. It shall be lawful for the company to cut and open either wholly within the county of Cumberland, or in connection with a canal to be cut and carried through any part of the county of Westmorland, in the Province of New Brunswick, either by the action of the tide or artificial means, a sufficient canal or water communication, of such breadth, depth, and dimensions as they may deem fit and necessary, and in such line and direction as may be most practicable and convenient for the purpose of making a navigable channel for ships, vessels, steam boats, and for the conveyance and transport of other personal property to and from the waters of the Gulf of St. Lawrence to the Bay of Fundy, respectively, and to dig and construct all such Basins, reservoirs, locks, dams, sluices, weirs, and embankments, and to form and erect such piers, jetties, quays, wharves, and other works as may be necessary to render the said canal secure and useful, and likewise to dig, excavate and deepen, either by action of the tide, or artificial means, the channels and courses of the rivers La Planche and Tidnish, and other the lakes and streams in the vicinity of the said canal wherever necessary, whether at the junction of the rivers, lakes and streams, respectively, or elsewhere, in the courses, channels or basins thereof, and moreover to divert, turn, change, or alter the course, channel, or direction of such rivers, lakes and streams in the isthmus or narrow neck of land separating the waters of the Gulf of St. Lawrence from the Bay of Fundy, wherever necessary, and to make, dig and excavate a channel or course for such rivers or

May make  
piers, &c.

Deepen chan-  
nels of rivers,  
&c.

the waters thereof in the said isthmus, and to form the said canal, in any other manner or different direction, between such lakes and the rivers and streams of the said isthmus between the Bays of Fundy and de Verte or any particular part thereof, than the course or direction which the waters of the said rivers do now run in or follow, and furthermore to retain, dam up, or confine the waters of such lakes, rivers, or streams on the isthmus aforesaid, in the natural basins, courses or reservoirs thereof, or other artificial basins or reservoirs thereof, to be made by the said corporation, and to lessen or reduce the actual surface waters in depth of such lakes, rivers or streams in the said isthmus, and to fill up the same wherever necessary and proper for the said canal or water communication, and generally to use and appropriate all waters of the lakes, streams and rivers of the said isthmus, and the channels and water courses thereof, to and for the use and benefit of and for rendering effectual, navigable and useful, the said intended canal or water communication from the Gulf of St. Lawrence to the Bay of Fundy.

9. The said company shall have power and authority to make, open, and complete, in all such places as the same be thought necessary, in and upon the said canal, rivers or lakes, and the shores and banks thereof, respectively, such towing paths, walks or roads, as shall be found necessary or useful for the tracking or towing along the line of such canal, rivers, or lakes, the boats, barges or vessels to be used or employed thereupon.

May construct towing-paths, walks, and roads.

10. The canal locks, or towing paths, shall be free and open to all Her Majesty's subjects, at all convenient times and seasons, with their ships, vessels, boats, goods and merchandise, upon payment of the toll or pass money, established or ordained by the corporation.

Canal, &c. free and open to Her Majesty's subjects on payment of toll.

11. It shall and may be lawful for the company to make, or construct the said canal over, under, or across any roads, or railroads, over brook or stream, in the line of the said canal, subject nevertheless, in such cases to regulations to be made by the Court of Sessions of Cumberland so as to insure the safety of the inhabitants and their property.

Canal may be constructed under roads or railroads, subject to Court of Sessions.

12. Whenever it shall be requisite in the construction or maintenance of the works of the said corporation that the company should be invested with any lands, required for the purposes of this act, and for which no agreement can be made for the purchase thereof, the directors may apply by petition, with a plan annexed, to any one of the Judges of the Supreme Court in this Province, setting forth the nature and situation of the land required, the names of the owners or occupiers thereof, and praying a conveyance of the same to the company, thereupon, such Judge, being satisfied that the lands be required, and are not more extensive than may be reasonably necessary shall appoint a time and place for the consideration

Proceedings to obtain land.

of such petition, and shall direct a proper notice in writing to be served upon the owners or occupiers of the land, if in the Province, and to be published for at least one month in at least two newspapers published in Halifax, and also in one newspaper of the county where the lands lie, if there be any newspaper published in such county, requiring them to attend at such time and place personally, or by Attorney; and the Judge shall require the directors to nominate one appraiser, and such owners to unite in naming another appraiser, and the Judge shall nominate another appraiser; but in case such owners do not attend, or shall refuse, or neglect, or cannot agree to make such nomination, the Judge shall on proof of such publication, or service of such notice, nominate two appraisers, and said Directors shall nominate one appraiser; and the Judge shall by an order in writing direct the said three appraisers thus nominated to value the lands so required. And the appraisers having first subscribed an affidavit in writing to be sworn before a Justice of the Peace and annexed to such order, to the effect that they will faithfully make such appraisement in writing, and return it under the hands of the appraisers, or a majority of them, with such order and affidavit, to a Judge, who may confirm, modify, alter, or reject such appraisement, or direct an appraisement de novo. And the company upon paying or tendering the amount of the appraised value, as finally confirmed, and the expenses of the owners on such appraisement to the owners, or in case of dispute to such parties as the Court or Judge may direct, and registering such order, affidavit, appraisement, and confirmation, in the office of Registrar of Deeds in the county in which such lands lie, who is hereby required to register the same, shall be considered the owners of such lands.

Books and accounts open to inspection.

13. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

List of stockholders.

14. A list of the stockholders of the company, and of the number of shares held by each of them on the first day of January in each year, certified under the hand of the President and Secretary, shall be filed in that month with the Registrar of Deeds of the county of Cumberland, and it shall not be necessary to file any other certificate.

Company may drain marsh land, and assess owner for portion of expense.

15. It shall and may be lawful for the said company from time to time to drain any marsh, bog, or swamp land, and lands covered with water, through which the said canal may run, or in the vicinity thereof, and to flow such lands with tide water for the purpose of converting the same into productive marsh, and to assess the owners or occupiers of such lands for any expenses incurred by the said company in draining or flowing the same, as aforesaid, having regard to the quantity and quality of land of each owner or occupier, and the benefit to be by him received. The company may make such assess-

ments where the rate shall not exceed one dollar and fifty cents per acre on the whole quantity of rateable land, and shall give notice thereof in writing to such owners or occupiers; but every owner and occupier may within ten days after receiving such notice, appeal from the said rate, by a written notice left at the office of the company, to the next general sessions of the peace for Cumberland, or to a special sessions convened for that purpose, which Court of Sessions shall have power to alter or amend such rate, in whole or in part, and to make a final order on the premises, including costs of such appeal on both sides against the appellant or appellees, as they may see fit. Where the rate shall exceed one dollar and fifty cents per acre the company shall give written notice to the owners or occupiers of such lands, or their known agents, to meet at a certain place and time, not less than five days after service thereof, when two-thirds in interest of the owners or occupiers present may appoint one assessor, and it shall be the duty of the custos of the county, within one week after such appointments and notice thereof, to appoint a third assessor, which assessors shall be disinterested persons, and shall be sworn into office before any Justice of the Peace and they, or a majority of them, may assess the owners or occupiers of such lands for the expenses incurred, as aforesaid, together with a sum not exceeding one dollar and fifty cents per day for each assessor while actually employed, in case the proprietors shall neglect to meet, or to appoint an assessor, or in case the assessors or a majority of them neglect to perform the duties imposed upon them, the assessor appointed by the company may make the assessment.

Rate, how assessed.

16. If any such lands cannot be let for a sufficient time to pay the rates, costs, and expenses assessed, the sheriff, or his deputy, at the request of the company, may sell the same or so much thereof, as is necessary to pay the rates, costs, and expenses, first giving thirty days notice of the time and place of such sale, by hand-bills, posted in three or more public places in Amherst, and shall execute and deliver to the purchaser or purchasers a good and valid deed of such lands, for which deed and sale he shall be entitled, out of the proceeds, to two dollars, a recital in the deed of such hand-bills having been duly posted shall be presumptive evidence of the fact.

Proceedings when land cannot be let to pay rate and costs.

17. The company shall be entitled to take and hold as their own property any ungranted lands on the line of the said canal, required for the said work, as well as any such ungranted swamp or bog land, or lands covered with water, whether fresh or tide water, which from time to time may be reclaimed or made productive by the company by means of the prosecution of their said works.

Company may take or hold ungranted land required for canal.

18. The company shall be exempt and discharged from the payment of poor and county rates, or other public and local taxes, rates, or assessments, until a dividend or dividends of

Company to be exempt from payment of taxes.



profits on the joint stock or capital actually paid in, equal to the legal rate of interest shall have been declared and actually paid.

Act—when to  
cease.

19. This act shall cease and determine if effective operations under it be not commenced within five years.

### CHAPTER 39.

An Act to amend the Act passed during the present Session to incorporate the St. Lawrence and Bay of Fundy Canal Company.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows :

Draws and  
crossings ren-  
dered necessary  
to Railway, to  
be at expense of  
Company.

1. In case during or after the construction of the Railway from Truro leading to the New Brunswick border the said company shall find it necessary, in making the said Canal, to cut the same across or under such Railway, all the needful bridges, draws and crossings shall be constructed and maintained at the expense of the said company, and shall be built and repaired in accordance with plans to be approved, and under the supervision of an Engineer appointed by the Government.

### CHAPTER 40.

An Act to provide for a station at Windsor for the Windsor and Annapolis Railway Company.

(Passed the 7th day of May, A. D. 1867.)

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|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1. Chief Commissioner of Railways may convey to Company part of Station grounds, Windsor. | 2. Shall execute deed thereof. Other lands laid off for Station, to revert to owner. |
|-------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows :

Chief Commis-  
sioner of Rail-  
ways may con-  
vey to Company  
part of Station  
grounds, Wind-  
sor.

1. The Chief Commissioner of Railways shall have power to convey to the Windsor and Annapolis Railway Company such portion of the present station grounds at Windsor as the Governor in Council may by order direct, to be used as a station for the said company.

Shall execute  
deed thereof.

2. The Chief Commissioner of Railways is hereby authorized to give a good and sufficient deed of the said lands and premises so appropriated to the said Windsor and Annapolis Railway Company, and such deed, when executed, shall vest the title of said lands and premises in the said company for the purposes aforesaid, and any lands which may have been laid off in Windsor for a station shall thereupon revert to the owner thereof.

Other lands  
laid off for Sta-  
tion, to revert  
to owner.

## CHAPTER 41.

## An Act to incorporate the Palmerston Mining Company.

(Passed the 7th day of May, A. D. 1867.)

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| <ul style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital stock.</li> <li>3. First meeting—when and where held.</li> <li>4. Liability of Stockholders.</li> <li>5. Directors may receive lands in payment of stock.</li> </ul> | <ul style="list-style-type: none"> <li>6. Transfer of shares.</li> <li>7. List of Shareholders to be filed.</li> <li>8. Meetings—when held. Manager. Service of process.</li> <li>9. Books and Accounts open to inspection.</li> <li>10. Act—when to cease.</li> </ul> |
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Be it enacted by the Governor, Council, and Assembly, as follows :

1. Newell Snow, W. L. Lowell, Charles Barrett, James Dand, and Oliver Brewster, their associates, successors, and assigns, are hereby incorporated by the name of the Palmerston Mining Company, for the purpose of mining, quarrying, digging, crushing, washing, and otherwise winning gold or gold-bearing quartz and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property, and to erect all such buildings and machinery as may from time to time appear expedient, and to carry on the business of mining, quarrying, or otherwise searching for gold and other metals and minerals, and crushing, smelting, reducing, and refining the same, whether on account of the company, or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company. Incorporation.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares, of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in. Capital stock.

3. The first meeting of the company shall be held at such time and place in this Province or in the United States of America, as the above corporators, or any three of them, shall determine, and of which public notice shall be given in one or more newspapers published in the city of Halifax, in the Province of Nova Scotia, and in one or more newspapers published in the city of Boston, in the United States of America, at least twenty days previous to such meeting, and continued to the date thereof; at which, or any subsequent meeting, the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person or by proxy, shall have full First meeting—when and where held.

power to organize the company, establish bye-laws, and elect all necessary officers.

Liability of stockholders.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company. But no shareholder, who may have transferred his interest in the stock of the company, shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Directors may receive lands in payment of stock.

5. The directors of the company may receive and hold lands, mines, buildings, machinery, mining rights or privileges, or any interest therein respectively, in the payment for stock subscribed for, or of any instalment or instalments due thereon; but subject, nevertheless, to such conditions as to valuation or acceptance of the same, or otherwise, as may be imposed by the bye-laws of the said company.

Transfer of shares.

6. The transfer of shares in the said company shall be valid and effectual for all purposes from the time such transfer is made.

List of shareholders to be filed.

7. A list of the stockholders of the said company, and of the number of shares held by each of them on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year, with the Registrar of Deeds of the county or district where the principal works of the company are situated in this province; such certificate to contain the names of the stockholders, and the number of shares held by them respectively on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meetings--when held.

8. The meetings of the company shall be held at such place in this Province, or in the United States of America, as the directors may appoint; and the company through their directors or otherwise, shall appoint a recognized manager or agent, resident in this Province, service on whom of all process, notices, and other documents, shall be held to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the county of Halifax, in default of such appointment, or in case of the absence or death of the agent, process, notices, and documents may be served on any officer or employee of the company, or for want of such officer or employee may be posted on some principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

Manager.

Service of process.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books and accounts open to inspection.

10. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 42.

### An Act to incorporate the Union Gold Mining Company.

(Passed the 7th day of May, A. D. 1867.)

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| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital stock. Shares.</li> <li>3. First meeting—when and where held. Company—how organized.</li> <li>4. Liability of Stockholders.</li> <li>5. Directors may receive lands, &amp;c., in payment for stock.</li> </ol> | <ol style="list-style-type: none"> <li>6. Transfer of shares.</li> <li>7. List of Stockholders to be filed.</li> <li>8. Meetings—when held. Agent. Service of process.</li> <li>9. Books and Accounts open to inspection.</li> <li>10. Act—when to cease.</li> </ol> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows :

1. William Graves, C. W. Bellows, and Charles B. Cowling, their associates, successors, and assigns, are hereby constituted a body politic and corporate, by the name of The Union Gold Mining Company, for the purpose of mining, quarrying, digging, crushing, washing and otherwise winning gold or gold bearing quartz, and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property ; and to erect all such buildings and machinery as may from time to time appear expedient ; and to carry on the business of mining, quarrying, or otherwise searching for gold or other metals, and minerals, and crushing, smelting, reducing and refining the same, whether on account of the company or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company.

Incorporation.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares of one dollar each, which shall be personal property, transmissible and assignable as such ; and the company shall have power to increase their capital stock to two hundred thousand dollars by the issue of new shares ; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in.

Capital stock.

Shares.

3. The first meeting of the company shall be held at such time and place, in this Province, or in the United States of America as the above corporators or any three of them shall determine, and of which public notice shall be given in one or more newspapers published in the City of Halifax, in the Pro-

First meeting—when and where held.

Company—how organized.

vince of Nova Scotia, and in one or more newspapers published in the City of Boston, in the United States of America, at least twenty days previous to such meeting, and continued to the date thereof, at which or any subsequent meeting the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person, or by proxy, shall have full power to organize the company, establish bye-laws, and elect all necessary officers.

Liability of stockholders.

4. No member of the corporation shall be liable, in his person, or separate estate, for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability, shall be brought within six months after such transfer.

Directors may receive lands, &c., in payment for stock.

5. The directors of the Company may receive lands, mines, buildings, machinery, mining rights or privileges, or any interest therein, respectively in payment for stock subscribed for, or of any instalment or instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same, or otherwise as may be imposed by the bye-laws of the company.

Transfer of shares.

6. The transfer of shares in the company shall be valid and effectual for all purposes from the time such transfer is made.

List of stockholders to be filed.

7. A list of the stockholders of the said company and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds of the county or district where the principal works of the company are situated in this Province, such certificate to contain the names of the stockholders, and the number of shares held by them respectively, on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meeting—when held.

8. The meetings of the company shall be held at such place in this Province or in the United States of America as the directors may appoint; and the company through their directors or otherwise shall appoint a recognized manager or agent resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the County of Halifax; in default of such appointment, or in case of the

Agent.

absence or death of the agent, process, notices and documents may be served on any officer or employee of the company, or for want of such officer or employee may be posted on some principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

Service of process.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books and accounts open to inspection.

10. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 43.

### An Act to incorporate the Blue Lead Gold Mining Company.

(Passed the 7th day of May, A D. 1867.)

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|-----------------------------------------------------------------|---------------------------------------------------|
| 1. Incorporation.                                               | 6. Transfer of shares.                            |
| 2. Capital stock. Shares.                                       | 7. List of Stockholders to be filed.              |
| 3. First meeting—when and where held.<br>Company—how organized. | 8. Meetings—when held. Agent. Service of process. |
| 4. Liability of Stockholders.                                   | 9. Books and Accounts open to inspection.         |
| 5. Directors may receive lands, &c., in payment for stock.      | 10. Act—when to cease.                            |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. George B. Capel, William A. Phillips, and Charles W. Pierce, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Blue Lead Gold Mining Company, for the purpose of mining, quarrying, digging, crushing, washing and otherwise winning gold and gold-bearing quartz, and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property; and to erect all such buildings and machinery as may from time to time appear expedient, and to carry on the business of mining, quarrying, or otherwise searching for gold or other metals and minerals, and crushing, smelting, reducing and refining the same, whether on account of the company, or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company.

Incorporation.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars by the issue of new shares; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in.

Capital stock.

Shares.

First meeting—  
when and where  
held.

3. The first meeting of the company shall be held at such time and place, in this Province, or in the United States of America, as the above corporators, or any three of them, shall determine, and of which public notice shall be given in one or more newspapers published in the city of Halifax, in the Province of Nova Scotia, and in one or more newspapers published in the city of Montreal, Canada, and in one or more newspapers published in the city of Boston, in the United States of America, at least twenty days previous to such meeting and continued to the date thereof; at which or any subsequent meeting the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person, or by proxy, shall have full power to organize the company, establish by-laws, and elect all necessary officers.

Company—how  
organized.

Liability of  
stockholders.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Directors may  
receive lands,  
&c., in payment  
for stock.

5. The directors of the company may receive lands, mines, buildings, machinery, mining rights, or privileges, or any interest therein respectively, in payment for stock subscribed for, or for any instalment or instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same, or otherwise, as may be imposed by the bye-laws of the company.

Transfer of  
shares.

6. The transfer of shares in the company shall be valid and effectual for all purposes from the time such transfer is made.

List to stock-  
holders to be  
filed.

7. A list of the stockholders of the said company, and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds of the County or District where the principal works of the company are situated in this Province, such certificate to contain the names of the stockholders, and the number of shares held by them respectively on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meetings—when  
held.

8. The meeting of the company shall be held at such place in this Province, or in the United States of America, as the directors may appoint, and the company through their direct-

ors, or otherwise, shall appoint a recognized manager or agent, resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the Company, and the name and address of such agent shall be filed with the Registrar of Deeds for the County of Halifax; in default of such appointment, or in case of the absence or death of the agent, process, notices, and documents may be served on any officer or employee of the Company, or for want of such officer or employee, may be posted on some principal building of the Company; and such service or posting shall be deemed a sufficient service on the Company.

Agent.

Service of process.

9. The books and accounts of the Company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books and accounts open to inspection.

10. This act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 44.

### An Act to incorporate the Pictou Mining Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                     |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital stock. Shares.</li> <li>3. First meeting—when held.</li> <li>4. Liability of Shareholders.</li> <li>5. Company—when to go into operation.</li> <li>6. Directors may receive land, &amp;c., in payment of shares.</li> </ol> | <ol style="list-style-type: none"> <li>7. List of Stockholders to be filed.</li> <li>8. Meeting—when and where held.</li> <li>9. Proceedings to obtain lands.</li> <li>10. Books and Accounts open to inspection.</li> <li>11. Act—when to cease.</li> <li>12. Company may make Railway.</li> </ol> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1. F. Ellerhausen, S. R. Jackson, J. L. Hodson, and L. Burkner, their associates, successors and assigns, are hereby constituted and declared to be a body politic and corporate by the name of the "Pictou Mining Company," for the purpose of opening and working coal mines in the county of Pictou, or elsewhere, in the Province of Nova Scotia, and manufacturing coal oil and other substances from coal, and trading in the products of such mines and manufactures, and transacting business connected with any of the purposes aforesaid, or any of them, to purchase, take, or lease, or otherwise acquire any lands and other property, and to construct and make such railways, tramways, or other roads as may be deemed necessary for the transportation of the products of mines worked by the said company, and of other articles to and from such mines, and to purchase or hire, construct, build or erect all such wharves, docks and piers, mills, houses, buildings and

Incorporation.



machinery as may from time to time appear expedient, and to do all other matters and things which the company may deem incidental or conducive to those objects or any of them.

Capital stock.

Shares.

2. The capital stock of the company shall consist of fifty thousand shares, of the par value of ten dollars for each share, which shall be personal property, transmissible and assignable as such, and the company shall have power to increase their capital stock to seven hundred and fifty thousand dollars, by the issue of new shares; but the company shall not go into operation until twenty-five per cent. of the capital stock shall have been actually paid in.

First meeting—  
when held.

3. The first meeting of the company shall be held at such time and place in the United States as the said corporation or any three of them shall determine, and of which public notice shall be given in one of the newspapers published in Halifax, and in the state paper published at Augusta, and the Boston Journal published at Boston, in the United States, at least twenty days previous to such meeting, at which, or at any subsequent meeting, the company may be organized by the election of not less than three Directors and of other necessary officers; and the shareholders present in person, or by proxy, shall have power to organize the company, to establish bye-laws, and elect all necessary officers.

Liability of  
stockholders.

4. No member of the corporation shall be liable, in his person or separate estate, for the debts of the company to a greater amount than the stock held by him in the company, unless he shall have rendered himself liable for a greater sum by becoming security for the debts of the company, deducting therefrom the amount actually paid to the company on account of such stock; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Company when  
to go into  
operation.

5. So soon as twenty-five per cent. of the capital stock is paid in, the company may go into operation.

Directors may  
receive lands,  
&c., in payment  
for stock.

6. The Directors of the company may receive lands, mines, buildings, wharves, machinery, mining rights, or privileges, or any interest therein respectively, on payment of stock subscribed for, or of any instalment or instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same, or otherwise, as may be imposed by the bye-laws of the company.

List of stock-  
holders to be  
filed.

7. A list of the stockholders of the company, and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year, with the Registrar of Deeds, of the county or district where the principal works of the company are situate in this Province, such certificate to contain

the names of the stockholders, and of the number of shares held by them respectively, on the first day of the month in which such certificate is filed, and it shall not be necessary to file any other certificate of transfer or copy thereof.

8. The meetings of the company shall be held at such place in this Province, or the United States, as the Directors may appoint, and the company, through their Directors, or otherwise, shall appoint a recognized manager, or agent, resident in this Province, service on whom of all process, notices, and other documents, shall be deemed to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the county of Halifax. In default of the appointment, or in case of the absence, or death of such agent, process, notices, and documents may be served on any officer of the company, or for want of such officer may be posted on some principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

Meetings when and where held

Agent.

Service of process.

9. Whenever it shall be necessary in the construction or maintenance of the works of the company, that the company should be invested with lands, contiguous thereto, and no agreement can be made for the purchase thereof, it shall be lawful for the Directors to apply, by petition, with a plan annexed, to any one of the Judges of the Supreme Court, setting forth the nature and situation of the lands required, the names of the owners or occupiers thereof, and praying a conveyance of the same to the company, whereupon such Judge being satisfied that the lands are required, and are not more extensive than may be reasonably necessary, shall appoint a time and place for the consideration of such petition, and shall direct a proper notice, in writing, to be served upon the owners or occupiers of the lands, if in the Province, and to be published for the period of one month in at least two newspapers published in Halifax, and also, if there be any, in one newspaper of the county where the lands lie, requiring them to attend at such time and place, personally or by attorney, and the Judge shall require the Directors to nominate one appraiser, and such owners to unite in naming two appraisers, and the Judge shall nominate two appraisers; but in case such owners do not attend, or shall neglect, or refuse, or cannot agree to make such nomination, the Judge shall, on proof of such publication or service of such notice, nominate four appraisers, and shall by an order in writing direct the said five appraisers to value the lands so required, and the appraisers having first subscribed an affidavit, in writing, to be sworn to before a Justice of the Peace, and annexed to such order, to the effect that they will faithfully make such appraisement, shall with all convenient speed proceed to and appraise such land, and shall make such appraisement, in writing, and return it under the hands of the appraisers, or a majority of them, with such order and affidavit

Proceedings to obtain lands.

to a Judge, who may confirm, modify, alter, or reject such appraisement, or direct an appraisement *de novo*; and the company upon paying or tendering the amount of the appraised value, as finally confirmed, and the expenses of the owners on such appraisement to the owners, or in case of dispute to such parties as the court or a Judge shall direct, and registering such order, affidavit, appraisement, and confirmation in the office of the Registrar of Deeds in the county in which such lands lie, who is hereby required to register the same, shall be considered the owners of such lands.

Books and accounts open to inspection.

10. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Act—when to cease.

11. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Company may make railway.

12. It shall be lawful for the company to make or construct a railway over and across any roads in the line of the projected railroad, and over and across any railroads or tramroads, and over and across any river, brook, or stream, subject nevertheless in such cases to regulations to be made by the Court of Sessions, to insure the safety of the inhabitants and their property.

## CHAPTER 45.

### An Act to incorporate the Eldorado Gold Mining Company.

(Passed the 7th day of May, A. D. 1867.)

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|------------------------------------------------------------|---------------------------------------------------|
| 1. Incorporation.                                          | 6. Transfer of shares.                            |
| 2. Capital stock. Shares.                                  | 7. List of Stockholders to be filed.              |
| 3. First meeting—when and where held.                      | 8. Meetings—when held. Agent. Service of process. |
| Company—how organized.                                     | 9. Books and Accounts open to inspection.         |
| 4. Liability of Stockholders.                              | 10. Act—when to cease.                            |
| 5. Directors may receive lands, &c., in payment for stock. |                                                   |

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Charles F. McClure, Charles Barrett, J. A. Tucker, and Carlos Pierce, their associates, successors, and assigns, are hereby constituted a body politic and corporate, by the name of "The Eldorado Gold Mining Company," for the purpose of mining, quarrying, digging, crushing, washing and otherwise winning gold or gold bearing quartz, and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property; and to erect all such buildings and machinery as may from time to time appear expedient; and to carry on the business of mining, quarrying, or otherwise searching for gold or other

metals, and minerals, and crushing, smelting, reducing and refining the same, whether on account of the company or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars by the issue of new shares; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in.

3. The first meeting of the company shall be held at such time and place, in this Province, or in the United States of America as the above corporators or any three of them shall determine, and of which public notice shall be given in one or more newspapers published in the City of Halifax, in the Province of Nova Scotia, and in one or more newspapers published in the City of Boston, in the United States of America, at least twenty days previous to such meeting, and continued to the date thereof, at which or any subsequent meeting the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person, or by proxy, shall have full power to organize the company, establish bye-laws, and elect all necessary officers.

4. No member of the corporation shall be liable, in his person, or separate estate, for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability, shall be brought within six months after such transfer.

5. The directors of the Company may receive lands, mines, buildings, machinery, mining rights or privileges, or any interest therein, respectively in payment for stock subscribed for, or of any instalment or instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same, as may be imposed by the bye-laws of the company.

6. The transfer of shares in the company shall be valid and effectual for all purposes from the time such transfer is made.

7. A list of the stockholders of the said company and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands

Capital stock.

Shares.

First meeting—  
when and where held.Company—how  
organized.Liability of  
stockholders.Directors may  
receive lands,  
&c., in payment  
for stock.Transfer of  
shares.List to stock-  
holders to be  
filed.

of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds of the county or district where the principal works of the company are situated in this Province, such certificate to contain the names of the stockholders, and the number of shares held by them respectively, on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meeting—when held.

8. The meetings of the company shall be held at such place in this Province or in the United States of America as the directors may appoint; and the company through their directors or otherwise shall appoint a recognized manager or agent resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the County of Halifax; in default of such appointment, or in case of the absence or death of the agent, process, notices and documents may be served on any officer or employee of the company, or for want of such officer or employee may be posted on some principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

Agent.

Service of process.

Books and accounts open to inspection.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Act—when to cease.

10. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

## CHAPTER 46.

### An Act to incorporate the Provincial Gold Mining Company.

(Passed the 7th day of May, A D. 1867.)

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|-----------------------------------------------------------------|---------------------------------------------------|
| 1. Incorporation.                                               | 6. Transfer of shares.                            |
| 2. Capital stock. Shares.                                       | 7. List of Stockholders to be filed.              |
| 3. First meeting—when and where held.<br>Company—how organized. | 8. Meetings—when held. Agent. Service of process. |
| 4. Liability of Stockholders.                                   | 9. Books and Accounts open to inspection.         |
| 5. Directors may receive lands, &c., in payment for stock.      | 10. Act—when to cease.                            |

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Benjamin Wier, William T. Townsend, George B. Capel, and Carlos Pierce, their associates, successors and assigns, are hereby constituted a body politic and corporate by the name of the Provincial Gold Mining Company, for the purpose of mining, quarrying, digging, crushing, washing and otherwise winning gold or gold-bearing quartz, and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire

any lands, claims, or other property; and to erect all such buildings and machinery as may from time to time appear expedient, and to carry on the business of mining, quarrying, or otherwise searching for gold or other metals and minerals, and crushing, smelting, reducing and refining the same, whether on account of the company, or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars by the issue of new shares; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in.

Capital stock.

3. The first meeting of the company shall be held at such time and place, in this Province, or in the United States of America, as the above incorporators, or any three of them, shall determine, and of which public notice shall be given in one or more newspapers published in the city of Halifax, in the Province of Nova Scotia, in one or more newspapers published in the city of Montreal, in Canada, and in one or more newspapers published in the city of Boston, in the United States of America, at least twenty days previous to such meeting and continued to the date thereof; at which or any subsequent meeting the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person, or by proxy, shall have full power to organize the company, establish by-laws, and elect all necessary officers.

First meeting—  
when and where  
held.

Company—how  
organized.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Liability of  
stockholders.

5. The directors of the company may receive lands, mines, buildings, machinery, mining rights, or privileges, or any interest therein respectively, in payment for stock subscribed for, or of any instalment or instalments due thereon, but subject nevertheless to such conditions as to valuation or acceptance of the same, or otherwise, as may be imposed by the by-laws of the company.

Directors may  
receive lands in  
payment of  
stock.

Transfer of shares.

6. The transfer of shares in the company shall be valid and effectual for all purposes from the time such transfer is made.

List of shareholders to be filed.

7. A list of the stockholders of the said company, and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds of the County or District where the principal works of the company are situated in this Province, such certificate to contain the names of the stockholders, and the number of shares held by them respectively on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meetings--when held.

8. The meetings of the company shall be held at such place in this Province, or in the United States of America, as the directors may appoint, and the company through their directors, or otherwise, shall appoint a recognized manager or agent, resident in this Province, service on whom of all process, notices, and other documents, shall be held to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the county of Halifax; in default of such appointment, or in case of the absence or death of the agent, process, notices, and documents may be served on any officer or employee of the company, or for want of such officer or employee, may be posted on some principal building of the company; and such service or posting shall be deemed a sufficient service on the company.

Manager.

Service of process.

Books and accounts open to inspection.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council may appoint to inspect the same.

Act--when to cease.

10. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

## CHAPTER 47.

## An Act to incorporate the Wellington Mining Company.

(Passed the 7th day of May, A. D. 1867.)

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|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital stock. Shares.</li> <li>3. First meeting—when and where held. Company—how organized.</li> <li>4. Liability of Stockholders.</li> <li>5. Directors may receive lands, &amp;c., in payment for stock.</li> </ol> | <ol style="list-style-type: none"> <li>6. Transfer of shares.</li> <li>7. List of Stockholders to be filed.</li> <li>8. Meetings—when held. Agent. Service of process.</li> <li>9. Books and Accounts open to inspection.</li> <li>10. Act—when to cease.</li> </ol> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Gilbert Atwood, Charles Barrett, Newell Snow, Thomas Bayne, and Charles F. McClure, their associates, successors, and assigns, are hereby incorporated by the name of "The Wellington Mining Company," for the purpose of mining, quarrying, digging, crushing, washing, and otherwise winning gold or gold-bearing quartz, and other metals and minerals: with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property; and to erect all such buildings and machinery as may from time to time appear expedient, and to carry on the business of mining, quarrying, or otherwise searching for gold and other metals and minerals, and crushing, smelting, reducing, and refining the same, whether on account of the company, or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company. Incorporation.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares, of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in. Capital stock.  
Shares.

3. The first meeting of the company shall be held at such time and place in this Province or in the United States of America, as the above corporators, or any three of them, shall determine, and of which public notice shall be given in one or more newspapers published in the city of Halifax, in the Province of Nova Scotia, and in one or more newspapers published in the city of Boston, in the United States of America, at least twenty days previous to such meeting, and continued to the date thereof; at which, or any subsequent First meeting—  
when and where  
held.



Company—how organized.

meeting, the company may be organized by the election of not less than three directors, and of other necessary officers; and the shareholders, present in person or by proxy, shall have full power to organize the company, establish bye-laws, and elect all necessary officers.

Liability of stockholders.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company. But no shareholder, who may have transferred his interest in the stock of the company, shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Directors may receive lands, &c., in payment for stock.

5. The directors of the company may receive lands, mines, buildings, machinery, mining rights or privileges, or any interest therein respectively, in payment for stock subscribed for, or of any instalment or instalments due thereon; but subject, nevertheless, to such conditions as to valuation or acceptance of the same, or otherwise, as may be imposed by the bye-laws of the said company.

Transfer of shares.

6. The transfer of shares in the said company shall be valid and effectual for all purposes from the time such transfer is made.

List of stockholders to be filed.

7. A list of the stockholders of the said company, and of the number of shares held by each of them on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year, with the Registrar of Deeds of the county or district where the principal works of the company are situated in this province; such certificate to contain the names of the stockholders, and the number of shares held by them respectively on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meeting—when held.

8. The meetings of the company shall be held at such place in this Province, or in the United States of America, as the directors may appoint; and the company through their directors or otherwise, shall appoint a recognized manager or agent, resident in this Province, service on whom of all process, notices, and other documents, shall be held to be sufficient service on the company, and the name and address of such agent shall be filed with the Registrar of Deeds for the county of Halifax, in default of such appointment; or in case of the absence or death of the agent, process, notices, and documents may be served on any officer or employee of the company, or for want of such officer or employee may be posted on some

Agent.

Service of process.

principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books and accounts open to inspection.

10. This act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 48.

### An Act to incorporate the Dominion Gold Mining Company.

(Passed 7th day of May, A. D. 1867.)

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|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1. Incorporation.<br/>2. Capital stock. Shares.<br/>3. First meeting—when and where held. Company—how organized.<br/>4. Liability of Stockholders.<br/>5. Directors may receive lands, &amp;c., in payment for stock.</p> | <p>6. Transfer of shares.<br/>7. List of Stockholders to be filed.<br/>8. Meetings—when held. Agent. Service of process.<br/>9. Books and Accounts open to inspection.<br/>10. Act—when to cease.</p> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1. George B. Capel, John Cumminger, and Charles W. Pierce, their associates, successors, and assigns, are hereby constituted a body politic and corporate, by the name of the Dominion Gold Mining Company, for the purpose of mining, quarrying, digging, crushing, washing, and otherwise winning gold or gold-bearing quartz and other metals and minerals, with full power to purchase, take, or lease, or otherwise acquire any lands, claims, or other property, and to erect all such buildings and machinery as may from time to time appear expedient, and to carry out the business of mining, quarrying, or otherwise searching for gold or other metals and minerals, and crushing, smelting, reducing, and refining the same, whether on account of the company, or for other persons or companies, in such manner as they may from time to time deem conducive to the objects of the company.

Incorporation.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into one hundred thousand shares of one dollar each, which shall be personal property, transmissible and assignable as such; and the company shall have power to increase their capital stock to two hundred thousand dollars by the issue of new shares; but the said company shall not go into operation until twenty-five per cent. of the capital stock is actually paid in.

Capital stock.

Shares.

3. The first meeting of the company shall be held at such time and place in this Province, or in the United States of America, as the above corporators or any three of them shall determine, and of which public notice shall be given in one or

First meeting—when and where held.

more newspapers published in the city of Halifax, in the Province of Nova Scotia, and in one or more newspapers published in the city of Montreal, Canada, and in one or more newspapers published in the city of Boston, in the United States of America, at least twenty days previous to such meeting, and continued to the date thereof; at which or any subsequent meeting the company may be organized by the election of not less than three directors and of other necessary officers; and the shareholders present in person or by proxy shall have full power to organize the company, establish bye-laws, and elect all necessary officers.

Company—how organized.

Liability of stockholders.

4. No member of the corporation shall be liable in his person or separate estate for the liabilities of the corporation to a greater amount in the whole than the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company; but no shareholder who may have transferred his interest in the stock of the company shall cease to be liable for any contracts of the company entered into before the date of such transfer, so as any action in respect of such liability shall be brought within six months after such transfer.

Directors may receive lands, &c., in payment for stock.

5. The directors of the company may receive lands, mines, buildings, machinery, mining rights or privileges, or any interest therein, respectively in payment for stock subscribed for, or of any instalment or instalments due thereon, but subject, nevertheless, to such conditions as to valuation or acceptance of the same or otherwise, as may be imposed by the bye-laws of the company.

Transfer of shares.

6. The transfer of shares in the company shall be valid and effectual for all purposes from the time such transfer is made.

List of stockholders to be filed.

7. A list of the stockholders of the said company, and of the number of shares held by each of them, on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds of the county or district where the principal works of the company are situated in this Province, such certificate to contain the names of the stockholders and the number of shares held by them respectively on the first day of the month in which such certificate is filed; and it shall not be necessary to file any other certificate of transfer or copy thereof.

Meetings—when held.

8. The meetings of the company shall be held at such place in this Province or in the United States of America as the directors may appoint; and the company, through their directors, or otherwise, shall appoint a recognized manager or agent resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the company, and the name and address of such

Agent.

agent shall be filed with the Registrar of Deeds for the County of Halifax; in default of such appointment, or in case of the absence or death of the agent, process, notices and documents may be served on any officer or employee of the company, or for want of such officer or employee may be posted on some principal building of the company, and such service or posting shall be deemed a sufficient service on the company.

Service of process.

9. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books and accounts open to inspection.

10. This Act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 49.

### An Act to incorporate the Cumberland Coal Mining Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital stock. Shares.</li> <li>3. Company may issue certificates.</li> <li>4. May increase capital stock.</li> <li>5. First meeting—when and where held. Company—how organized.</li> <li>6. Agent. Service of process.</li> <li>7. Company may not lapse by failure to choose officers.</li> <li>8. Directors may receive lands, &amp;c., in payment for stock.</li> </ol> | <ol style="list-style-type: none"> <li>9. Transfer of shares.</li> <li>10. Liability of Stockholders.</li> <li>11. Mining rights of two companies—how consolidated.</li> <li>12. Proceedings to obtain lands.</li> <li>13. Books and Accounts open to inspection.</li> <li>14. List of Stockholders to be filed.</li> <li>15. Company may make Railways.</li> <li>16. Act—when to cease.</li> </ol> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Samuel Watts, B. B. Haskell, John Babson, Joseph Nickerson, M. J. Cole, and their co-stockholders in "The Chignecto Coal Mining Company," and James A. Creighton, Edward O'Brien, Thomas O'Brien, E. Wilder Farley, Henry Ingolls, Edward Wilson, and their co-stockholders in "The Saint George's Coal Mining Company," their associates, successors, and assigns, are hereby consolidated into one company, and created a body corporate and politic by the name of "The Cumberland Coal Mining Company," for the purpose of acquiring and holding the rights and property of the said two companies, and carrying on the business thereof, for the purposes of purchasing, holding, leasing, and selling mines and mining rights, and of opening and working the same in the County of Cumberland, and transacting all business connected therewith, for the purchase and sale of coals, for holding and conveying real estate, buildings and machinery, and personal property, for manufacturing and selling coal oil, and boring and obtaining the same from the earth, and for other purposes connected therewith, for the construction and operation of railways and

Incorporation.

branch roads for the transportation of coal, coal oil, and other freight and passengers from the mines of this company, or from any other mines in Cumberland, to one or more places of transshipment, and all other business necessary and usually performed on railroads, for constructing and holding such wharves, docks, piers, and vessels as may be necessary for the business of the company.

Capital stock.

Shares.

2. The capital stock of the company shall be seven hundred thousand dollars, to be divided into fourteen thousand shares of fifty dollars each, and the same shall be personal property and assignable as such only in the books of the company.

Company may issue certificates

3. The company may assign by such modes and amounts as they shall determine, and issue certificates thereof to the shareholders of the said Chignecto and Saint George's Companies respectively, according to their several interests in the said companies, shares in this company in lieu thereof, regard being had to the difference of indebtedness of the said two companies. On the issue of all shares over and above the amount necessary for the foregoing purpose, twenty-five per cent. of the amount thereof shall be actually paid in.

May increase capital stock.

4. The company shall have power to increase the capital stock, from time to time, by the issue of new shares pursuant to a vote of a majority in interest to an extent not exceeding in all one million dollars. The company may issue stock in payment for lands, mines, and other property on such terms as the Directors may deem best, and such stock shall be deemed full paid up stock as if paid in money. The company may also issue bonds bearing interest payable in this Province, or in Boston, New York, or other places in the United States, and secure the same if deemed expedient by mortgage of its property, or franchises, and dispose of the same in such manner and at such prices as the directors may think best. It shall not be necessary to affix the seal of the company to any of its acts or contracts, except its conveyances of land and stock certificates.

First meeting—when and where held.

5. The first meeting of the company shall be held at such time and place in this Province, or in the United States of America, as any three of the stockholders herein before named shall determine, of which written notice shall be served on each stockholder at least ten days previous to such meeting, at which or any subsequent meeting the company may be organized by the adoption of bye-laws and election of a board of directors, not less than three in number; but the number of directors may, from time to time, be changed by the bye-laws, and all subsequent meetings of the company may be holden in this Province or the United States, as the bye-laws may from time to time prescribe.

Company—how organized.

Agent.

Service of process.

6. The directors shall appoint an agent resident in this Province, service on whom of all process, notices, and other documents shall be held to be sufficient service on the company.

The name and address of such agent shall be filed with the Registrar of Deeds for the County of Cumberland, and in case of the death or absence from the Province of such agent, service may be made by affixing a copy upon some conspicuous building or office of the company in Cumberland.

7. The organization of the company shall not lapse by any failure to choose officers on the day appointed, but the officers may continue in office until others be elected in their place.

Company may not lapse by failure to choose officers.

8. The directors of the company may receive lands, mines, buildings, machinery, mining rights or privileges, or any interest therein, respectively, in payment for stock subscribed for, or any instalment due thereon, subject to such conditions as to valuation or acceptance of the same as may be imposed by the bye-laws of the company.

Directors may receive lands, &c., in payment for stock.

9. The transfer of shares in the said company shall be valid and effectual for all purposes from the time such transfer is made.

Transfer of shares.

10. No member of the company shall be liable in his person or separate estate for the debts of the company to a greater amount than the stock held by him, deducting therefrom the amount actually paid on account of such stock, unless he shall have rendered himself personally liable for a greater sum by becoming surety for the debts of the company. But no stockholder who may have transferred his interest in the stock of the company shall cease to be liable for any contract of the company entered into before the date of such transfer, unless he shall have paid up in full for his stock, so as any action in respect of such liability shall be brought within six months after such transfer.

Liability of stockholders.

11. The real and personal property, mining rights and other privileges and causes of action of the said Chignecto and Saint George's Coal Mining Companies respectively, shall and may by vote of the shareholders thereof, in accordance with their bye-laws, be transferred to and become consolidated with this company, and may be assigned and conveyed to this company in accordance with such bye-laws; but all debts and liabilities owing or incurred by the said Chignecto and Saint George's Coal Mining Companies respectively, shall be assumed by the said Cumberland Coal Mining Company, which shall be held liable therefor, as if the same had been incurred by the latter company.

Mining rights of two companies — how consolidated.

12. Whenever it shall be requisite in the construction of any road, railway, or tramway, contemplated by this act, or in the opening of the shafts, or driftways, or in the erection of any building whatever, or wharves, or docks, that this company should be invested with lands for these purposes or any of them, and no agreement can be made for the purchase thereof, it shall be lawful for the directors to apply, by petition, with a plan annexed, to a Judge of the Supreme Court of this Pro-

Proceedings to obtain lands.

vince, setting forth the nature and situation of the lands required, the names of the owners or occupiers thereof, and praying a conveyance of the same to the company, whereupon such Judge being satisfied that the lands are required, and are not more extensive than may be reasonably necessary, shall appoint a time and place for the consideration of such petition, and direct a notice in writing to be served upon the owners or occupiers of the lands if in the Province, and to be published for one month in a newspaper published in Halifax, and also another newspaper (if any) published in Cumberland, requiring them to attend at such time and place personally, or by Attorney, and the Judge shall require the directors to nominate one appraiser, and the owners to unite in naming another appraiser, and the Judge shall nominate a third appraiser; but in case such owners do not attend, or shall refuse or neglect, or cannot agree to make such nomination, the Judge shall on proof of service and publication of such notice, nominate two appraisers, and the company shall nominate one appraiser, and the Judge shall by order in writing, direct the said three appraisers to value the lands, and the appraisers having first subscribed an affidavit in writing, to be sworn before a Justice of the Peace, and annexed to such order, to the effect that they will faithfully make such appraisement shall, with all convenient speed, proceed to and appraise such lands and make such appraisement in writing, and return it under the hands of the appraisers, or a majority of them, with such order to a Judge, who may confirm, alter, or modify such appraisement, or direct an appraisement *de novo*; and the company upon paying or tendering the amount of the appraised value finally confirmed, and the expenses of the owner on such appraisement to the owners, or, in case of dispute, to such parties as the Court or a Judge shall direct, and registering such order, affidavit, appraisement, and confirmation in the office of the Registrar of Deeds at Amherst, Cumberland, who is hereby required to register the same, shall become the owners of such lands.

Books and accounts open to inspection.

13. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council may appoint to inspect the same.

List of stockholders to be filed.

14. A list of the stockholders of the said company and of the number of shares held by each on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year with the Registrar of Deeds at Amherst, Cumberland; and it shall not be necessary to file any further or other certificate of transfer or copy thereof.

Company may make railways

15. It shall be lawful for the company to make and operate a railway or railways over and across any roads in the line of the projected railroad, and over any railroads or tramroads, and over and across any brooks, rivers, or streams, subject

nevertheless, to regulations to be made by the Court of Sessions for the safety of the inhabitants and their property, and the preservation of public and private rights; and also to make harbors, piers, and breakwaters, and shipping places for coal upon any land owned by the company, or acquired under this act.

16. This act shall cease and determine if effective works be not commenced and continued within two years after the passing of this act.

Act—when to  
cease.

## CHAPTER 50.

### An Act to incorporate the Halifax Asylum for the Blind.

(Passed the 7th day of May, A.D. 1867.)

#### Preamble.

1. Act to commence when \$12,000 subscribed. Incorporation.
2. Board of Managers.
3. Officers—how elected.

#### 4. Bye-Laws.

5. City may convey lands, &c.
6. Managers shall report to Governor in Council.

Whereas it has been proposed that an institution for the reception, maintenance, and education of blind persons, should be established in the city of Halifax, and it is desirable that such institution should be founded and carried on by individual enterprise and voluntary association.

Preamble.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. When it shall be made to appear to the satisfaction of the Governor and Council that not less than twelve persons have associated themselves for the above object, and have subscribed the sum of twelve thousand dollars, and paid thereon into the hands of the treasurer, by them appointed, the sum of two thousand dollars, the Governor in Council shall, by proclamation, declare this act to have come into operation, and thereupon immediately thereafter such persons, and all such other persons as shall from time to time become associated with them, their successors and assigns, shall be and are hereby incorporated into a company, and declared to be a body corporate by the name of the "Halifax Asylum for the Blind," and by that name shall and may have succession and be capable of suing and being sued, pleading and being impleaded, defending and being defended in all courts and places whatsoever, in all manner of actions, suits, matters, complaints, and causes whatsoever, and may have and use a common seal, and may change and alter the same at their pleasure, and shall be capable in law of purchasing, holding, and conveying any real

Act to commence when  
\$12,000 subscribed.

Incorporation.



and personal estate for the purposes of this incorporation and none other, which shall not exceed the annual value of ten thousand dollars.

Board of Managers.

2. For the better carrying into effect the objects of the said incorporation, there shall be annually elected twelve persons, who shall constitute a Board of Managers and have power to conduct and manage all its concerns, the managers to be elected by ballot at an annual meeting of the members of the society, to hold their office for one year, or until others be elected in their place: the said election to be held at such times and places as the said corporation shall, by their by-laws, from time to time appoint and direct; the aforesaid managers shall be elected by a majority of the members present at such election; and in case of any vacancy or vacancies in the said Board of Managers, by death, resignation, or otherwise, then the said Board shall have power to fill such vacancy or vacancies until the next annual election.

Officers—how elected.

3. The Board of Managers shall, as soon after the annual election as may be convenient, proceed to elect, by ballot, from among their own number, a President, a Vice-President, a Treasurer, and two Secretaries, who shall serve for one year or until others be elected in their room; and the first election of managers and officers shall take place on a day to be fixed by the Governor in Council in the proclamation aforesaid.

Bye-laws.

4. The Board of Managers, so elected, as aforesaid, shall have full power to make such bye-laws as may from time to time be necessary, relative to the management, disposition of the estate and concerns of the said corporation, and regulation of the persons exercising the offices aforesaid, not contrary to law, and may appoint such other agents and servants as may be deemed necessary to transact the business of the said corporation and designate their duties.

City may convey lands, &c.

5. It shall be lawful for the city of Halifax to transfer by deed, duly executed, to the "Halifax Asylum for the Blind," and either by way of gift or for valuable consideration any land or hereditaments now vested in the said city of Halifax, either by act of this Province or by purchase, so that the value of such land and hereditaments shall not exceed in the whole the sum of twelve thousand dollars.

Managers shall report to Governor in Council.

6. The managers of the said institution shall, on or before the first day of February in each year, make a full report to the Governor in Council of their proceedings.

## CHAPTER 51.

## An Act to amend the Act to incorporate the Intercolonial Coal Mining Company.

(Passed the 7th day of May, A. D. 1867.)

1. Second section amended.
2. Tenth section amended.
3. Section 11 repealed. Substitutes clause.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The second section of said act is hereby amended by adding the words "or elsewhere" after the word "Montreal" in such section. 2nd section amended.

2. The tenth section is amended by inserting the word July instead of the word January in such section. 10th section amended.

3. The eleventh section is hereby repealed, and in lieu thereof the following clause shall be substituted:—It shall be lawful for the company to make or construct any road, railway, tramway, or waterway, over, under, or across any road, railroad, or tramroad, and over, under, and across any river, brook, or stream, subject, nevertheless, in such cases to such regulations as may be made by the Court of Sessions for ensuring the safety of the inhabitants and their property. Section 11 repealed.

## CHAPTER 52.

## An Act to incorporate the Amherst Boot and Shoe Manufacturing Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                                                                                                                                 |                                                                                                                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. May hold Real Estate.</li> <li>3. Capital stock.</li> <li>4. Company—when to go into operation.</li> </ol> | <ol style="list-style-type: none"> <li>5. Liability of shareholders.</li> <li>6. Bye-Laws.</li> <li>7. First meeting—when and where held.</li> <li>8. First call—when made.</li> </ol> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

1 Emulus L. Crafts, Robert McCully, William M. Sleep, Thomas R. Black, Frederick W. Bent, R. B. Huestis, Daniel F. Quigly, William M. Fullerton, Atcheson Moffatt, Eliakim Newcomb, the Honorable Robert B. Dickey, the Honorable Jonathan McCully, the Honorable Henry G. Pineo, the Honorable Charles Tupper, and such other person or persons as are or may become shareholders in the company hereby established, shall be a body corporate by the name of the Amherst Boot and Shoe Manufacturing Company. Incorporation.

May hold real estate

2. The company may hold real estate, not to exceed twenty thousand dollars.

Capital stock.

3. The capital stock of the company shall be twenty thousand dollars, but may be increased from time to time by by-laws to any sum not exceeding sixty thousand dollars, to be divided into shares of fifty dollars each.

Company—when to go into operation.

4. The company shall not go into operation until one hundred and sixty shares shall have been subscribed, and the sum of two thousand dollars have been actually paid in.

Liability of shareholders.

5. No member of the company shall be liable in his person or separate estate for a greater sum in the whole than double the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Bye-laws.

6. The bye-laws and list of shareholders shall be registered in the office for the Registry of Deeds at Amherst.

First meeting—when and where held.

7. The first meeting of the company shall be held in some suitable place in Amherst, at a time to be fixed by the first five shareholders on the list, not more than two months after the passing of this act, notice of the time and place of which meeting shall be given by publication in the *Amherst Gazette*, at least one week before holding such meeting, and otherwise, as such five shareholders shall see fit.

First call—when made.

8. The first call for payment of twenty-five per cent. of the stock subscribed, not to be made before the first day of May in this present year, one thousand eight hundred and sixty-seven, and the balance from time to time as may be required.

## CHAPTER 53.

An Act to amend the Act to incorporate the International Coal and Railway Company, and the Acts in amendment thereof.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Time to commence railway extended.

1. The time limited by the act of 29th Victoria, Chapter 115, for commencing the railroad mentioned therein, is extended until the first day of July, A.D. 1870.

## CHAPTER 54.

## An Act to incorporate the Pictou Mechanics' Institute Savings Bank.

(Passed the 7th day of May, A. D. 1867.)

- |                                         |                                    |
|-----------------------------------------|------------------------------------|
| 1. Incorporation.                       | 7. Directors to appoint officers.  |
| 2. Directors.                           | 8. Vacancies—how filled.           |
| 3. Capital stock.                       | 9. Corporation not to issue notes. |
| 4. Company may hold lands, &c.          | 10. Book of shareholders.          |
| 5. General meeting. Officers. Bye-laws. | 11. Shares—how assigned.           |
| 6. Yearly meeting.                      | 12. Act in force for ten years.    |

Be it enacted by the Governor, Council and Assembly, as follows:

1. James Fraser, Cornelius Dwyer, Colin McKenzie, James Munro, William G. Pender, Angus McKarcher, John D. McKenzie, Alexander McPhail, Alexander Thomson, their associates, successors, and assigns, and such other persons as shall from time to time become shareholders in the company hereby established, are hereby incorporated by the name of the Pictou Mechanics' Institute Savings Bank, for the purpose of carrying on business at Pictou. Incorporation.

2. The business of the company shall be under the management of a Board of Directors of not less than five, three of whom shall form a quorum, and such other officers as may be found necessary. Directors.

3. The capital stock of the company shall be twenty thousand dollars in shares of four dollars each. Capital stock.

4. The corporation shall have full power and authority to hold, possess, and enjoy lands, tenements, and real estate, to any amount not exceeding five thousand dollars; and nothing herein contained shall prevent or restrain the corporation from taking or holding real estate to any amount whatsoever under judgment or mortgage recovered or taken, as collateral security, for the payment of any sum or sums of money advanced by or for debts due to the corporation; but the said corporation shall not be authorized to lend money upon mortgage upon lands or other real property, unless by way of additional security, for debts contracted with the corporation in the course of its dealing. Company may hold lands, &c.

5. After the passing of this act, and so soon as the capital stock of the company is subscribed, a general meeting of the shareholders of the corporation shall be called by notice in one or more of the newspapers published in Pictou, and at such meeting five directors, being shareholders, shall be appointed, which directors shall, out of their number, choose a General meeting.

- Officers.** President, and shall also make rules and bye-laws for the regulation and management of the affairs and business of the corporation, which rules and bye-laws, when approved by the Governor in Council, shall have the force and effect of law, and such rules and bye-laws may be altered and amended at any annual meeting of the corporation by a two-third vote of the shareholders present; but such alteration or amendment shall be of no effect until approved of by the Governor in Council.
- Bye-laws.**
- Yearly meeting.** 6. There shall be a general meeting of the shareholders annually on the second Wednesday of January in each year for the election of directors and the transaction of other business of the corporation, subject to the rules and bye-laws in force.
- Directors to appoint officers.** 7. The directors shall have power to appoint such officers, clerks, and servants as they shall think necessary, for the transaction of the business of the corporation, and shall allow them such compensation for their services as to the directors shall appear reasonable.
- Vacancies--how filled.** 8. The directors may fill up any vacancy that shall be occasioned in the office of President, or in the Board of Directors, by the death, removal, resignation, or absence from the Province for three months of any director, and the person so chosen by the directors shall serve until the next succeeding annual meeting of the shareholders.
- Corporation not to issue notes.** 9. The corporation shall not have power to issue any bank bill or note, but the operations of the corporation shall be confined to receiving deposits of money from shareholders and others, and lending money under the terms and regulations to be established by the bye-laws of the corporation; but such loans or deposits shall not at any one time exceed twenty thousand dollars.
- Book of shareholders.** 10. A book shall be kept by the directors in which shall be entered the names of the shareholders of the corporation with the number of shares held by each, and the transfer of such shares, and also a minute of the proceedings of the annual meeting of the shareholders and of the directors throughout the year.
- Shares--how assigned.** 11. The shares of the corporation may be assigned or transferred according to the rules and bye-laws, but no such assignment shall be valid until the same shall be entered in the book kept for that purpose.
- Act in force for ten years.** 12. This act shall continue and be in force for ten years, and from thence to the end of the then next session of the General Assembly.

## CHAPTER 55.

## An Act to incorporate the Dartmouth Water and Gas Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                           |                                                        |
|-------------------------------------------|--------------------------------------------------------|
| 1. Incorporation.                         | 10. Proceedings to obtain lands.                       |
| 2. Capital shares.                        | 11. Do. do.                                            |
| 3. Company may hold Real Estate.          | 12. Dq. do.                                            |
| 4. Liability of shareholders.             | 13. Do. do.                                            |
| 5. May lay pipes, &c.                     | 14. Bye-Laws to be approved by Governor<br>in Council. |
| 6. Company may open streets after notice. | 15. Works—when to commence.                            |
| 7. Proceedings to obtain lands.           | 16. Company not to engage in banking<br>operation.     |
| 8. Do. do.                                |                                                        |
| 9. Do. do.                                |                                                        |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. David Falconer, Edward Jennings, and W. D. O'Brien, and such other persons as may hereafter become shareholders in the company hereby established, shall be a body corporate by the name of the Dartmouth Water and Gas Company, for the purpose of constructing, maintaining, and operating all necessary works for the supply of water and gas for the inhabitants of Dartmouth and vicinity. Incorporation.

2. The capital of the company shall be two hundred and fifty thousand dollars, to be divided into twenty-five thousand shares of ten dollars each. Capital shares.

3. The company may hold real estate not exceeding the value of fifty thousand dollars. The company shall not go into operation until twenty-five per cent. of the capital stock is actually paid up. Company may hold real estate.

4. No member of the corporation shall be liable for the debts of the company in his personal or separate estate for a greater sum in the whole than double the amount of stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming security for the debts of the company; but nothing contained herein shall be construed to involve any director, officers, or agent of the company, by reason of any official act legally performed. Liability of shareholders.

5. It shall and may be lawful for the said company, when formed, to supply the inhabitants of the town of Dartmouth and vicinity with water and gas, and for that purpose at a proper and convenient distance below the surface of the streets, roads, and highways of the said town of Dartmouth, or those May lay pipes, &c.

leading to the same, to cause reservoirs, tanks, fountains, leaders, pipes, tubes, and all necessary apparatus to be laid and placed as may be necessary and proper.

Company may  
open streets  
after notice.

6. For the purposes aforesaid, after ten days notice given to the Commissioners of Streets for said town, it shall and may be lawful for the company to break up and open the roads, streets, or highways, in or near the said town, in any place where necessary, and to keep any such street, road, or highway open for such reasonable time as may be necessary; provided always that the said company shall faithfully and carefully close up, repair, and make good the said roads, streets, or highways, to be so opened up at their own costs and charges or otherwise, shall be liable to defray all expenses to be incurred by the said Commissioners of Streets, in closing up, repairing, or making good any road, street, or highway, which by the said company may be opened up; and all such expenses shall be recoverable by the said Commissioners in any suit or action against the said company in her Majesty's Supreme Court, in which suit or action it shall be sufficient for such Commissioners to declare for work and labor by them done and performed for said company.

Proceeding to  
obtain lands.

7. Whenever it shall become necessary for the purposes of this act that the said company should obtain, or be invested with the title or possession of, or in any lot, piece, or parcel of land, situated in or near the said town of Dartmouth, it shall and may be lawful for the President and Directors of said company, in case they cannot agree with the proprietor or proprietors of any such lot, piece, or parcel of land, for the sale or lease thereof, as may be required to apply to the Supreme Court in Halifax, in term time, or to any two judges thereof in vacation, by petition, stating the nature and situation of the land and the estate or interest the said company may require to have and the proceedings had with respect to the same, and the names and places of abode of the owners, proprietors, and tenants thereof, respectively, as far as they can be ascertained, and praying for the appointment of appraisers to value the land and the estate and interest therein required by the company, and praying also the transfer and conveyance thereof to the said company, whereupon the said court or judges shall appoint a place and time for considering such petition, and shall order and direct to be given to all parties interested in any and every lot, piece, or parcel of land petitioned for, who may then be in this Province, or in case of absence of any such party, then to any person or persons who may be interested with the management, possession, or control of any such lot, piece, or parcel of land, proper notice in writing, requiring such parties, so interested, to attend before such court or judges in person, or by their attorney or agent, at the time and place so to be appointed aforesaid.

8. At the time and place so appointed, the said court or two judges shall require the President and Directors of the said company to nominate one appraiser on behalf of said company, and the party or parties interested in every respective lot, piece, or parcel of land referred to in said petition, to nominate two appraisers, and the said court or judges shall nominate also two appraisers, and in case the party or parties interested in any lot, piece, or parcel of land referred to in the petition, and required by the company, or the party or parties having the management, possession, or control of the same lot, piece, or parcel of land, as hereinbefore mentioned, shall fail to appear at the time and place appointed, or having appeared shall neglect or refuse to nominate appraisers, then and in all other of such cases the said court or judges shall nominate two persons to act as appraisers for such party or parties, and the said court or judges, by rule or order in writing, shall then and there constitute and appoint the said persons so to be nominated as aforesaid appraisers, and authorize and direct them to value and appraise the price or value of any such lot, piece, or parcel of land, or the rent to be paid for the same as the case may require.

Proceedings to  
obtain lands.

9. The persons so named and appointed shall, before they enter upon the performance of their duties, as such appraisers, severally make and subscribe an affidavit in writing in open court, or before some one of the judges or a master of the said Supreme Court, that they the said appraisers will faithfully and impartially perform the trust and duties committed to and required of them by the rule or order of the said court or judges, which affidavit, with the petition, shall be filed in the office of the Prothonotary of the Supreme Court at Halifax.

Proceedings to  
obtain lands.

10. The appraisers so to be appointed or sworn, or the majority thereof, shall make a just and equitable valuation and appraisement of the fair and reasonable value of the inheritance or fee simple of every lot, piece, or parcel of land in said petition referred to, whereof the inheritance or fee simple is required by the company, or of the fair annual rent or good value of the term of years where any lot, piece, or parcel of land shall, by the said petition, be required for a term of years, and shall make a return in writing under their hands, or the hands of a majority of them to the said Prothonotary of the said Supreme Court, to be filed and kept in his office with the said petition and affidavit; whereupon, and upon the application of the President and Directors of the company to the Supreme Court in term, or to any two judges thereof in vacation, if the said court or judges shall be of opinion that the appraisement and valuation have been fairly, justly, and impartially made, and no sufficient cause shall be shewn against the same, the said court or judges shall, by rule of court, or order in writing, confirm the said appraisement and valuation, which rule of court or order shall

Proceedings to  
obtain lands.



be filed with said petition and other papers, and thereupon the said company shall pay to the person or persons entitled to receive the same, as well the amount of such valuation and appraisement, as also all such costs and expenses as the said court or judges shall deem reasonable and proper, and shall adjudge and order the said company to pay.

Proceedings to  
obtain lands.

11. The said court in term, or any two judges thereof in vacation, shall have full power and authority to enquire into and examine the said appraisement and valuation, and all proceedings connected therewith, and to hear cause shewn against the same, and to hear witnesses under oath, and by other legal evidence to investigate all such proceedings as aforesaid, and shall have full power and authority if the same shall be deemed just and proper to set aside any such appraisement and valuation, and either to direct or order the same appraisers, to review their said valuation and appraisement in any particular, or to nominate new appraisers, and to make a rule or order for new appraisement, and thereupon such new appraisers shall be nominated and sworn, and shall proceed to such new appraisement and valuation as hereinbefore is directed and prescribed, and their award and appraisement, or that of the major part of them, shall be returned as hereinbefore directed, and shall be final and conclusive, and shall be confirmed by the said court or two judges thereof, and payment made in pursuance thereof by the said company with costs, in manner as hereinbefore also directed.

Proceedings to  
obtain lands.

12. Immediately upon payment of the sum awarded, with costs and expenses as aforesaid being made or lawfully tendered by the said company for any lot, piece, or parcel of land so petitioned for as aforesaid, the said company shall be and be held and deemed to be the rightful purchasers and owners of the fee simple and inheritance of every lot, piece, or parcel of land, with the appurtenances thereof; the valuation or appraisement shall be for the price or value of the inheritance or fee simple, or the tenants of every such lot, piece, or parcel of land and its appurtenances as in their petition, or the appraisement to be made as aforesaid, may be applied for or awarded for a term of years, and for the term by the said appraisement to be fixed, so far as the true and rightful ownership of every such respective lot, piece, or parcel of land may have been correctly set forth in the petition for the same.

Proceedings to  
obtain lands.

13. Upon application of the President and Directors of the said company, it shall and may be lawful for the said Supreme Court in term, or for any two judges thereof in vacation, on proof made of such payment or lawful tender as aforesaid, by any rule or order to be made in the matter of the said petition, to require the party or parties in possession of or claiming title to any lot, piece, or parcel of land, for which such payment or lawful tender has been so made, to deliver up possession of the same to the company, or to authorize the President and Direc-

tors by the officers and servants of the company, or any of them, to enter into any such lot, piece, or parcel of land, with its appurtenances, and to retain and have possession thereof; and further, if need be, by any rule or order of the said court, or judges to empower the sheriff or his deputy to put the said company by any of its officers or servants into quiet possession of any such lot, piece, or parcel of land, and also by any rule or order of the said court or judges, to require and direct any person or persons interested in any lot, piece, or parcel of land, for which the said appraised value with costs may have been paid, or lawfully tendered as aforesaid, to make, sign, seal, and execute any deed or deeds, grant or grants, conveyances or demises, as may be necessary for the purpose of conveying or demising the same to the said company; and if any person or persons shall neglect or refuse to comply with any such rule or order, then such person or persons shall be liable to the ordinary process for neglect or refusal to obey a rule of court, and such process may be granted for neglect or refusal to obey any order of the said two judges, made in vacation, without previously making such order or rule of court.

14. All bye-laws, rules, and regulations for managing the said company, shall be subject to the approval of the Governor in Council before the same shall come into operation for the supply of water and gas.

Bye-laws to be approved by Governor in Council.

15. This act shall have no force or effect unless the works shall be commenced within three years.

Works—when to commence.

16. The company shall not lend money by way of discount, nor engage in any banking operation, nor as underwriters effect any insurance.

Company not to engage in banking operation.

## CHAPTER 56.

### An Act to incorporate the Halifax Omnibus, Express, and Conveyance Company.

(Passed the 7th day of May, A. D. 1867.)

1. Incorporation.

2. Real Estate.

3. Capital shares.

4. Liability of shareholders.

5. Directors.

6. Votes of shareholders.

7. Who are eligible for shareholders.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Joseph Conlon, John Keating, Dennis Conlon, James A. R. Wier, James McGee, and Richard Kennedy, and such other persons as are or may become shareholders in the company hereby established, their successors and assigns, shall be a body incorporate by the name of "The Halifax Omnibus, Express, and Conveyance Company," for the purpose of conducting a general omnibus, express, hack, and forwarding business.

Incorporation.

- Real Estate.** 2. The company may hold real estate not exceeding forty thousand dollars in value.
- Capital shares.** 3. The capital stock of the company shall be twenty thousand dollars in four thousand shares of five dollars each; but the same may be increased to forty thousand dollars by a majority of the shareholders at any meeting duly called for that purpose; but the company shall not go into operation until four thousand shares shall be subscribed, and the sum of four thousand dollars actually paid in on account thereof.
- Liability of shareholders.** 4. No member of the company shall be liable in his person or separate estate for the debts of the company to a greater amount than double the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.
- Directors.** 5. The company shall be managed by five directors who shall be chosen annually, and who shall appoint a President and Secretary, and all such other officers as may be necessary for the carrying on the affairs of the company.
- Votes of shareholders.** 6. At all meetings of the shareholders, whether annual or special, each shareholder present shall be entitled to one vote for every share held by him, but not exceeding twenty votes by any one member, and absent shareholders may vote by proxy in writing, which shall be filed with the Secretary, and such proxy shall only be held by a shareholder of the company; but no shareholder shall hold more than three proxies.
- Who are eligible for Directors.** 7. No person shall be eligible as or continue to be a director unless such person be a shareholder, and holding and owning not less than twenty shares of the capital stock of the company.

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## CHAPTER 57.

### An Act to amend the Act to incorporate the Acadia Coal Company.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Section 2 of Chapter 64, of the Acts of 1865, entitled, An Act to incorporate the Acadia Coal Company, is amended as follows:—"The company may issue or dispose of its stock at such rates and for such purposes as the Directors may determine."

## CHAPTER 58.

## An Act to incorporate the Exchange Bank of Yarmouth.

(Passed the 7th day of May, A. D. 1867.)

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Officers.</li> <li>3. Capital. Shares—when paid.</li> <li>4. Corporation may hold real estate, &amp;c.—<br/>Shall not lend on mortgage, &amp;c.</li> <li>5. First general meeting—when held.</li> <li>6. Directors.</li> <li>7. Annual meeting.</li> <li>8. Powers of Directors.</li> <li>9. President and number of Directors.</li> <li>10. Who eligible as Directors.</li> <li>11. Cashier and Clerk to give Bonds.</li> <li>12. Votes of Stockholders.</li> <li>13. Vote by proxy.</li> <li>14. Vacancies—how filled.</li> <li>15. Business not to commence until \$50,000<br/>paid in.</li> <li>16. Stock—how transferred.</li> <li>17. Corporation to conduct a Banking business.</li> <li>18. Separate property of Corporators not<br/>liable for debts of company.</li> <li>19. Liability of shareholders. When Act<br/>repealed, &amp;c.</li> <li>20. Form of notes.</li> </ol> | <ol style="list-style-type: none"> <li>21. Total debts not to exceed three times<br/>capital paid in.</li> <li>22. Half yearly dividends.</li> <li>23. Books, &amp;c., open to inspection of Direc-<br/>tors.</li> <li>24. Form of notes.</li> <li>25. Interest chargeable in case of refusal to<br/>pay notes.</li> <li>26. Company liable to pay altered notes</li> <li>27. Bank to be kept at Yarmouth.</li> <li>28. Half yearly returns to be filed with the<br/>Provincial Secretary.</li> <li>29. Corporation—when dissolved.</li> <li>30. General meeting—how called.</li> <li>31. Business—how closed on dissolution.</li> <li>32. Stockholders liable for misconduct of<br/>officials.</li> <li>33. Nominees of Governor in Council to<br/>have access to books, &amp;c.</li> <li>34. Cap. 83 R. S. not affected by this act.</li> <li>35. Act to cease when notes exceed amount<br/>fixed by law.</li> <li>36. Directors may receive full payment of<br/>shares.</li> <li>37. Act to continue for twenty years.</li> </ol> |
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Be it enacted by the Governor, Council, and Assembly, as Incorporation follows:

1. William H. Townsend, John K. Ryarson, George S. Brown, John Young, Lyman Cann, Nathan Moss, George B. Doane, Benjamin Killam, Aaron Goudey, Samuel M. Ryarson, and such other persons as are or may become shareholders in the company hereby established, their successors and assigns, are hereby incorporated by the name of "The Exchange Bank of Yarmouth, Nova Scotia," for the purpose of carrying on the business of banking.

2. The business of the company shall be under the manage- Officers.  
ment of a President and six Directors and such other officers as may be found necessary.

3. The capital of the company shall consist of two hundred Capital.  
thousand dollars, with power to increase the same to four hundred thousand dollars if deemed necessary by a vote of the stockholders, which shall be divided into two thousand shares of one hundred dollars each; and twenty-five per cent. of the stock which shall be subscribed for shall be paid on or before the first day of August next, and a further instalment of twelve Shares—when  
paid.  
and one half per cent. shall be paid on or before the first day of February thereafter, which will be in the year of our Lord one thousand eight hundred and sixty-eight, and a further in-

stalment of twelve and one half per cent. shall be paid on or before the first day of August, in the year of our Lord one thousand eight hundred and sixty-eight, as the Directors shall appoint, and the remaining instalments shall from time to time be paid at such time or times and in such manner as shall be determined by the vote of the stockholders at a special meeting to be called for that purpose; but no instalment shall in any case be called in unless thirty days previous notice shall have first been given in one or more of the newspapers published at Yarmouth, and also in one of the newspapers published in Halifax, of the time and place appointed for the payment of instalments.

Corporation  
may hold real  
estate, &c.

4. The corporation shall have full power to hold, possess, and enjoy lands, tenements, and real estates, to any amount not exceeding forty thousand dollars, and nothing herein contained shall prevent or restrain the corporation from taking or holding real estate to any amount whatsoever, under judgment or by mortgage recorded, or taken as collateral security for the payment of any sum or sums of money advanced by or for debts due to the corporation; but the said corporation shall on no account lend money upon mortgage, upon lands or other fixed property, nor upon the security of any stock in the bank, unless by the way of additional security for debts contracted with the corporation in the course of its dealings.

Shall not lend  
on mortgage,  
&c.

First general  
meeting—when  
held.

5. After the passing of this act, whenever fifty thousand dollars of the said capital stock shall have been paid in, (before which no one shall have a right to vote for any purpose), a general meeting of the members and stockholders of the corporation, or the major part of them, shall take place, by notice in one of the public newspapers ten days previous to such meeting, for the purpose of organizing the said bank and of making, ordaining, and establishing such bye-laws, ordinances, and regulations, for the good management of the affairs of the said corporation as the members and stockholders of the said corporation shall deem necessary, and also for the purpose of choosing seven Directors, being stockholders and members of the corporation, under and in pursuance of the rules and regulations hereinafter made and provided, which directors, so chosen, shall choose out of their numbers a President, and they shall have full power and authority to manage the concerns of the corporation, and shall commence the operations of the said bank, subject, nevertheless, to the rules and regulations hereinafter provided; at which general meeting the members and stockholders of the said corporation, or the major part of them present, shall determine the mode of transferring and disposing of the stock and profits thereof, which being entered on the books of the corporation, shall be binding upon the stockholders, their successors and assigns, until altered at any other general meeting of the stockholders.

Directors.

6. Two of the directors shall annually go out of office in

rotation, but the directors so going out of office shall be eligible for re-election.

7. There shall be a general meeting of the stockholders and members of the corporation, to be annually holden on the second Tuesday of January in each year at Yarmouth, at which annual meeting all vacancies in the Board of Directors shall be filled up; and after the election of directors in place of those who shall have gone out of office by rotation or otherwise, the directors shall annually choose one out of their number as President for the ensuing year, or until another is chosen in his room. In the choice of directors the stockholders shall vote according to rule as hereinafter mentioned.

Annual meet-  
ing.

8. The directors shall have power to appoint such officers, clerks, and servants as they shall think necessary for executing the business of the corporation, and shall allow them such compensation for their respective services as to the directors shall appear reasonable, all of which, together with the expenses of buildings, house rent, and all other contingencies, shall be defrayed out of the funds of the corporation; and the directors shall exercise such other powers and authorities for the well regulating the affairs of the corporation as shall be prescribed by the bye-laws and regulations of the same.

Powers of direc-  
tors.

9. The business of the corporation shall be transacted by such number of the directors as shall be determined on by the stockholders and specified in the bye-laws, of whom the President shall always be one; but in case of sickness or necessary temporary absence, the directors present may choose one of their Board as Chairman in his stead; the President or such Chairman may vote at the Board as a Director, and, in case of their being an equal number of votes for or against any question before them, the President or Chairman shall also have a casting vote.

President and  
number of di-  
rectors.

10. No person shall be eligible for or continue to be a director unless such person is a stockholder, and holding and owning not less than twenty shares of the capital stock of said corporation, upon whose shares all instalments called in shall have been fully paid; and no person shall be eligible for or continue to be a director of the corporation who is a director or co-partner in trade of a director of any other bank whatsoever. And if any director of the said corporation shall, while he is in office, cease to hold twenty shares in the said stock, or shall become a director or co-partner in trade of a director in any bank whatsoever, such director of the said corporation shall forthwith go out of office and cease to be a director, another director shall be chosen in his stead as hereinafter directed.

Who eligible as  
directors.

11. Every cashier and clerk of the corporation, before he enters upon the duties of his office, shall give bonds with two or more sureties, to be approved by the said directors—that is to say, every cashier in a sum not less than twenty thousand dollars, with a condition for his good and faithful behaviour; and every

Cashier and  
clerk to give  
bonds.

clerk with a like condition and sureties in such sum as the directors shall deem adequate to the trust reposed in him.

Votes of stockholders.

12. The number of votes which each stockholder shall be entitled to on every occasion when, in conformity with the provisions of this act, the votes of the stockholders are to be given, shall be in the following proportions—that is to say, for one share and less than five, one vote; for five shares and less than ten shares, two votes; for ten shares and less than twenty, three votes; for twenty shares and less than thirty, five votes; for thirty shares and less than forty, six votes; and for forty shares and all shares above that number, eight votes, which shall be the greatest that any stockholder shall be entitled to have.

Vote by proxy.

13. All stockholders resident within this Province or elsewhere may vote by proxy, provided that such proxy be a stockholder and do produce sufficient written authority from his constituent or constituents so to act; provided also that no person shall hold more than three proxies.

Vacancies—how filled.

14. The directors may fill up any vacancy that may be occasioned in the office of President, or in the Board of Directors, by the death, removal, resignation, or absence from the Province for three months, or any incapacity of the President, or any of the members, and the person so chosen by the directors shall serve until the next succeeding annual meeting of the stockholders.

Business not to commence until \$50,000 paid in.

15. As soon as the sum of fifty thousand dollars shall have been paid in on account of the subscriptions to the stock, notice thereof shall be given in one or more of the newspapers published at Yarmouth, and in one of the newspapers published at Halifax, and the directors may commence the operations and business of the bank; but no bank bills or bank notes shall be put in circulation or issued, nor any note or bill discounted at the bank until the sum of fifty thousand dollars shall be actually paid in and received on account of the subscriptions to the capital stock.

Stock—how transferred.

16. The shares or capital stock shall be assignable or transferrable according to the rules and regulations that may be established in that behalf; but no assignment or transfer shall be valid unless such assignment or transfer shall be entered and registered in a book to be kept by the directors for that purpose, nor until the person or persons so making the same shall previously discharge all debts actually due and payable to the corporation; and such stock shall be a pledge for any debt that may become due by the holder thereof to the bank, and be disposed of as other stock pledged to the bank, and in no case shall any fractional part of a share or other than a complete share or shares be assignable or transferrable. And whenever any stockholder shall transfer in the manner aforesaid all his stock or shares in the bank, or the same shall be transferred by act of law to any person or persons whomsoever,

such stockholder shall cease to be a member of the corporation.

17. The corporation may conduct the business of banking in all its branches, and may lend money on cash accounts with personal security only, and may generally deal in bills of exchange, promissory notes, gold or silver coin, or bullion, and in other the current moneys of this Province, or in the sale of goods and stock really and truly pledged for money lent, but not redeemed, which goods and stock so pledged shall be sold by the corporation at public sale, at any time not less than thirty days after the period of redemption, and if upon such sale of goods or stock, there shall be a surplus after deducting the money lent, and interest, together with expenses of sale, such surplus shall be paid to the proprietors thereof respectively.

Corporation to conduct a banking business.

18. The joint stock or property of the corporation shall alone be responsible for the debts and engagements of the corporation; and no person or persons who shall or may have dealings with the corporation shall on any pretence whatever have recourse against the separate property of any present or future member of the corporation, or against their persons, except in the cases specified in this act, further than may be necessary to secure the faithful application of the funds of the corporation.

Separate property of corporation not liable for debts of company.

19. The holders of the shares or stock in the corporation, when this act shall expire, or be repealed, shall be chargeable in their private and individual capacities, and shall be holden for the payment and redemption of all bonds, bills, notes, which may have been issued by the corporation, and which may then remain unpaid, but only according to and in proportion to the shares and interest which they may respectively hold in the capital stock of the corporation at the time of such expiration or repeal.

Liability of shareholders. — When act repealed, &c.

20. Every bond, bank bill, bank note, or other instrument, by the terms or effect of which the corporation may be charged or held liable for the payment of money, shall especially declare in such form as the Board of Directors prescribe, that payment shall be made out of the joint fund of the corporation.

Form of notes.

21. The total amount of the debts which the corporation shall at any time own, whether by bill, bond, or note, or other contract whatsoever, exclusive of the sum due on account of deposits, shall not exceed treble the amount of the capital stock actually paid in by the stockholders, nor shall there be due to the corporation at any one time more than treble the amount of the capital stock actually paid in by the stockholders; and in case of any excess the directors, under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities; provided always that the lands, tenements, goods, and chattels of the corporation shall also be liable for such excess.

Total debts not to exceed three time capitals paid in.



Half yearly dividends.

22. The directors shall make half yearly dividends of all the profits, rents, premiums, and interest of the corporation, payable at such time and place as the directors shall appoint, of which they shall give thirty days previous notice in one or more of the newspapers published at Yarmouth, and in one of the newspapers published at Halifax; but the directors shall not be compelled to make or declare any dividend at an earlier period than one year from and after the passing of this act, unless they think it expedient to make and declare a dividend at an earlier period.

Books, &c., open to inspection of directors.

23. The books, papers, correspondence, and funds of the corporation shall at all times be subject to the inspection of the directors; but no stockholder, not a director, shall inspect any books or the account of any individual with the corporation.

Form of notes.

24. All the bills or notes issued by the said corporation shall be signed by the President, for the time being, and countersigned and attested by the Cashier, and shall be printed and made in stereotype plates; and all bills and notes so signed and countersigned shall be binding on the corporation, although not under their seal, which bills or notes shall be payable by the corporation in gold or silver on demand.

Interest chargeable in case of refusal to pay notes.

25. In case the officers of the corporation shall, in the usual banking hours, at the bank, refuse or delay payment in gold or silver, of any bill or note of the corporation then presented for payment, the corporation shall be subject to pay on the amount of such note or bill to the holder thereof twelve per cent. interest per annum from the day of such refusal to the time of payment.

Company liable to pay altered notes.

26. The corporation shall be liable to pay any *bona fide* holder the original amount of any note of the bank which shall have been counterfeited or altered in the course of its circulation to a larger amount, notwithstanding such alteration.

Bank to be kept at Yarmouth.

27. The bank shall be kept and established at Yarmouth, or at such other place as the Board of Directors may think it necessary to remove the bank to, on account of any emergency, for the security thereof.

Half yearly returns to be filed with the Prov. Secretary.

28. The cashier of the bank shall twice in every year—that is to say, on the thirty-first day of January and the thirty-first day of July—make a return of the state of such bank as it existed at the closing of the books on those days respectively, and he shall transmit the same as soon as may be, not exceeding fifteen days thereafter, to the Provincial Secretary, for the purpose of being laid before the legislature at its next session, which returns, respectively, shall specify the amount then due from the bank, designating in distinct columns the several particulars included therein, and shall also specify the resources of the bank, designating in distinct columns the several particulars included therein, and the said returns shall be in substance as follows:—

*State of the Exchange Bank of Yarmouth, N. S., on the 31st day of*  
*A. D., 186 .*

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DUE FROM THE BANK.

	\$		
Capital Stock .....			
Bills in circulation .....			
Net profits on hand .....			
Balance due to other Banks .....			
Cash deposited, including all sums whatsoever due from the Bank not bearing interest; its bills in circulation, profits, and balances due to other Banks excepted .....			
Cash deposited bearing interest .....			
Total amount due from the Bank .....			

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BALANCES OF THE BANK.

	\$		
Gold, silver, and other coined metals in its banking house .....			
Real Estate .....			
Bills of other Banks incorporated in this Province .....			
Bills of all other Banks .....			
Balance due from other Banks .....			
Amount of all debts due, including notes, bills of exchange, and all stocks and funded debts of every description, except the balances due from other Banks ..			
Total amount of the resources of the Bank ..			
Rate and amount of last dividend .....			
Amount of reserved profits at the time of declaring last dividend .....			
Amount of debts due to the Bank secured by a pledge of stock .....			
Amount of debts due, not paid, and considered doubtful .....			

Which returns shall be signed by the Cashier of said Bank, who shall make oath before some justice of the peace, to the truth of such return, according to the best of his knowledge

and belief; and one of the directors of such Bank shall certify and make oath that the books of the Bank indicate the state of the facts so returned by the Cashier, and that he has full confidence in the truth of such return; and no further or other returns shall hereafter be required by the Bank; copies of which statements shall be laid before the stockholders at the general annual meeting of the corporation.

Corporation—  
when dissolved.

29. If upon the exhibition of the yearly accounts of the debts, to and from the corporation, and the property and effects thereof, it shall appear to the satisfaction of the Legislature in this Province, if then in session, or to the Governor in Council, if this Legislature be not in session, that the paid up capital of the corporation has been diminished by losses and bad debts to one half the amount of the capital or sum so paid up, that then the said corporation shall be dissolved, if the Legislature be in session, by an act of the Legislature of this Province; or if the Legislature be not in session, by proclamation to be forthwith issued by the Governor in Council for that purpose.

General meet-  
ing—how  
called.

30. Any number of the stockholders, not less than twenty, who together shall be proprietors of two hundred and fifty shares, shall have power at any time by themselves, or their proxies, to call a general meeting of the stockholders, for the purpose relating to the business of the corporation, giving at least thirty days' notice previously, in one or more of the newspapers published at Yarmouth, and also in one of the newspapers published in Halifax, specifying in such notice the time and place of such meeting, with the objects thereof; and the directors, or any three of them, shall have the like power at any time, upon observing the like formalities, to call a general meeting as aforesaid.

Business—how  
closed on disso-  
lution.

31. On any dissolution of the corporation, immediate and effectual measures shall be taken by the directors, then in office, for closing all the concerns of the corporation, and for dividing the capital and profits which may remain among the stockholders, in proportion to their respective interests, provided also that notwithstanding such dissolution it shall and may be lawful to use the corporate style, name, and capacity, for the purpose of suits for the final settlement and liquidation of the affairs and accounts of the corporation, and for the sale of and disposition of the estate, real and personal, and mixed, thereto belonging; but not for any purpose or any other manner whatever, nor for a period exceeding four years after such dissolution; and the directors in office at the happening thereof, shall during those four years, if necessary, continue in office, and shall be charged with, and shall take effectual measures for closing the concerns of the corporation, and dividing the remaining capital and profits among the stockholders according to their respective interests therein.

32. In case any loss or deficiency of the capital stock of the corporation shall occur from the official mismanagement of the bank directors, the stockholders at the time of such mismanagement shall in their private and individual capacities be respectively liable to pay the same, provided that in no case shall any one stockholder be liable to pay a sum exceeding in amount the stock actually then held by him in addition to the stock so held by him.

Stockholders liable for misconduct of officials.

33. Any person nominated by the Governor in Council, or any joint committee appointed by the Legislature for that purpose, shall at any time have free access to the books and vaults of the corporation for the purpose of examining into the proceedings of such corporation, provided no person shall have such access who is a stockholder or director of any other bank; and also, provided such person or committee shall not be authorized to inspect or investigate the account of any individual with such corporation, and that no member of such corporation shall be on such committee.

Nominees of Governor in Council to have access to books, &c.

34. Nothing in this act contained shall affect the operation of chapter eighty-three of the Revised Statutes of Currency.

Cap. 83 R. S. not affected by this act.

35. If the total amount of all the notes of the bank issued and in circulation shall at any one time exceed the amount fixed and determined by the Act of Incorporation of the Bank, such Act of Incorporation shall cease and determine from the time when such excessive issue shall have occurred.

Act to cease when notes exceed amount fixed by law.

36. If any person holding shares in the capital stock of the bank be willing to pay up the full amount of shares so held by him, it shall be lawful for the directors at any time within the period limited in this act for the payment of such stock to receive the said amount in full payment of any number of instalments.

Directors may receive full payment of shares

37. This act shall continue and be in force for twenty years, and from thence to the end of the then next session of the General Assembly.

Act to continue for twenty years.

## CHAPTER 59.

An Act to amend the Act to incorporate the Boston and Bridgeport Coal Mining Company, and the Acts in amendment thereof.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The time limited by section 12, chapter 39 of the acts of 1864, entitled, "An Act to incorporate the Boston and Bridgeport Coal Mining Company," is further extended to the first day of July, one thousand eight hundred and sixty-eight.

## CHAPTER 60.

## An Act to incorporate the Union Copper Mining Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                  |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <ol style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Capital shares.</li> <li>3. First meeting—when and where held.</li> <li>4. Liability of stockholders.</li> <li>5. Stock may be issued for purchase of mines, &amp;c.</li> </ol> | <ol style="list-style-type: none"> <li>6. Subscription books.</li> <li>7. Proceedings to obtain lands.</li> <li>8. List of Stockholders.</li> <li>9. Company may construct railways.</li> <li>10. Books, &amp;c., open to inspection.</li> <li>11. Act—when to cease.</li> </ol> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. John Campbell, Alexander Campbell, The Honorable William A. Henry, James B. Oxley, and John D. Nash, all of the Province of Nova Scotia, their associates, successors, and assigns, are hereby constituted a corporation and body politic by the name of "Union Copper Mining Company," for the purpose of opening and working copper mines in the counties of Guysboro' and Antigonish, and generally transacting all business connected therewith, and purchasing, holding, conveying, and selling real estate, lands, personal property, mills and machinery, and smelting and manufacturing of copper and for other purposes connected therewith, and the constructing, making, and operating such railroads, railways, and branch tracks, as the corporation may deem necessary, for the transportation of ore and merchandize from and to the mines, factories, and places of shipment, and all other business and operations necessary and usually performed on railroads, and for constructing, maintaining, and holding such wharves, docks, bulkheads, cranes, piers, buildings, work shops, structures, and erections as may be necessary, or deemed necessary by the company, for the working and operating of mines, railroads, and manufactories, and the protection and safety of shipping, the convenient shipping and transportation of ore and merchandize, and the transaction of business connected with mines, manufactures of copper and operation of railways, and the transaction of the business of the company, and the company shall have all the powers necessary to carry out, perform, and fulfil all the purposes aforesaid.

Capital shares.

2. The capital of the company shall be two thousand five hundred dollars, in shares of not less than one hundred dollars each, with power to increase to two hundred thousand dollars, and which shall be personal property, transmissible and assignable as such; and the corporation shall have power to issue mortgage bonds from time to time, bearing interest at a rate not exceeding six per cent., payable semi-annually in Halifax, if the issue of such mortgage bonds be advisable, and so decided by a vote of at least two-thirds of the stockholders;

but the company shall not go into operation until twenty-five per cent. of the capital stock is actually paid up.

3. The first meeting of the company shall be held at such time and place in this Province as any three of the corporators shall determine, of which public notice shall be given in two of the Halifax newspapers at least twenty days previous to such meeting; the company may be organized by the election of a Board of Directors of not less than three nor more than nine, of whom three shall be a quorum, who shall have the management of the affairs and property of the company, and make such bye-laws and regulations as may be necessary for carrying on the business of the company, subject to the approval of the majority of the stockholders.

First meeting—  
when and where  
held.

4. No member or stockholder of the company shall be liable in his person or separate estate for the debts of the company to a greater amount than the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater sum by becoming surety for the debts of the company.

Liability of  
stockholders

5. The directors of the company may from time to time issue shares of stock as they may deem necessary for the purchase of mines, lands, and other property for the purposes aforesaid, or for the improvement of their property, at such times and in such amounts as may be deemed necessary or advisable by the majority of the stockholders; and stock thus issued for the purpose of mines, lands, and other property so purchased by said company, or applied in payment for improvement made to their property, shall be taken to be, and is hereby declared to be, full stock, the same as if paid for by the holder in cash; and such stock so issued and used for the purpose aforesaid shall not be subject to any further calls, nor shall the holder or holders be liable for any payment on account thereof.

Stock may be  
issued for pur-  
chase of mines,  
&c.

6. The corporation may open books for the subscription of stock in one or more places out of the Province, as also books for transference of stock; may also appoint officers for the same and paying interest and dividends for the whole or any part of the stock, with agencies and branch offices, for the purposes of their incorporation.

Subscription  
books.

7. Whenever it shall be requisite in the construction or maintenance of the works of this company that the company should be invested with lands contiguous thereto, and no agreement can be made for the purchase of such land required, it shall be lawful for the Board of Directors of this company to apply by petition, with a plan annexed, to any one of the judges of the Supreme Court of this Province, setting forth the circumstances and the nature and situation of the lands required, the names of the owners or occupiers thereof, so far as the Board of Directors can ascertain the same, and the

Proceedings to  
obtain lands.

owners or occupants whose names they cannot ascertain to be therein alleged as unknown owners or occupants, as the case may be, praying a conveyance of the land to the company, whereupon such judge being satisfied that the lands are required and are not more extensive than may be reasonably necessary, shall appoint a time and place for the consideration of such petition, and shall direct a proper notice, in writing, to be served upon the owners or occupiers of the land, if in the Province, and to be published for the period of one month in at least two newspapers published in Halifax, and also one newspaper in the county where the land lies, (if there be any) requiring them to attend at such time and place, personally or by attorney; and the judge shall require the directors to nominate one appraiser and such owners to unite in naming another appraiser, and the judge shall nominate a third appraiser; but in case such owners do not attend or shall refuse or neglect, or cannot agree to make such nomination, the judge shall, on proof of such publication or service of such notice, nominate two appraisers, and the directors shall nominate one appraiser, and the judge shall, by an order in writing, direct the said three appraisers thus nominated to value the land so required; and the appraisers, having first subscribed an affidavit in writing, to be sworn to before a Justice of the Peace, and annexed to such order, to the effect that they will faithfully make such appraisement, shall, with all convenient speed, proceed to appraise such land, and shall make such appraisement in writing under the hands of the appraisers, or a majority of them, and return it with such order and affidavits to a judge, who may confirm, modify, alter, or reject such appraisement, or direct a new appraisement; and the company, upon paying or tendering the amount of the appraised value as finally confirmed, and the expense of the owner on such appraisement to the owners, or in case of dispute, to such parties as the court or a judge may direct, and registering such order, affidavit, appraisement, and confirmation in the office of Registrar of Deeds in the county where the lands lie, who is hereby required to register the same, shall be considered the owners of such lands.

List of stockholders.

8. A list of the stockholders of the company and of the number of shares held by each of them on the first days of May and November in each year, certified under the hands of the President and Secretary, shall be filed in the months of May and November in each year, with the Registrar of Deeds in the county where the principal works of the company are situated, such certificates to contain the names of the stockholders and the number of shares held by them respectively, on the first day of the month in which such certificate is filed, and it shall not be necessary to file any other certificate of transfer or copy thereof.

9. The corporation may make or construct one or more railways or railroads, and may make and construct for its own use such railways, if deemed expedient, over, on, and across any other railroad or tramroad, and on, over, and across any rivers, brooks, streams, bays, subject nevertheless in such cases to regulations to be made by the Court of Sessions for the safety of the inhabitants and their property.

Company may construct rail-ways.

10. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

Books open to inspection.

11. This act shall cease and determine if effective works shall not be commenced and continued under it within two years from the date of its passing.

Act—when to cease.

## CHAPTER 61.

### An Act relating to the Halifax Steamboat Company.

(Passed the 7th day of May, A. D. 1867.)

#### Preamble.

1. Incorporation.
2. Capital stock. Shares.
3. Bye-Laws to be approved by Governor in Council.
4. Property of old company transferred to this.

5. Affairs—how managed.
6. Liability of shareholders.
7. Books, &c., open to inspection.
8. List of stockholders to be filed with Registrar of Deeds.

Whereas the charter of the Halifax Steamboat Company and the several acts of this Province relating thereto, and granting to the said company certain exclusive rights and privileges, have expired and ceased to have any force or effect; and whereas the present shareholders in the company are desirous of obtaining a simple act of incorporation without any exclusive privileges, authorizing them to become a body politic and corporate by the name of "The Halifax Steamboat Company:"

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The Honorable Mather B. Almon, Dominick Farrel, David Falconer, James W. Merkle, Daniel McN. Parker, Andrew M. Uniacke, and John P. Mott, and such other persons as shall become shareholders in the company hereby established, their successors and assigns, are hereby created a body politic and corporate by the name of The Halifax Steamboat Company, for the purpose of running a steamer or steamers in and across the harbor of Halifax, Bedford Basin, or such other places as may to the company appear advisable.

Incorporation.

2. The capital stock of the company shall be eighty thousand dollars, to be divided into one hundred shares of eight hundred dollars each.

Capital stock. Shares.



Bye-laws to be approved by Governor in Council.

3. The company shall have power to make bye-laws and to alter and repeal the same for the regulation of the affairs of the company, and for the management of all matters and things connected therewith, provided always that such bye-laws shall not be repugnant to the laws of this Province, and shall have first been approved of by the Governor in Council, and such bye-laws shall regulate the charges on such ferry, not exceeding the present rates of charge, and a duplicate of such bye-laws as approved, signed by the president and secretary, shall have been filed in the office of the Provincial Secretary.

Property of old company transferred to this.

4. All the property, both real and personal, together with all the boats, vessels, wharves, docks, and moveable property of every kind soever belonging to the old company are and shall be transferred to the company created under and by virtue of this act without any other or formal transfer thereof.

Affairs—how managed.

5. The affairs of the company shall be managed by a president, four directors, and a secretary and treasurer, according to the bye-laws of the company.

Liability of shareholders.

6. No member of the company shall be liable in his person or separate estate for the debts of the company for a greater amount than the stock held by him, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Books, &c., open to inspection.

7. The books and accounts of the company shall at all times be open to the examination of such persons as the Governor in Council shall appoint to inspect the same.

List of stockholders to be filed with Registrar of Deeds

8. A list of the stockholders of the company and of the number of shares held by each of them on the first day of January in each year, certified under the hands of the president and secretary, shall be filed in that month with the Registrar of Deeds for the county of Halifax, and it shall not be necessary to file any other certificate.

## CHAPTER 62.

An Act further to amend the Act to incorporate the Roman Catholic Episcopal Corporation of Halifax.

(Passed the 7th day of May, A.D. 1867.)

1. May sell Real Estate. | 2. Inconsistent clauses repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

May sell real estate.

1. The Roman Catholic Episcopal Corporation of Halifax shall have power, according to the provisions of section 22 of Chapter 50 of the Revised Statutes, to sell and dispose of any real estate vested in the said corporation in any manner whatsoever, notwithstanding anything in the said act of incorporation, or any act in amendment thereof to the contrary.

Inconsistent clauses repealed

2. Anything in the act hereby amended, inconsistent with this act, is repealed.

## CHAPTER 63.

An Act to authorize the Sisters of Charity to sell certain Lands.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The corporation of the Sisters of Charity may, by deed signed by Joanna Carroll, a member of the corporation, grant, sell, convey, assign, and release unto any person or persons, or to any other corporation all the right, title, property, interest, and claim of the corporation, in and to the following lot of land:—All that piece or parcel of land, known as the Waverley House property, situate in the city of Halifax, and bounded and described as follows:—Beginning at the corner of Barrington and Blowers streets, and extending southerly along the west side of said Barrington street one hundred and forty feet; thence westerly in a line parallel with the northern boundary of property belonging to the Roman Catholic Episcopal Corporation of Halifax to property owned by one Robert Ainsley; thence along the property of the said Robert Ainsley northerly to Blowers street aforesaid; and thence easterly along said Blowers street to the place of beginning—being the same lot of land and premises conveyed by the Most Reverend Thomas L. Connolly to the Reverend Patrick Power, and by him conveyed to the said Sisters of Charity.

Corporation  
may sell real  
estate.

## CHAPTER 64.

An Act for the Naturalization of certain Aliens.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. William Charles Harris, of Truro, in the County of Colchester, Cordwainer, and John P. Dawson of the same place, Gentleman, so soon as they shall respectively take and subscribe the oath of allegiance to her Majesty Queen Victoria, and her successors, in manner prescribed by chapter 34 of the Revised Statutes, shall, within this Province, become naturalized subjects of her Majesty, entitled to all the rights of such subjects as fully as the same can be conferred under, or by virtue of the act of the Imperial Parliament, passed in the tenth and eleventh year of her Majesty's reign, entitled, "An Act for the Naturalization of Aliens." Names.

## CHAPTER 65.

## An Act to incorporate Welsford Lodge of Freemasons, Windsor.

(Passed the 7th day of May, A. D. 1867.)

1. Incorporation. 2. May hold Real Estate. 3. May collect arrears.

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Charles E. Harding, James Poyntz, B. Berford, W. F. Parker, and George Sterling, and their associates, master masons, and members of Welsford Lodge, number 924 on the registry of the Grand Lodge of England, and such other persons as shall be members of the lodge according to the rules and bye-laws thereof, are hereby incorporated under the name of Welsford Lodge of Freemasons, Windsor.

May hold real estate.

2. The funds and property of the lodge are vested in the corporation, who are authorized to invest the same for the benefit of the lodge; and the corporation may purchase, take, hold, and enjoy real estate to the value of four thousand dollars, and may mortgage, sell, lease, or otherwise dispose of the same for the benefit of said lodge.

May collect arrears.

3. The corporation may collect all arrears due to them under the bye-laws of the lodge.

## CHAPTER 66.

## An Act to incorporate the West End Lodge of Good Templars, Wallace.

(Passed the 7th day of May, A. D. 1867.)

1. Incorporation. | 2. May hold Real Estate.

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. C. A. Scott, W. A. Rindress, George Scott, John Baker, James McInnes, Isaac Harpell, and their associates, Good Templars of Wallace, and such other persons as shall be members of the said lodge, according to the rules and bye-laws thereof, are hereby incorporated by the name of West End Lodge of Good Templars, Wallace, No. 148.

May hold real estate.

2. The corporation may take, hold, and enjoy real estate, not exceeding in value two thousand dollars, and may mortgage, sell, lease, or otherwise dispose of the same as may be deemed expedient.

## CHAPTER 67.

An Act to amend the Act to incorporate New Caledonia Lodge,  
Pictou.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Two-thirds of the members present at any regular meeting of New Caledonia Lodge, Pictou, may, by vote, lease, sell, mortgage, or otherwise dispose of any real estate belonging to the corporation.

Two-thirds of members may sell real estate.

2. So much of the third section of the act hereby amended as is inconsistent herewith is repealed.

Inconsistent sections repealed.

## CHAPTER 68.

An Act to amend the Act to incorporate the Truro Boot and  
Shoe Manufacturing Company.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The capital stock of the Company may be increased from time to time by the bye-laws to any sum not exceeding sixty thousand dollars.

Capital may be increased to \$60,000.

2. So much of section three of the act hereby amended as is inconsistent with this act is repealed.

Inconsistent sections repealed.

## CHAPTER 69.

An Act to incorporate the Trustees of St. John's Church,  
Albion Mines.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. William Conway, George Munro, and John Heron, are hereby incorporated by the name of The Trustees of St. John's Church, Albion Mines.

Incorporation.

2. The corporation shall hold and possess all real and personal estate belonging to the congregation of St. John's Church, Albion Mines, in trust for the members of the said church.

Real estate.

## CHAPTER 70.

## An Act to increase the Capital Stock of the People's Bank of Halifax.

(Passed the 7th day of May, A. D. 1867.)

Preamble.

Whereas by an act of the Legislature passed on the thirty-first day of March, A. D. 1864, for the incorporation of the People's Bank of Halifax, it was among other things enacted that the capital stock should be limited to four hundred thousand dollars. And whereas it has been found that the said capital stock is not sufficient for the purposes of the said bank, and it is therefore desirous that the said capital stock be increased to eight hundred thousand dollars,—

Be it enacted by the Governor, Council and Assembly, as follows :

Capital may be increased to \$800,000.

1. The capital stock of the said bank shall, from the passing of this act, be increased to eight hundred thousand dollars, with power to dispose of stock to that amount, or to such sum under that amount as may be deemed necessary, and on the same terms and conditions, and in the same manner as is provided under and by virtue of the said act of incorporation of the said bank.

## CHAPTER 71.

## An Act to incorporate the Loyal Prince of Wales Lodge of Odd Fellows.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows :

Incorporation.

1. George Dinnaford, William Stammers, William Burgess, John Erving, Thomas Elford, and Daniel McDonald, and such other persons as now are or hereafter shall become members of the society hereby incorporated, and their successors, are incorporated by the name of The Loyal Prince of Wales Lodge, No. 5291, Halifax District, of the Independent Order of Odd Fellows, Manchester Unity.

Collection of arrears.

2. The rules of the lodge already adopted, and which may hereafter be adopted, are hereby declared legal and binding; and the corporation is empowered to collect all arrears and moneys thereunder.

Property, &amp;c.

3. The personal property, debts, and effects now belonging to the lodge are vested in the corporation, which is empowered to vest its funds in any way it may think fit.

## CHAPTER 72.

## An Act relating to the Bridge at Liverpool.

(Passed the 7th day of May, A. D. 1867.)

Whereas the time limited for the duration of the Liverpool Bridge Company, under an act passed in the fifty-sixth year of the reign of His late Majesty King George the Third, entitled An Act to enable certain persons therein named to erect a Draw Bridge across the Liverpool River, in the town of Liverpool, expired on the twenty-ninth day of March last past; and whereas, a new bridge is about to be erected free to the public, and it is desirable that during the erection of the new bridge the present one should be kept open for the accommodation of the public under the same terms and conditions, and subject to the same rules and regulations as fixed by the Court of General Sessions,—

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The said Liverpool Bridge Company are hereby authorized to keep the said bridge open and exact tolls as heretofore, under the authority of the said act, and subject to the regulations of the sessions aforesaid, until the new bridge is open and ready for use.

Old bridge to be kept open till new one is built.

2. The General or Special Sessions of the county of Queens shall have power to assess the county for compensation to the owners of the lands leased to the said Liverpool Bridge Company, and through which the roads to and from the said bridge pass during the continuance of the use of the said lands until the new bridge is open and ready for use.

Assessment of land damages.

## CHAPTER 73.

## An Act further to amend the Act to incorporate the Roman Catholic Bishop in Arichat.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Roman Catholic Episcopal Corporation of Arichat shall have power according to the provisions of section twenty-two, chapter fifty of the Revised Statute, to sell and dispose of the real estate vested in the corporation.

May sell real estate.

CHAPTER 74.

An Act to incorporate the Victoria Harbour Pier Company at Brown Brook, Kings County.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                                                                                             |                                                                                        |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|
| <ul style="list-style-type: none"> <li>1. Incorporation.</li> <li>2. Company may build public pier, &amp;c.</li> <li>3. Capital.</li> </ul> | <ul style="list-style-type: none"> <li>4. Management.</li> <li>5. Bye-laws.</li> </ul> |
|---------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------|

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Lot P. Jacques, James Jacques, Edward Eaton, John Brown, and William Findlay, and such other persons as now are or may become shareholders in the company hereby established, their successors and assigns, are hereby incorporated by the name of the Victoria Harbour Company.

Company may build public pier, &c.

2. The company may erect a public pier or breakwater at Brown's Brook, in Cornwallis, upon any land or beach, set apart by the Sessions of Kings County, for the erection of a public wharf, which wharf or pier shall be open and free at all times for the use of boats, steamboats, and vessels, and of all persons desirous of using the same for trading purposes, subject to such rates of wharfage and dockage as shall be fixed by the Sessions of the county.

Capital.

3. The capital of the company shall not exceed five thousand dollars, to be divided into shares of twenty dollars each.

Management.

4. The company shall be managed by a President, five Directors, a Secretary, and Treasurer, to be chosen annually by the shareholders.

Bye-laws.

5. The bye-laws of the company shall not come into operation until they have been approved by the Sessions and recorded in the office of the Registrar of Deeds for Kings County.

CHAPTER 75.

An Act to incorporate The Home for the Aged.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Edward Binney, Daniel McNeil Parker, and Charles Murdoch, and such other persons as now are or hereafter shall become members of the institution hereby incorporated, and their successors, are created a body corporate by the name of The Home for the Aged.

Bye-laws.

2. All bye-laws of the company now made, or hereafter to be made, shall be subject to the approval of the Governor in Council.

## CHAPTER 76.

## An Act to incorporate the Merchants' Marine Insurance Company.

(Passed the 7th day of May, A. D. 1867.)

- |                                            |                                                 |
|--------------------------------------------|-------------------------------------------------|
| 1. Incorporation.                          | 9. Records.                                     |
| 2. Real Estate.                            | 10. Stock. Books.                               |
| 3. Capital. Shares.                        | 11. When to go into operation.                  |
| 4. Liability of Shareholders.              | 12. Capital may be invested.                    |
| 5. Bonds to be given for payment of calls. | 13. Books open to inspection.                   |
| 6. Calls—how paid.                         | 14. When company shall cease to issue policies. |
| 7. Management of Company.                  | 15. Company—when dissolved.                     |
| 8. First meeting.                          |                                                 |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Robert Boak, jr., Jairus Hart, William J. Stairs, John T. Wylde, William P. West, George H. Starr, and Daniel Cronan, and such other persons as now are or hereafter may become shareholders in the company hereby established, their successors and assigns, are hereby incorporated by the name of "The Merchants' Marine Insurance Company," for the purpose of conducting the business of Marine Insurance at the city of Halifax. Incorporation.

2. The company may purchase, take, and hold real estate, not to exceed in value twenty thousand dollars. Real estate.

3. The original capital stock of the company shall be eighty thousand dollars, which may subsequently be increased by vote of the shareholders to two hundred thousand dollars, to be divided into shares of two hundred dollars each, which shares shall be numbered in regular progression; but no member of the company shall hold more than fifty shares at one time. Capital.  
Shares.

4. No member of the corporation shall be liable on account of the debts of the company to a greater amount in the whole than double the amount of the stock held by him, deducting the moneys paid thereon to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming security for the debts of the company. Liability of shareholders.

5. Every shareholder shall, at or before the time appointed for payment of the first call for payments on account of the shares, execute and deliver to the company either a bond, with a mortgage on real estate to accompany the same, or a bond with two sufficient sureties, such bonds to be renewable as often as the President and Directors shall require, and to be conditioned for the payment of the residue of the calls to become due or payable on the shares held by him, which Bonds to be given for payment of calls.



securities shall be subject to the approval of the majority of the persons named in this act, until the Board of Directors shall be chosen, and afterwards to the approval of such Board.

Calls—how paid.

6. All calls or instalments on account of the shares shall be paid by the several shareholders at such time and in such equal proportions as the directors shall appoint, and notice of the times and places of paying such calls shall be given by them by advertisement in at least two of the Halifax newspapers, thirty days at least previous to the time of payment.

Management of company.

7. The management of the affairs of the company shall be conducted by a Board to consist of a President and six Directors, and the necessary officers of the company shall, in addition thereto, consist of a Secretary, two Auditors or Examiners of the accounts of the company, and such other officers and servants as the company shall by their bye-laws direct.

1st meeting.

8. So soon as four hundred shares are subscribed, the company may hold their first meeting.

Records.

9. The proceedings of every general or special meeting of the company shall be entered by the Secretary, or such other person as shall attend in his place, in a book to be kept for that purpose, and shall then be signed by the chairman of the meeting, and being so entered and signed shall be deemed to be the original orders of the company, and when proved shall be legal evidence thereof, which book shall be kept at the office of the Secretary, and shall be open to the inspection of any persons who may desire the same at all reasonable times without fee.

Stock.

10. The Secretary shall keep in his office a book containing a record of the original subscriptions of stock, and of all additions thereto, and of all alterations in the ownership thereof, together with the amounts paid thereon; and no transfer of such stock shall be valid until it shall be entered in such book, which book being proved shall be legal evidence of the ownership of the shares, and shall be open for the inspection of any person who may desire the same, at all reasonable times without fees.

Books.

When to go into operation.

11. When the whole original capital shall have been subscribed, and the sum of ten thousand dollars shall have been actually paid to the company by the proprietors of shares, and sufficient securities shall have been given by them for the balances thereof, the directors may, at their office in Halifax, commence and conduct the business of Marine Insurance in all its branches, and may make insurance on all subjects of Marine Insurance whatsoever, and may transact all matters of the business of a Marine Insurance Broker, Insurer, or Underwriter, but no greater sum than ten thousand dollars in the whole shall be insured by the company, and be at risk at the same time upon any one ship or vessel, her cargo, freight, or other interest therein depending on the same risk.

Single Insurance limited to \$10,000.

12. Any of the paid up capital of the company, not considered necessary to be kept on hand for the payment of losses or expenses, shall be kept invested at interest upon approved securities as mentioned in the fifth section, or in public funds, bank, or other stocks in the names of the company; but no part thereof beyond the sum absolutely necessary for procuring the necessary buildings for the purpose of conducting the business of the company shall be invested in real estate, nor shall any part thereof be lent on bottomry or respondentia, or on mortgage of ships or vessels; but mortgages of other personal property may be held by the company to secure a debt, nor shall the funds of the company be employed in merchandize, nor shall the company carry on trade as a merchant, nor shall any dividend be made of any part of the capital stock, nor shall any part of the capital stock be loaned directly or indirectly to any director of the company, nor shall any director be a party to any security for any such loan, and no stockholder to whom any part of the capital stock shall have been lent, shall be eligible as a director during the continuance of such loan.

Capital may be invested.

13. The books of the company shall be at all times open to the examination of such persons as the Governor in Council shall appoint to inspect the same; and before any policy of insurance shall be issued by the company, the securities upon which the capital stock and the balance of the unpaid stock of the company shall have been invested or secured, shall be first approved by the Governor in Council.

Books open to inspection.

14. If the capital stock shall by any means be wholly expended, or claims against the company shall be outstanding, unsettled, equal to the existing available capital of the company, then it shall not be lawful for the company to make or issue any new policies of insurance; and in case the President or Board of Directors shall issue any such new policy, they shall be personally liable for any loss arising thereunder.

When company shall cease to issue policies.

15. The company may be dissolved upon the extent of their losses becoming equal to the available capital stock of the company, or upon the vote of proprietors holding three-fourths of the shares of the company.

Company—when dissolved.

## CHAPTER 77.

## An Act to incorporate the Gaspereaux School House and Public Hall Company.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Russel Caldwell, Sherman Caldwell, Obed Benjamin, John H. Miner, Irad Benjamin, and D. D. C. Reid, and such persons as are or shall become shareholders in the company hereby established, their successors and assigns, are hereby incorporated by the name of the Gaspereaux School House and Public Hall Company, in Kings County.

Capital.

2. The capital stock of the company shall not exceed one thousand dollars, to be divided into shares of twenty dollars each.

Management of company.

3. The property and business of the company shall be under the management of a president and such officers as the bye-laws may direct, and such officers may rent or sell the school house and grounds to the trustees of schools for the district.

Liability of shareholders.

4. No member of the company shall be liable for the debts of the company more than double the amount of stock held by him, and deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable by becoming surety for the debts of the company.

## CHAPTER 78.

## An Act to increase the Capital Stock of the Halifax Gas Light Company.

(Passed the 29th day of March, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Capital may be increased to £100,000.:

1. The capital or joint stock of the Halifax Gas Light Company, which by chapter 70 of the Acts of 1863, was increased from forty thousand pounds to sixty thousand pounds, may be further increased and extended to the sum of one hundred thousand pounds, or to such an amount under that sum as may by the company be deemed necessary, to be divided into shares of the like amount and subject to the same bye-laws, rules, and regulations, as are prescribed by the original act of incorporation of such company.

## CHAPTER 79.

## An Act to incorporate the Temperance League of Kings County.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Andrew B. Barss, M. D., Abraham G. Marsters, J. F. L. Parsons, Daniel Eaton, Edward R. Bishop, and such other persons as shall become members of the said League, according to the rules and bye-laws thereof, are hereby incorporated under the name of the Temperance League of Kings County.
2. The funds and property of the league are hereby vested in the corporation, who may collect, hold, invest, and appropriate the same as they may deem best for the interests of the corporation.

Incorporation.

Property, &amp;c.

## CHAPTER 80.

## An Act to incorporate the St. George's Lodge of Freemasons, Wolfville.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. John Strong, William H. Gould, John Rounsefell, jr., Joseph R. Hea, George E. Forsyth, W. J. Fuller, and such other persons as now are or shall become members of Saint George's Lodge, No. 849, on the registry of the Grand Lodge of England, are hereby incorporated by the name of Saint George's Lodge of Freemasons, Wolfville.
2. The funds and property of the lodge are vested in the corporation, who are authorized to invest the same on mortgage or otherwise for the benefit of the lodge, and the corporation may purchase, take, and hold real estate to the value of four thousand dollars.
3. The corporation may collect all arrears due to them under the bye-laws of the lodge.

Incorporation.

Property, &amp;c.

Arrears.

## CHAPTER 81.

An Act to incorporate Grand Pré Lodge of British Templars,  
Wolfville.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. John Strong, Reuben F. Reid, J. F. L. Parsons, Simon R. Sleep, James W. Burres, James E. Higgins, and their associates, members of Grand Pré Lodge of the Order of British Templars, and such other persons as shall be members of the lodge according to the rules and bye-laws thereof, are hereby incorporated under the name of the Grand Pré Lodge of British Templars, Wolfville.

Property of lodge.

2. The funds and property of the lodge are hereby vested in the corporation, who may invest the same on mortgage or otherwise, for the benefit of the lodge; and the corporation may hold real estate to the value of four thousand dollars.

Arrears.

3. The corporation may collect all arrears due to them under the bye-laws of the lodge or otherwise.

**LOCAL ACTS.**



# LOCAL ACTS.

## CHAPTER 82.

### An Act to appoint a Stipendiary Magistrate for the City of Halifax.

(Passed the 7th day of May, A. D. 1867.)

- |                                                                        |                                |
|------------------------------------------------------------------------|--------------------------------|
| 1. Governor in Council shall appoint.                                  | 6. Salary.                     |
| 2. Shall hold office during good behaviour.                            | 7. Shall fill no other office. |
| 3. Shall have Executive powers of Mayor or Aldermen.                   | 8. Absence or illness.         |
| 4. Police, &c. Duties of Recorder.                                     | 9. Inconsistent acts repealed. |
| 5. City Marshal and Constables under orders of Stipendiary Magistrate. |                                |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Immediately after the passing of this act the Governor and Council shall appoint a fit and competent person, who shall be a Barrister of not less than five years standing, to act as Stipendiary Magistrate for the City of Halifax, and to sit in the City Court.

Governor in Council may appoint.

2. Such Stipendiary Magistrate shall hold office during good behaviour, and be removeable in the same manner as a Judge of the Supreme Court, and be sworn into office to the faithful discharge of his duties before the Governor, Chief Justice, or any Judge of the Supreme Court.

Shall hold office during good behaviour.

3. The Stipendiary Magistrate shall sit every day (Sundays and holidays excepted) for such time as may be requisite, and shall perform all the duties and functions now performed by the Mayor and Aldermen in the administration of Police within the city of Halifax, and all the executive powers of the corporation, and it shall be his further duty to conduct the business of the City Court and to execute the duties of that court as heretofore performed by the Mayor, Recorder, and Aldermen, and the City Clerk or Assistant City Clerk shall act as his clerk.

Shall have Executive powers of Mayor or Aldermen.

4. The administration of police within the city of Halifax, and all executive powers of the corporation shall be vested in the magistrate so appointed, who shall perform every act pertaining to the office of Justice of the Peace necessary for the apprehension, conviction, committal, and punishment of criminal offenders, and for carrying into effect the laws in force, and the ordinances and bye-laws of the city, and who shall have

Police, &c.



power over all offences set forth in the acts of 1865, relating to trial of offenders in a summary way at the police court, or any other act now in existence, or hereafter to be made, relative to police business. The duties in and appertaining to the City Court, which were heretofore executed by the Recorder, shall hereafter be performed by the officer appointed under this act.

Duties of Recorder.

City Marshal and Constables under orders of Stipendiary Magistrate.

5. The City Marshal and the police force of the city of Halifax, and all constables, shall obey any order of the said magistrate, and the said magistrate is hereby authorized to appoint, with the consent of the Mayor, special constables and extra constables for the city, and to exercise all the powers and authority exercised by the Mayor or Aldermen over the same, by any acts of this Province relative thereto.

Salary.

6. The annual salary of the said magistrate shall be two thousand dollars per annum in full of all services to be paid out of the funds of the city of Halifax, which salary the City Council shall include in the general assessment of the city.

Shall fill no other office.

7. The person who shall be appointed Stipendiary Magistrate for the city shall not fill any other office or follow his professional pursuits.

Absence or illness.

8. In case of illness or absence on leave, which absence the Governor in Council is alone authorized to allow, the duties of Stipendiary Magistrate shall be performed by some competent person, to be commissioned by the Governor in Council during such illness or absence of such Stipendiary Magistrate, who shall have the same power and authority as such Stipendiary Magistrate has under this act.

Inconsistent act repealed.

9. So much of Chapter 87 of the acts of 1865, entitled, An Act to amend the Act concerning the City of Halifax, as relates to the Recorder and duties of the Recorder, is hereby repealed, and all other acts or parts of acts, incompatible with this act, are hereby repealed.

## CHAPTER 83.

### An Act relating to the Market House at Halifax.

(Passed the 7th day of May, A.D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

City Council may alter Market House.

1. The City Council are hereby authorized and empowered to alter the City Market House in Halifax, and to remove the butchers' stalls so as to afford accommodation to those persons who vend vegetables within the city.

May fix rates for occupation.

2. The City Council shall have authority to fix such rates for the occupation of such Market House by such venders of vegetables as they may think proper.

## CHAPTER 84.

An Act to provide a site for a School House in Preston Road School Section, in the County of Halifax.

(Passed the 7th day of May, A. D. 1867.)

- |                              |  |                        |
|------------------------------|--|------------------------|
| 1. Trustees may select site. |  | 3. Lands—how obtained. |
| 2. Lands—how obtained.       |  | 4. Do. Do.             |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The trustees of the school section in Preston Road, in the county of Halifax, may select a suitable site for a school house, and are hereby empowered to take such quantity of land as they may require for that purpose, (not exceeding one acre), and shall prepare a plan of the same, which, after having been approved of by three Commissioners of Schools for the district, shall be recorded in the office of Registry of Deeds for the county of Halifax; and the lands so taken and approved of shall be and are hereby declared to be vested in the trustees and their successors in office for the purposes of this act.

Trustees may select site.

2. The value of the said lands shall be appraised by any three Commissioners of Schools for the district, who shall cause notices in writing to be personally served upon the owners of such lands, their lessees, attorneys, or agents, or left at their last place of abode, informing them of the price at which such lands have been appraised, and requiring them, if not satisfied with such appraisement to appoint an arbitrator on their behalf to act with an arbitrator, to be appointed by the said Board of Trustees, to award the compensation which such owners shall receive for the lands so appropriated. Where persons are jointly interested in any such lands, the service of any such notice upon one shall be held equal to a service upon all; and, where persons are jointly interested as aforesaid, they may unite in the appointment of an arbitrator. If, within ten days after such service of notice, the proprietor or proprietors of such land, their lessees, attorneys, or agents, shall not notify the commissioners that they have appointed an arbitrator, and furnish them with the name and residence of such arbitrator, or, if the proprietors are unknown, or cannot be found, the said commissioners shall apply to the Custos of the county of Halifax to appoint an arbitrator for such proprietors, and the Custos shall thereupon make such appointment.

Lands—how obtained.

3. The arbitrators so appointed shall be sworn in the form (schedule A) hereto annexed, to the impartial discharge of the duties assigned them, and shall award the compensation to be paid to the said proprietors. In case the arbitrators cannot agree, they may select a third arbitrator. If they fail to make

Lands—how obtained.

such selection within the period of ten days after such disagreement, the Custos of the county of Halifax shall name the third arbitrator, who shall be sworn as aforesaid, and the award of any two of the three arbitrators, made in writing, shall be valid.

Lands—how  
obtained.

4. On the award being returned to the said Board of Trustees, they shall be immediately liable to pay the amount of compensation named therein to such proprietors.

#### SCHEDULE A.

*County of*

A B, of \_\_\_\_\_, in the County of \_\_\_\_\_,  
and C D, of \_\_\_\_\_, in the County of \_\_\_\_\_,  
chosen as arbitrators to estimate the value of the land re-  
quired for school purposes under this act, situate and con-  
tained within the following description, viz. :—

\_\_\_\_\_, do hereby  
severally solemnly swear that they will faithfully and impar-  
tially discharge the duties assigned them, in accordance with  
the terms of this act.

Sworn to at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_,  
A. D.

Before me

J. P.

#### CHAPTER 85.

An Act relating to Rag and Junk Shops in the City of Halifax.

(Passed the 7th day of May, A. D. 1867.)

Be it therefore enacted by the Governor, Council, and As-  
sembly, as follows :

\$10 for license.

1. From and after the passing of this Act the City Council  
of the city of Halifax shall not have power to demand a sum  
exceeding ten dollars for the granting of a license to any per-  
son or persons who shall establish, open, or keep any shop or  
shops, store or stores, (known as rag or junk stores), within  
the city of Halifax, or who shall deal in rags, junk, brass, cop-  
per, lead, iron, composition, metals, or small articles of any  
kind or description, in or about such shop or shops, store or  
stores, or who now keep shops of the like nature, or in any  
way deal in articles of the description hereinbefore mentioned.

Inconsistent  
portion of City  
Ordinance  
repealed.

2. So much of the ordinance of the said City Council,  
dated the fifteenth day of June, in the year of our Lord one  
thousand eight hundred and sixty-one, and of sections one  
hundred and seven and two hundred and forty-nine of chapter  
eighty-one of the acts of 1864, entitled, "An Act concerning  
the City of Halifax," as is inconsistent with this act, is hereby  
repealed.

## CHAPTER 86.

An Act respecting the Management of the Dyked Marsh Land in the Township of Falmouth, known as the Village Dyke.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The proprietors of the Village Dyke Marsh in Falmouth shall meet annually on the first Monday of September, or on some other day to be appointed at a general meeting at some convenient place, for the purpose of receiving the report of the commissioners in charge of said marsh lands, and the majority in interest at any such meeting may require to be laid before the meeting, or upon an adjourned meeting, a full and particular statement of the expenditure incurred by the commissioner or commissioners, and in case the commissioner or commissioners shall refuse or decline to make such report or furnish such account, or the same shall be unsatisfactory to the meeting, two-thirds of the proprietors in interest at such meeting may declare their dissatisfaction with the said report or account, and may dismiss the commissioners in charge of the said marsh lands, or one or more of them, and in such case the commissioner or commissioners so dismissed shall cease to have any charge of such marsh lands, and such proceedings may be had as are prescribed by law for the selection of one or more new commissioners.

Meeting of Proprietors and report of Commissioners.

2. An action shall lie at the suit of the owners, commissioner, or commissioners in charge of any such marsh lands, against any commissioner or commissioners who may have been dismissed for any sum or sums of money in his hands at the time of his dismissal; such action shall be for money had and received to the use of the owners, commissioner, or commissioners, and may be brought in the same way and before the same court or justices as if the same were a private debt of the same amount.

Actions against Commissioners.

## CHAPTER 87.

An Act to change the name of the Mouth of River Philip Settlement, in the County of Cumberland.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The settlement heretofore known as the Mouth of the River Philip, in the county of Cumberland, shall hereafter be called and known by the name of Port Philip.

## CHAPTER 88.

## An Act to divide a Polling District in the County of Guysboro'.

(Passed the 7th day of May, A. D. 1867.)

- |                                    |                                |
|------------------------------------|--------------------------------|
| 1. No. 7 divided.                  | 3. No. 7 defined.              |
| 2. No. 15 defined. No. 17 defined. | 4. Inconsistent acts repealed. |

Be it enacted by the Governor, Council, and Assembly, as follows:

No. 7 divided.

1. The present electoral district number seven, in the county of Guysborough, shall be and is hereby divided into two electoral districts, to be called numbers 15 and 17 respectively.

No. 15 defined.

2. Electoral district number 15 shall be that portion of the present electoral district number 7, which shall lie to the eastward and southward of the brook at John Stewart's, Country Harbor, and not including any portion of the present electoral districts numbers 1 and 14, and extending by the courses of said brook to Country Harbor, and thence across said harbor by a line in a westerly direction until it reaches the township line of the district of St. Mary's. The polling place of said electoral district number 15 as hereby created, shall be at or near the School House on the western side of Isaac's Harbor.

No. 7 defined.

3. Electoral district number seven shall be the residue and remaining portion of the present electoral district number seven as heretofore created, and the new polling place shall be at some convenient place at or near the old polling place or school house.

4. The several acts of the Legislature and orders of sessions, inconsistent with this act, are hereby repealed and annulled.

## CHAPTER 89.

## An Act to alter the Polling Places in two Electoral Districts in the County of Halifax.

(Passed 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Inconsistent acts repealed.

1. Hereafter the polling place in Electoral Division No. 17, in the county of Halifax, shall be at or near the Temperance Hall, Waverley, instead of at Grand Lake, as at present.

2. The polling place in the Electoral Division No. 18, in said county, shall hereafter be at or near John Parker's, at the mouth of the old Beaver Bank Road.

## CHAPTER 90.

An Act to legalize the appointment of certain Trustees of Schools for Kings County.

(Passed the 7th day of May, A. D. 1867.)

Whereas the Board of School Commissioners for Kings County have, in certain cases, without the necessary requisition of seven or more rate-payers, appointed persons to be trustees of schools,—

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The persons so appointed as aforesaid to be trustees of public schools in Kings County, shall be held to have been duly appointed in the same manner as if the requisition provided by law had been had.

Trustees.

## CHAPTER 91.

An Act to provide for the construction of the new Bridge at Liverpool.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The members of the County for Queens may borrow, on the pledge of the road moneys for that county, a sum not exceeding four thousand dollars, to be applied towards the construction and completion of the new bridge from Market street to Bristol, across the Liverpool River.

Members may borrow \$4000.

2. The amount so borrowed shall be expended by commissioners appointed by the Governor in Council, and shall be repaid, with interest, at six per cent. per annum in four equal annual instalments from the road moneys of the years 1868, 1869, 1870, and 1871.

How to be expended.

## CHAPTER 92.

An Act to amend Chapter 63, of the Revised Statutes, "Of Commissioners of Streets," so far as relates to the Town of New Glasgow.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The jurisdiction of the Commissioners of Streets for the town of New Glasgow, in the county of Pictou, shall hereafter be the same as the limits of school section number one, in the southern district of said county.

Jurisdiction extended.

2. So much of the provisions of the chapter hereby amended, as are inconsistent herewith, are hereby repealed.

Inconsistent acts repealed.

## CHAPTER 93.

## An Act to amend the Act to regulate the Poors' Asylum and Hospital in the City of Halifax.

(Passed the 7th day of May, A. D. 1867.)

## Preamble.

1. Manner in which City shall pay \$20,000.
2. Annual expense—how borrowed.

3. Return of expenditures to be made to Government.

Preamble.

Whereas doubts have arisen whether, under the provisions of the act hereby amended, the City Council are authorized to provide any part of the sum required to be contributed by them for the purposes therein mentioned until the sale of the lands and premises comprising the site of the present Poors' Asylum shall have been effected; and whereas the said lands and premises cannot be disposed of till the new Poors' Asylum has been erected,—

Be it therefore enacted by the Governor, Council, and Assembly, as follows :

Manner in which City shall pay \$20,000

1. The City Council shall, whenever required so to do by the Commissioners of the Hospital and Poors' Asylum, pay and advance to them so much of the sum of twenty thousand dollars as may from time to time be required for the purposes of the said act; and when the new asylum shall have been completed and the necessary expenditure in the hospital shall have been made and the sale of the site of the present Poors' Asylum shall have been effected, whatever balance shall be then in the hands of the commissioners shall be accounted for and paid, one-third to the City Council and two-thirds to the Provincial Government.

Annual expense how borrowed.

2. The annual expense of the hospital shall be paid and borne two-thirds by the Government and one-third by the City Council; and the City Council shall have power to include in the general assessment, in addition to all the sums now provided by law, the amount necessary to meet their proportion of such annual expense, as well as their proportion of the cost of erecting the Poors' Asylum and the repairs and completion of the hospital.

Return of expenditures to be made to Government.

3. The Commissioners shall render to the Government, and also to the City Council, annually, an account of all expenditures made by them, under the provisions of this act.

## CHAPTER 94.

## An Act to provide for improving the Road between Guysborough and Canso.

(Passed the 7th day of May, A. D. 1867.)

1. Members may borrow \$2,400.    2. Loan—how repaid.    3. Money—how expended.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The members for the county of Guysborough may borrow, on the pledge of the road moneys of the county and the security of this act, a sum not to exceed two thousand and four hundred dollars, to aid in making two bridges, one at Crow Harbor and one at Half Way Cove, on the road from Guysborough to Canso.

Members may borrow \$2,400.

2. Such loan shall be repaid by annual instalments of one half the sum borrowed, with interest, at a rate not exceeding six per cent. per annum out of the road moneys for 1868 and 1869, until the whole sum borrowed shall have been repaid.

Loan—how repaid.

3. The moneys borrowed under this act shall be expended by commissioners, to be appointed by the Governor in Council.

Money—how expended.

## CHAPTER 95.

## An Act to provide for building a Bridge in the County of Guysborough.

(Passed the 7th day of May, A. D. 1867.)

1. Members may borrow \$400.    2. When paid.    3. Money—how expended.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The members for the county of Guysborough are authorized to borrow, on the pledge of the road moneys of the county, a sum not exceeding four hundred dollars, to aid in building a bridge across Salmon River, in the said county.

May borrow \$400.

2. The amount so borrowed shall be repaid, with interest, at the rate of six per cent. per annum out of the road moneys of the county for the year 1868.

When repaid.

3. The moneys shall be expended by commissioners, to be appointed by the Governor in Council.

Money—how expended.



## CHAPTER 96.

## An Act to authorize a loan for the erection of a Court House and Jail at Sydney.

(Passed 7th day of May, A. D. 1867.)

- |                                                                     |                                   |
|---------------------------------------------------------------------|-----------------------------------|
| 1. Commissioners may borrow \$4000.                                 | 4. First instalment—when payable. |
| 2. County to be assessed.                                           | 5. Where to be erected.           |
| 3. Amount to be borrowed in sums not less than \$400. Certificates. |                                   |

Be it enacted by the Governor, Council, and Assembly, as follows:

Commissioners  
may borrow  
\$4000.

1. Henry Davenport, Clement H. Harrington, and John Lorway, the younger, commissioners appointed by the sessions of the county of Cape Breton, to erect a Court House and Jail in the town of Sydney, in said county, may borrow, on the credit of the county, a sum not exceeding four thousand dollars, to be repaid by annual instalments of one thousand dollars each, with interest, and to be assessed and levied on the county of Cape Breton, which sum, or so much thereof as may be necessary, shall be applied by such commissioners towards the erection of such court house and jail.

County to be  
assessed.

2. If the sessions shall neglect or refuse to make such annual assessment to pay the above named instalments and interest, the Supreme Court shall amerce the county for the same.

Amount to be  
borrowed in  
sums not less  
than \$400.

3. The amount which the commissioners are authorized to borrow, under this act, may be borrowed in sums of not less than four hundred dollars; and the lenders of the sums so borrowed shall receive certificates, signed by the commissioners, and countersigned by the Custos and Clerk of the Peace in favor of such lenders, or their assigns, specifying the terms of loan and rate of interest, such interest to be payable half yearly. The certificates shall be numbered in regular succession, and the principal made payable at periods in conformity with the terms of this act. They shall be transferable by endorsement of the holders' signatures thereon in the same manner as promissory notes; but notice of such endorsement and transfer shall be given to the Clerk of the Peace and the County Treasurer.

Certificates.

1st instalment—  
when payable.

4. The first instalment of the money borrowed under this act shall be payable on the first day of September, 1868; but any of such certificates may be paid off at any time by giving six months notice to the holder thereof.

Where to be  
erected.

5. The court house and jail shall be erected on the lot of land conveyed by the War Department to the trustees of public property in Sydney for that purpose.

## CHAPTER 97.

An Act to provide for the purchase of Land and the erection of a Poor House in the Township of Cornwallis.

(Passed the 7th day of May, A. D. 1867.)

- |                                      |  |                                       |
|--------------------------------------|--|---------------------------------------|
| 1. Cost not to exceed \$5000.        |  | 3. To be conveyed to Overseers of the |
| 2. Township to be assessed for same. |  | Poor.                                 |

Be it enacted by the Governor, Council, and Assembly, as follows:

1. William H. Chipman, James Bligh, Leander Rand, Thomas Illsley, and Elias Calkin, are hereby authorized to purchase land and to erect suitable buildings thereon for the accommodation of the poor of the township of Cornwallis, provided the whole cost of such land and buildings, and the necessary furniture connected therewith, shall not exceed five thousand dollars.

Cost not to exceed \$5000.

2. The inhabitants of the township of Cornwallis may be assessed for the said sum of five thousand dollars for the purposes aforesaid, as prescribed by chapter 89 of the Revised Statutes; and such assessment may be made and collected in one year, or by annual instalments of not less than twelve hundred dollars, until the whole amount is collected.

Township to be assessed for same.

3. Upon the completion of the said purchase, and the erection of such requisite buildings, the parties named in the first section, or a majority of them, are hereby authorized to convey and transfer the said lands and appurtenances and all liabilities on account of such purchase to the Overseers of the Poor for the said township of Cornwallis, to be held by the overseers and their successors in office as a body corporate, and to be managed and conducted by the overseers as prescribed by chapter 89 of the Revised Statutes.

To be conveyed to Overseers of the Poor.

## CHAPTER 98.

An act to add a Polling District in the County of Digby.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. There shall be an additional polling place in the county of Digby, to be called No. 14, commencing at the corner north of Patrick Nowlan's, near the meeting house; thence southerly following the course of the road leading by the Corberry road until it strikes the Yarmouth county line, to include three miles on each side of such road, the polling place to be at Henry C. Sabean's.

Bounds of No. 14 defined.

## CHAPTER 99.

## An Act to alter the boundaries of two School Sections at Shubenacadie.

(Passed the 7th day of May, A.D. 1867.)

- |                          |                                   |
|--------------------------|-----------------------------------|
| 1. Bounds of Section.    | 3. Notice for annual meeting.     |
| 2. Act—when to commence. | 4. Regulations of Border Section. |

Be it enacted by the Governor, Council, and Assembly, as follows :

Bounds of section.

1. School section No. 22, Shubenacadie, in Hants county, as at present bounded, is hereby united to such portion of school section No. 52, Shubenacadie, in Colchester county, as lies south of Thomas J. Ellis' north line, and along such north line to the St. Andrew's river, and along the river as the bounds are at present established ; the section as above described to form a border school section ; and the section at present forming a part of No. 52, Shubenacadie, in Colchester county, but which is not included with the lines of the border section above described, is hereby added to Lower Stewiacke Section.

Act—when to commence.

2. This act shall come into operation on the day fixed by law for the next annual school meeting, and the rate-payers of the border section shall, at such annual meeting, elect one Board of three Trustees in the place of the three existing trustees, and the new Board of Trustees shall assume all the legal liabilities of the former Board.

New Trustees.

Notice for annual meeting.

3. The notices for the annual meeting in 1867 shall be issued by the Inspector for the county of Colchester.

Regulations of Border Section.

4. After the union of the two sections above referred to, the border section shall be subject to the same regulations as other border sections are now by law subject to.

## CHAPTER 100.

## An Act relating to River Philip Harbor, in the County of Cumberland.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows :

Pilots—River Philip—how appointed.

1. The Commissioners of Pilots for Pugwash shall have authority to appoint pilots for the harbor of River Philip, in the county of Cumberland.

Rates.

2. The rates of pilotage at River Philip shall be the same as paid at the port of Pugwash.

## CHAPTER 101.

An Act to authorize the sale of a School House at Brookfield.

(Passed the 7th day of May, A. D. 1867.)

Whereas Robert Densmore, Archibald Hamilton, and William S. Hamilton, hold a certain lot of land situate at Brookfield, in the county of Colchester, on which a school house has been built, together with such school house in shares in trust for the shareholders of such school house; and whereas the majority in interest of such school house and lot have, at a meeting duly convened, resolved that the said school house and lot should be sold at the price of three hundred and sixty dollars to the school section No. 69, the trustees whereof have consented to take the same at that price,—

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The said Robert Densmore, Archibald Hamilton, and William S. Hamilton, are hereby authorized to sell and convey the said land and school house to the trustees of the said school district for the said sum of three hundred and sixty dollars, and shall divide the proceeds of such sale among the proprietors in proportion to their shares in interest in the property.

Who may sell.

## CHAPTER 102.

An Act to establish a new Polling District in the County of Inverness.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. There shall be a new polling district in the county of Inverness, beginning at the entrance of the Black River into Lake Ainsley, thence to run up stream along the said river to the line of polling district number five, being Mabou district; thence along said line of said district number five to the line of district number twelve, being Whyccomagh district; thence along the line of the last mentioned district to the head of said lake; thence along the shore of said lake to the place of beginning.

Boundaries.

2. The district hereby established shall be known as district number fifteen, or West Lake Ainsley district, and the polling place therein shall be at or near John McDonald's.

No. 15.

3. The limits of districts numbers five and thirteen are hereby altered to suit the limits of the district established by this act.

altered.

## CHAPTER 103.

An Act to provide for improving certain Roads and Bridges in  
in the County of Antigonishe.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as  
follows:

borrow  
\$2000.

1. The members for the county of Antigonishe may borrow,  
on the moneys of the county and the security of this act, a sum not exceeding two thousand dollars, to be  
expended in repairing certain roads and bridges in the county ;  
such loan, together with interest thereon at the rate of six per  
cent. per annum, to be repaid by two equal instalments out of  
the road moneys of the county for the years 1868 and 1869.

ow expended.

2. The moneys borrowed under this act shall be expended  
by commissioners to be appointed by the Governor in Council.

## CHAPTER 104.

An Act to legalize the proceedings of the Sessions of the  
County of Annapolis.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as  
follows:

Acts of Jurors  
legalized.

1. The acts of the Grand Jurors at the Autumn term of  
the General Sessions of the Peace at Annapolis for the past  
year, are hereby declared legal and valid, although such Grand  
Jurors were not returned or drawn in manner prescribed by  
chapter 8 of the acts of 1865, entitled, An Act to amend  
chapter 136 of the Revised Statutes, "Of Juries."

## CHAPTER 105.

An Act to enable the Sessions of the District of Argyle to sell  
a Fire Engine.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as  
follows:

Sessions may  
sell.

1. The sessions of the district of Argyle may sell and dis-  
pose of the engine at Tusket, in the county of Yarmouth, and  
apply the proceeds towards the payment of the amount due  
for the purchase of such engine.

## CHAPTER 106.

## An Act to divide a Polling District in the County of Victoria.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The present electoral district, number five, in the county of Victoria, shall be divided into two districts, to be called No. 5 and No. 12. No. 5 changed to Nos. 5 & 12.

2. District number twelve shall be included within the following limits, that is to say:—Commencing at Cape Dolphin to include the settlers at Fairy Hole; thence by a line along the ridge of Kelly's Mountain, including all the settlers on the second range of lots from the shore of the Great Bras d'Or till it meets the Cross roads leading from Rory McLeod's; thence southerly to the western line of Alexander McDonald's, (shoemaker) lot; thence to the shore of the Great Bras d'Or; thence along said shore to the place of beginning. And the polling place to be at or near the Widow McLean's, New Campbelltown. Limits defined of No. 12.

3. District number five shall consist of all the remaining portion of the present electoral district number five, as already prescribed by law, and not included in district number twelve. Of No. 5.

4. So much of chapter 17, of the acts of 1852, entitled, An Act concerning the counties of Cape Breton and Victoria, as is inconsistent with this act, is hereby repealed. Inconsistent acts repealed.

## CHAPTER 107.

## An Act to provide for the Road Service of the County of Digby.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The members for the County of Digby are authorized to borrow, on the pledge of the road moneys for the county, the sum of one thousand dollars, to be expended on the road, bridge, and wharf service of the said county. May borrow \$1000.

2. The amount so borrowed shall be repaid, with interest, at a rate not exceeding six per cent. per annum out of the road moneys of the county of Digby for the year 1868. How repaid.

3. The amount borrowed shall be expended by commissioners appointed by the Governor in Council. How expended..

## CHAPTER 108.

An Act to provide for building a Bridge across Wallace River, in the County of Cumberland.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

May borrow  
\$600.

1. The members of the county of Cumberland may borrow, on the pledge of the road moneys of the county and the security of this act, a sum not exceeding six hundred dollars, to aid in rebuilding a bridge across Wallace River in the said county, near Frazer's mills, such loan to be repaid by equal annual instalments of one half of the sum to be borrowed out of the road grants of the county for the years 1868 and 1869, with interest, at a rate not exceeding six per cent. until the sum so borrowed shall be repaid.

How expended.

2. The moneys to be borrowed under this act shall be expended by Commissioners to be appointed by the Governor in Council.

## CHAPTER 109.

An Act to provide for certain Roads in the County of Pictou.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

May borrow  
\$3000.

1. The members for the county of Pictou are hereby authorized to borrow, on the pledge of the road moneys of the county of Pictou, a sum not exceeding three thousand dollars.

How repaid.

2. The sum borrowed, under authority of this act, shall be repaid with interest at the rate of six per cent. per annum, by equal annual instalments out of the road moneys of the county for the years 1868 and 1869.

## CHAPTER 110.

An Act to change the name of Petite Passage, in the County of Digby.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Name to be  
Tiverton.

1. Petite Passage, in the county of Digby, shall hereafter be called and known by the name of "Tiverton."

## CHAPTER 111.

An Act to provide for the improvement of the Great Road between Liverpool and Annapolis.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The members for the county of Queens are hereby authorized to borrow, on the pledge of the road moneys of the county, a sum not exceeding fifteen hundred dollars, to be expended in improving the Great Road between Liverpool and Annapolis. May borrow  
\$1500.

2. The sum so borrowed shall be repaid with interest at six per cent. per annum, by equal annual instalments out of the road moneys of the county for the years 1868 and 1869. How repaid.

3. The amount shall be expended by Commissioners appointed by the Governor in Council. How expended.

## CHAPTER 112.

An Act to amend the Act relating to the Roman Catholic Cemetery, Dartmouth.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The persons in charge of the Roman Catholic Cemetery at Dartmouth shall be empowered to shut up and exclude from public use any road or right of way crossing that portion of the Dartmouth Common set apart for such cemetery, by chapter 61 of the acts of 1859. Road may be  
closed.

## CHAPTER 113.

An Act to change the name of the East Branch of the River Philip, in the County of Cumberland.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The settlement heretofore known as the East Branch of the River Philip, in the county of Cumberland, shall be hereafter called and known as "William's Dale." To be called  
William's Dale.



## CHAPTER 114.

An Act to provide for improving certain Roads and Bridges in the County of Colchester.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

May borrow  
\$5000.

1. The members for the different electoral divisions of the county of Colchester may borrow, on the pledge of the road moneys of the said county and the security of this act, a sum not exceeding five thousand dollars, to aid in meeting the advances to and to provide for the repairs of roads and bridges in said county.

Loan to be paid  
in two years.

2. Such loan shall be repaid in two annual instalments, and to be of one half the sum borrowed, with interest, at a rate not to exceed six per cent. out of the road moneys of the county for 1868 and 1869.

Disposal of bor-  
rowed money.

3. The moneys borrowed under this act shall be added to the other road moneys of the county, and be appropriated to the road scale this year.

## CHAPTER 115.

An Act to change the name of Grand Rousseau, in the County of Richmond.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

To be called  
Port Royal.

1. The district now called and known as Big Brook or Grand Rousseau, in the county of Richmond, shall be hereafter called and known as "Port Royal."

## CHAPTER 116.

An Act to alter a polling place in the County of Pictou.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

Polling place  
changed.

1. The polling place of electoral district No. 10 shall hereafter be at John Sutherland's, Mill Brook, instead of at the place heretofore established for that purpose in the said district.

## CHAPTER 117.

An Act to legalize the proceedings of the Sessions of the County of Cape Breton.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The acts of the Grand Jurors at the March Term of the General Sessions of the Peace at Sydney, in the county of Cape Breton, for the present year, are hereby declared legal and valid, although such grand jurors were not drawn or returned as prescribed by chapter 8 of the acts of 1865, entitled, An Act to amend Chapter 136 of the Revised Statutes, "Of Juries." Acts legalized.

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## CHAPTER 118.

An Act to change the name of Roger's Hill, in the County of Pictou.

(Passed the 7th day of May, A. D. 1867.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The settlement of Roger's Hill, in the county of Pictou, shall be hereafter called and known as "Scotsburn." Name to be  
"Scotsburn."



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