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*Mr. Stewart*

**ACTS**

OF

**THE GENERAL ASSEMBLY**

OF

**HER MAJESTY'S PROVINCE**

OF

**NEW BRUNSWICK,**

PASSED IN THE YEAR

**1847.**



**FREDERICTON:**

PRINTED BY JOHN SIMPSON, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

**MDCCCXLVII.**

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**Anno Regni VICTORIÆ Britanniarum Reginæ Decimo.**

**A**T the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the Twenty eighth Day of January, *Anno Domini* One thousand eight hundred and forty seven, in the Tenth 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; being the First Session of the Fourteenth General Assembly convened in the said Province.

THE  
ACTS  
OF  
THE GENERAL ASSEMBLY, &c.

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CAP. I.

An Act to re-establish the Easter Term of Her Majesty's Supreme Court of Judicature in this Province.

*Passed 12th March 1847.*

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, there shall be a Term in the Supreme Court in this Province, to be called and known as the Easter Term, any law, usage or custom to the contrary notwithstanding.

Easter Term established;

II. And be it enacted, That the said Easter Term shall be held on the second Tuesday in April in each and every year, and shall continue unto and include the Saturday following.

Commencement and duration.

III. Provided always, and be it enacted, That it shall and may be lawful for the Justices of the said Court, if they see fit, further to continue and extend the said Easter Term unto the week next succeeding the same, in like manner and subject to the same rules and provisoes in all respects, as are contained in an Act made and passed in the sixtieth year of the Reign of King George the Third, intituled *An Act to enable the Justices of the Supreme Court to enlarge the time of the Sittings of the said Court, when the same shall be expedient*, with regard to the Terms of the said Court.

Term may be extended in same manner as the other Terms, under Act 60 G. 3, c. 7.

IV. And be it enacted, That the second Saturday after the first Tuesday in the said Easter Term established by this Act, shall be a day for the teste and return of all Writs in the said Supreme Court.

Teste and Return day.

V. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to affect any Writs, Processes, Executions, or Rules Nisi, which may be returnable at the next Trinity Term; but that the same, and the proceedings which may be had thereon, shall be as valid and effectual as if the Term hereby established had not intervened; and that all Rules granted at the last Term and returnable at the next Term, may be argued and disposed of at the said Easter Term, in the discretion of the Judges of the said Court.

Act not to affect Writs, &c. returnable at next Trinity.

## CAP. II.

An Act to authorize a Special Term of the Court of Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce.

*Passed 12th March 1847.*

Preamble.

**W**HEREAS, owing to the present disorganized state of the Court of Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce, it is found necessary to authorize the holding of a Special Term of said Court;

An additional and Special Term to be held on the Thursday after the first Tuesday in April next.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That a Special Term of the Court of the Governor and Council for the determination of all suits and controversies touching and concerning Marriage and Divorce, shall be held at Fredericton on the Thursday next after the first Tuesday in April in this present year, any law, usage or custom to the contrary notwithstanding; such Term to be in addition to and over and above all and every Term and Terms of the said Court, regulated and authorized by any Act or Acts of the General Assembly of this Province now in force touching or concerning the same.

## CAP. III.

An Act to prevent the free Navigation of the Internal Waters of the Province from being impeded by any Railway Works.

*Passed 12th March 1847.*

Preamble.

**W**HEREAS it is expedient that the Executive Government of the said Province should have a general control over all Works undertaken by Railway Companies, which might have a tendency to impede the free Navigation of the Internal Waters of the said Province;

Railway Companies restrained from constructing Tunnels or Bridges so as to impede free Navigation of Rivers and Canals.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall not be lawful for any Railway Company in this Province to construct or maintain any Tunnels, Bridges, Passages or other Works over or under any navigable River and Canals in the said Province, which may have a tendency to impede the free Navigation of the same.

## CAP. IV.

An Act to suspend the operation of the sixth and seventh Sections of an Act for the further regulation of Fisheries, and for preventing their decay, in certain cases.

*Passed 12th March 1847.*

Preamble.

50 G. 3, c. 20.

**W**HEREAS the sixth and seventh Sections of an Act made and passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled *An Act for the further regulation of Fisheries and for preventing their decay*, have been found in their operation to be extremely inconvenient, in certain cases;

Act 50 G. 3, c. 20, s. 6 and 7 suspended as to the River Nashwaak and its Tributaries.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the sixth and seventh Sections of an Act made and passed in the fiftieth year of the Reign of His Majesty King George the Third, intituled *An Act for the further regulation of Fisheries and for preventing their decay*, be and they are hereby suspended in their operation in so far as relates to the Nashwaak River and its Tributaries, in the County of York.

## CAP. V.

An Act to extend the provisions of an Act intituled *An Act for the appointment of Firewards in the Parish of Woodstock*, to the Bend of Petitcodiac, in the County of Westmorland.

*Passed 12th March 1847.*

**WHEREAS** it is deemed expedient and necessary that provision should be made for the appointment of Firewards, and the better extinguishment of Fires at the Bend of the Petitcodiac, in the County of Westmorland;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That, for the purposes of this Act, the Bend of the Petitcodiac shall be deemed and taken to include and comprise the following land or district, viz: Commencing at the mouth of Jonathan's Creek, thence running North four miles, thence running East three miles, thence running South to the River Petitcodiac, thence following the said River to the place of beginning.

II. And be it enacted, That from and after the passing of this Act, an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the appointment of Firewards in the Parish of Woodstock*, and also an Act made and passed in the eighth year of the Reign of Her present Majesty Queen Victoria, to continue the said Act, and all the provisions of the said Acts, be and the same are hereby extended to the Bend of Petitcodiac, in the County of Westmorland.

## CAP. VI.

An Act to extend the provisions of an Act, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires*, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable for the said Towns, and for other purposes therein mentioned, to the Town of Douglastown, in the said County.

*Passed 12th March 1847.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, an Act made and passed in the ninth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to repeal the Laws now in force for appointing Firewards and the better extinguishing of Fires*, so far as the same relate to the Towns of Newcastle and Chatham, in the County of Northumberland, and to make regulations more suitable for the said Towns, and for other purposes therein mentioned, and all the provisions thereof, be and the same are hereby extended to the Town of Douglastown, in the said County.

II. And be it enacted, That for the purposes of this Act, the said Town of Douglastown shall embrace and include all that part of the Parish of Newcastle lying between the lower line of the lot occupied by Alexander Russell and the lower line of lot number thirty nine.

III. And be it enacted, That the Lieutenant Governor or Administrator of the Government for the time being, is hereby authorized and empowered, by and with the advice of Her Majesty's Executive Council, from time to time by Warrant under his Hand and Seal, to appoint a sufficient number of prudent and discreet persons, not exceeding eight, to be Firewards in the said Town, who shall be sworn to the faithful discharge of their duty before any one of Her Majesty's Justices of the Peace for the County of Northumberland, and a Certificate thereof shall be endorsed on the several Warrants of appointment; for which Warrants and Certificates no fee shall be demanded or received from the person so appointed and sworn.

CAP. VII.

An Act relating to certain Public Lands in Fredericton.

Passed 12th March 1847.

Preamble.  
9 V. c. 73.

**W**HEREAS by an Act made and passed in the ninth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act relating to the exchange of Lands in Fredericton with the Ordnance Department*, six several lots of land in block three, and the parcel of land abutting on Westmorland Street, known as the Hospital Lot, were vested in the Justices of the Peace for the County of York, and their successors, in trust for the use and advantage of the inhabitants of the City of Fredericton: And whereas it is necessary that the Justices of the Peace for the County of York should be empowered to lease the said land in the most beneficial manner for the inhabitants of Fredericton, and to appropriate the rents and profits accruing therefrom for the benefit of the inhabitants of the said City;

Justices in General Sessions empowered to lease the Lands for terms not exceeding 21 years.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the General Sessions of the Peace for the County of York, at any General Sessions of the Peace for the said County, shall and they are hereby empowered to lease the said several lots or parcels of land for any term not exceeding twenty one years, for and upon such rent and with such covenant or covenants for the renewal of such lease or leases, and in such lots, pieces, parcels or portions, as the said Justices shall deem for the advantage of the inhabitants of the City of Fredericton, and may agree upon with the person or persons who may take such lease or leases; and good and valid leases of the said land, with such covenants therein, may be made under the authority of the said Sessions, sealed with the Seal of the said General Sessions, signed with the proper hand of the presiding Justice of the said Sessions, and countersigned by the Clerk of the Peace of the said County; provided that no lease shall be made or entered into under the authority of this Act, unless the upset price or rent of such land shall have been previously fixed by the said Justices in General Sessions, and after such lot or parcel of land so leased shall have been sold or once offered for sale at public auction, after at least ten days notice of such sale.

The land to be offered at public auction at an upset rent.

Part of Hospital Lot may be reserved for a Market.

II. And be it enacted, That the Justices of the Peace for the said County shall have power to reserve any part of the said Hospital Lot for the purpose of a Public Market for the said City, if they in their discretion shall deem such reservation of advantage to the inhabitants of the said City.

Part of the land may be leased by private contract for an Hotel stand.

III. And be it enacted, That notwithstanding the provisions of this Act, the said Justices of the Peace shall have full power and authority to lease any portion of the said several parcels of land to any person or persons, or body corporate, at private sale and contract, for the purpose of erecting thereon a commodious Hotel of brick or stone, or both.

Appropriation of the first two years rent.

IV. And be it enacted, That the first two years rent and profit of the said lands shall be paid over to the Commissioners of Highways for the Parish of Fredericton, for the purpose of assisting in making substantial Sewers in the City of Fredericton.

CAP. VIII.

An Act to provide for the establishment of a Grammar School in the County of Albert.

Passed 12th March 1847.

Preamble, reciting the 7th and 13th Sections of Act 9 and 10 G. 4, c. 29,

**W**HEREAS in and by the seventh section of an Act, intituled *An Act for the endowment of King's College, at Fredericton, in the Province of New*

*New Brunswick, and also to make new provisions for the establishment and support of Grammar Schools throughout the Province, it is enacted, that His Excellency the Lieutenant Governor or Commander in Chief for the time being, by and with the advice and consent of His Majesty's Council, be authorized and empowered to appoint during pleasure, and to remove as he shall see fit, three or more fit and proper persons in the several Counties in this Province, the Counties of York and Charlotte, and City and County of Saint John, excepted, to be Trustees and Directors of the Grammar Schools in each of the said Counties, except the aforesaid, and for which they shall be respectively appointed: And whereas also in and by the thirteenth section of the said Act it is further enacted, that the sum of one hundred pounds annually shall be included in the estimate of the ordinary expenses of the Province for each of the following Counties, that is to say, the Counties of Northumberland, Sunbury, Westmorland, Gloucester, Kent, and Queen's and King's Counties, which said sum of one hundred pounds shall be granted annually for the payment of the Masters thereof respectively, the same to be drawn on the Certificate of the Trustees and Directors in favor of the person or persons entitled thereto: And whereas it is expedient to extend the provisions of the said Sections to the new County of Albert;*

for the establishment and endowment of certain Grammar Schools.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the two said Sections of the aforesaid Act shall hereafter be construed to extend to the said County of Albert, in like manner as if the same had been particularly mentioned therein, anything in the said Sections to the contrary notwithstanding, subject nevertheless to all the provisions, restrictions and limitations to which the other Counties in this Province are liable to by virtue of the said Act.

Recited Sections extended to the County of Albert.

### CAP. IX.

An Act to continue an Act, intituled *An Act to repeal an Act, intituled, 'An Act relating to the Market in Fredericton,' and to make other provisions relating thereto.*

Passed 12th March 1847.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the sixth year of the Reign of Her present Majesty Queen Victoria, intituled *An Act to repeal an Act, intituled 'An Act relating to the Market in Fredericton,' and to make other provisions relating thereto,* be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and fifty five.

Act 6 V. c. 17, continued.

### CAP. X.

An Act to repeal several Acts now in force relating to laying a Tax on Dogs in certain Counties in this Province.

Passed 12th March 1847.

**I. BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled *An Act to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews;* also, an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to make perpetual an Act, intituled 'An Act to lay a Tax on Dogs in certain parts of the Parishes of Fredericton and Saint Andrews;'* also, an Act made and passed in the second year of the Reign of Her Majesty Queen Victoria,

Acts 9 G. 4, c. 23,

1 W. 4, c. 5,

2 V. c. 20,

Victoria, intituled *An Act to lay a Tax on Dogs in a certain part of the Parish of Chatham, in the County of Northumberland*; also, an Act made and passed in the eighth year of the Reign of Her said Majesty, intituled *An Act to continue an Act to lay a Tax on Dogs in certain parts of the Parish of Chatham, in the County of Northumberland*; also, another Act made and passed in the eighth year of the Reign of Her said Majesty, intituled *An Act to lay a Tax on Dogs in a certain part of the Parish of Newcastle, in the County of Northumberland*; also, an Act made and passed in the seventh year of the Reign of Her said Majesty, intituled *An Act to lay a Tax on Dogs in the Towns of Dalhousie and Campbelton, in the County of Res-tigouche*, be and the same are hereby repealed after the first day of January next.

8 V. c. 17,  
8 V. c. 74,  
7 V. c. 10,  
repealed from after  
1st January next.  
Taxes imposed and  
regulations made  
under 9 V. c. 14, to  
be valid until others  
are substituted.

II. And be it enacted, That all Taxes already imposed, and rules and regulations already made, or that may be hereafter made by the Courts of General Sessions of the Peace of the several Counties in this Province, under and by virtue of an Act made and passed in the ninth year of the Reign of Her said Majesty, intituled *An Act relating to Dog Tax in the several Counties of this Province*, shall continue and remain in force until others are imposed and made, anything in the said Act to the contrary thereof in anywise notwithstanding.

### CAP. XI.

An Act to provide for the expenses of the Speaker and Members of the House of Assembly when attending the General Assembly.

Passed 12th March 1847.

Preamble.

‘**W**HEREAS it is expedient to provide for the services of the Speaker of the House of Assembly, and to defray the expenses of the Members, when attending in General Assembly;’

Grant for the  
Speaker.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, to the Speaker of the House of Assembly, the sum of one hundred and fifty pounds for each and every Session of the General Assembly.

Grant to the Mem-  
bers for expenses  
of attendance;

II. And be it enacted, That there be allowed and paid out of the said Treasury, to each and every Member of the House of Assembly, for defraying the expenses of attendance in the General Assembly, for each and every day's attendance in General Assembly, the sum of fifteen shillings for the attendance of each Member of the House of Assembly; to be certified by the Speaker.

For travelling ex-  
penses.

III. And be it enacted, That, for defraying the travelling charges of the Members of the House of Assembly, there be allowed and paid out of the Treasury, the sum of fifteen shillings per diem to each and every Member, allowing twenty miles for each day's travel; to be certified by the Speaker.

Money to be paid  
by Warrant on the  
Treasury.

IV. And be it enacted, That the several sums herein mentioned shall be paid by the Treasurer, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payments may be made at the same.

Limitation.

V. And be it enacted, That this Act shall continue, and be in force, for and during the continuance of the present House of Assembly, and no longer.

## CAP. XII.

An Act to establish the Road leading from the lower Landing at the Grand Falls, (known as the new Portage Road,) in the County of Carleton, to the American Boundary, to include the Ferry Landing, as one of the Great Roads of Communication in this Province.

*Passed 12th March 1847.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the line of Road commencing at the lower Landing at the Grand Falls, on the West side of the River Saint John, in the Parish of Andover, in the County of Carleton, leading to the American Boundary, including the Ferry Landing at Street's, be and the same is hereby established as one of the Great Roads of Communication in this Province.

Described Road established as a Great Road of Communication.

## CAP. XIII.

An Act to establish the Road leading from [Shediac to the Nova Scotia Line, via Shemogue, Bay de Verte and Jolicure,] as one of the Great Roads of this Province.

*Passed 12th March 1847.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Road leading from the Great Post Road at Cole's Island, thence passing through Cole's Island along the present Road to the old Post Road, thence along the same to Hewson's, thence through Jolicure to Bay de Verte, and thence by the Road through the Emigrant Settlement to Cape Tormentine, be and the same is hereby declared to be one of the Great Roads of this Province.

Herein described Road established as a Great Road of Communication.

## CAP. XIV.

An Act to establish the line of Road leading from Pickard's Store, in the Parish of Andover, in the County of Carleton, to the American Boundary, one of the Great Roads of Communication in the Province.

*Passed 12th March 1847.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the line of Road commencing at Pickard's Store, near the mouth of Tobique, known by name as the Arestook Road, in the Parish of Andover, in the County of Carleton, leading through a back Settlement to the Boundary Line between this Province and the State of Maine, be and the same is hereby established one of the Great Roads of Communication in this Province.

Described Road established as a Great Road of Communication.

## CAP. XV.

An Act in addition to and in amendment of an Act, intituled *An Act to provide for the repair of the Streets and Highways in part of the Parish of Woodstock.*

*Passed 12th March 1847.*

**WHEREAS** the laying down of Wood or Stone upon the Side Walks or Promenades in that part of the Parish of Woodstock affected by the Act made and passed in the ninth year of the Reign of Her present Majesty, intituled *An Act to provide for the repair of the Streets and Highways in part of the Parish of Woodstock*, would be of great benefit to the inhabitants thereof;

Preamble.

9 V. c. 40.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever the Commissioners of Highways for the said Parish of Woodstock, or the major part of them, shall deem it advisable or necessary to improve the Side Walk or Promenade in the most populous part of the said Parish affected by the said Act, they shall and they are hereby authorized and empowered to provide one half the expense of making such improvement from any monies which may hereafter be assessed and collected under the provisions of the

The Commissioners of Highways may improve the Side Walks and defray half the expense from the Road fund;

And assess the other half on the proprietors of properties benefited.

the said Act, and the other half shall be levied and assessed in manner provided for by the said Act upon the proprietors of houses and lands abutting on the Side Walks or Promenades so to be improved or immediately benefited thereby; which assessment shall be collected in the same manner and subject to the same provision as the Rates prescribed by the said Act are required to be collected.

Remuneration of the Collector of the Road Tax increased.

II. 'And whereas the remuneration allowed to the Collector of Road Tax by the provisions of the said Act, is found to be inadequate to the services performed;' Be it therefore enacted, That whenever the sum of money ordered to be assessed under and by virtue of the said Act shall not exceed one hundred pounds, the said Collector shall be entitled to receive out of the said money for his services a sum not exceeding eight per centum; and for any sum exceeding one hundred pounds, and not exceeding one hundred and fifty pounds, six per centum; and from one hundred and fifty pounds to two hundred pounds, five per centum, in the discretion of the Commissioners of said Parish, or the major part of them, in lieu of the compensation allowed by the said Act.

Collector to deliver annually to the Commissioners by a specified day, an attested account of the monies received.

III. And be it enacted, That the said Collector shall on or before the twelfth day of December in each and every year, make and deliver to the Commissioners of Highways for said Parish a declaration in writing, upon oath, (which oath any Justice of the Peace for the County of Carleton is hereby authorised to administer,) of the monies he may collect and receive, under the provisions of said Act; and in default thereof the said Collector shall be subject to a penalty of ten pounds, to be sued for and recovered in manner provided by the twelfth section of said Act.

False declaration to be a misdemeanor and punished as perjury.

IV. And be it enacted, That if any Collector shall knowingly and willingly make a false declaration respecting the monies collected by him, under the provisions of the said Act, such Collector shall be deemed guilty of a misdemeanor; and upon any conviction thereof, shall suffer the like pains and penalties as by law are incurred by persons guilty of wilful and corrupt perjury.

The occupiers of the property of non-residents to be assessed for such property, and may charge the proprietor with the amount.

V. 'And whereas the present mode of collecting the amounts assessed upon the proprietors of land and other real estate, who do not reside in that part of the said Parish of Woodstock affected by the said Act, is attended with great difficulty; for remedy whereof,' Be it enacted, That when the lands or other real estate of such non-resident shall be in the occupation of any person or persons whatever, as tenant or otherwise, the tenant or occupier of such lands or other real estate, shall be deemed liable to assessment, under said Acts, for such property, in the same manner as if he or they were owners thereof; and that in making such assessment the Commissioners of Highways for said Parish shall in such assessment distinguish the property so taxed as the property of non-residents from the property taxed as belonging to the person occupying the same as tenants or otherwise; and the occupiers as tenants of such property are hereby authorized and empowered to deduct the amount of such assessment from any sum or sums of money he or they may be liable to pay the non-resident proprietor thereof as rent or otherwise for the same; and the receipt of the Collector of Road Tax appointed under said Act shall, upon the ordinary proof of hand writing, be deemed and taken in all Courts of Law or Equity in this Province as sufficient evidence of the payment of such Tax.

Provisions of 9 V. c. 40, inconsistent with this Act, repealed.  
Limitation.

VI. And be it enacted, That the provisions of the said Act, so far as the same are inconsistent with this Act, be and the same are hereby repealed.

VII. And be it enacted, That this Act shall continue and be in force so long as the Act to which it is an amendment, and no longer.

## CAP. XVI.

An Act to authorize Her Majesty's Justices of the Peace of the County of York to levy an assessment to pay off the County Debt.

*Passed 12th March 1847.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of York, at any General Sessions of the Peace hereafter to be holden therein, or at any Special Sessions to be for that purpose called, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding six hundred pounds, as they in their discretion may think necessary, for the purpose of paying off the County Debt, and contingent expenses of the said County; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for assessing, collecting, levying and paying of the County Rates.

Assessment authorized to pay off the County Debt and Contingent Expenses.

## CAP. XVII.

An Act to authorize Her Majesty's Justices of the Peace for the County of York to levy an assessment to pay off the Debt due upon the new Gaol recently erected in the said County.

*Passed 12th March 1847.*

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of York, at any General or Special Sessions of the Peace hereafter to be holden therein, be and they are hereby authorized and empowered to make such rate or assessment of any sum not exceeding three hundred and fifty pounds, as they in their discretion may think necessary, for the purpose of paying off the Debt now due on account of the new Gaol recently erected in the said County; the same to be assessed, levied, collected and paid agreeably to any Act or Acts now or hereafter to be in force for the assessing, collecting and levying of the County Rates.

Assessment authorized to pay off debt due on new Gaol.

## CAP. XVIII.

An Act to authorize Her Majesty's Justices of the Peace for the County of York to levy an assessment for the payment of the Officers of the said County.

*Passed 12th March 1847.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace for the County of York, or the major part of them, at their respective General Sessions, are hereby authorized and empowered, when necessary from any deficiency in the contingent fund of the said County, to order and direct an assessment upon the inhabitants and others of the said County of a sufficient sum to defray the annual allowance to their respective County Officers, so always as such annual assessments shall not exceed the sum of one hundred and fifty pounds in any one year; which said sum shall be assessed, levied and collected in like manner as other County Rates.

Assessment authorized to make up any deficiency in the Contingent Fund, not exceeding £150, to pay the County Officers.

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

Limitation.

## CAP. XIX.

An Act to authorize Her Majesty's Justices of the Peace of the County of Gloucester to make provision for the payment of the County Contingencies.

*Passed 12th March 1847.*

**WHEREAS** the Local Revenues of the County of Gloucester have been found insufficient to meet the annual expenditure of the said County;

Preamble.

Assessment authorized to pay the County Contingencies.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for Her Majesty's Justices of the Peace of the said County, at any General Sessions of the Peace of the said County to be thereafter holden, annually to make and order an assessment on the inhabitants of said County for such sum, as they in their discretion shall see fit, not exceeding the sum of one hundred and fifty pounds in any one year, for the purpose of providing for the annual contingent expenses of the said County; such sum to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

Limitation.

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

### CAP. XX.

An Act to authorize the Justices of the Peace for the County of Kent to assess the Inhabitants of the said County for the Contingent Expenses thereof.

*Passed 12th March 1847.*

Preamble.

6 **W**HEREAS there are no Funds belonging to the County of Kent except 'the Licence Fund, which is wholly inadequate to defray the Contingent Expenses of the County;'

Assessment authorized to pay the County Contingencies.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Kent, at their first annual General Sessions of the Peace, are hereby authorized to levy a rate or assessment upon the Inhabitants of the County of Kent, for a sum not exceeding one hundred and forty pounds per year, for the purpose of defraying the contingent expenses of the said County; the same to be assessed, collected, levied and paid agreeably to any Acts of the General Assembly for assessing and collecting County or Parish Rates: Provided nevertheless, that the assessment of this present year may be made by any Special Sessions of the Peace to be holden for that purpose.

Limitation.

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

### CAP. XXI.

An Act to amend and extend the provisions of an Act, intituled *An Act to incorporate the New Brunswick Railway Company.*

*Passed 12th March 1847.*

Places for depositing £2 10s. per share under Act 9 V. c. 75, by subscribers to the Stock.

I. 6 **W**HEREAS in and by the second section of an Act passed in the ninth 'year of the Reign of Her Majesty, intituled *An Act to incorporate the New Brunswick Railway Company*, it was enacted, that the Capital Stock of the 'Company thereby established should be one million five hundred thousand 'pounds, to be paid in current money of this Province, the whole amount of the 'said Capital Stock to be divided into sixty thousand shares of twenty five pounds 'each, which shares should be vested in the persons therein before named, and 'such other persons as might take shares in the said Company, their successors 'or assigns, and upon taking such shares they should deposit in the British North 'American Bank in England, or in any of its Branches in the British North 'American Colonies, the sum of two pounds ten shillings per share, current money 'aforesaid: And whereas it is expedient to amend such provisions in regard to 'the

‘ the place of payment of the deposits by persons taking shares in the said Company in London or elsewhere in Great Britain and the Colonies;’ Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all persons taking shares as aforesaid, shall or may deposit the said sum of two pounds ten shillings per share, either in the Bank of British North America in England, or any of its Branches in the British North American Colonies, or such other Bank or Banks in London, or elsewhere, in Great Britain, and in the said British North American Colonies, as the Directors, or the Committee or Committees corresponding with them in Great Britain, or in any of the said Colonies, shall from time to time appoint for that purpose.

II. ‘ And whereas by the forty first section of the before recited Act, it was enacted, that whenever it should be necessary to move any of the Officers or Soldiers of Her Majesty’s Forces of the Line, Ordnance Corps, Marines, Militia, or the Police Force, by the said Railway, or any of its Branches, the Directors thereof should and were thereby required to permit such forces respectively, with their baggage, stores, arms, ammunition, and other necessaries and things, to be conveyed at the usual hours of starting, at such prices, or upon such conditions as might from time to time be contracted for between the Secretary at War, or Officer duly authorized for that purpose, and the said Company, for the conveyance of such Forces, on the production of a route or order for their conveyance, signed by the proper authorities: And whereas it is expedient to amend such provisions of the said forty first section of the said recited Act, in regard to the times of starting such trains by the said Railway, or any of its Branches as aforesaid;’ Be it therefore enacted, That the Directors of the said Railway shall be bound to provide such conveyance as aforesaid for the said Military, Marine and Police Forces, at such time or times (whether the same shall be the usual hours of starting trains or not) as shall be required or appointed by any Officer duly authorized for that purpose, and with the whole resources of the Company, if necessary.

Company, when required, to provide conveyances to the full extent of their resources, if necessary, for the movement of Government Forces.

III. ‘ And whereas it is expedient that the Directors of the said Company should be enabled to vary the Tolls upon the said Railway, so as to accommodate them to the circumstance of the traffic; but that such power of varying should not be used for the purpose of prejudicing or favouring particular parties, or for the purpose of collusively and unfairly creating a monopoly either in the hands of the Company or of particular parties;’ Be it enacted therefore, That the Directors of the said Company, subject to the provisions and limitations herein, and in the said Act passed in the ninth year of the Reign of Her present Majesty, intituled *An Act to incorporate the New Brunswick Railway Company*, contained, shall be and they are hereby authorized from time to time to alter or vary the Tolls by the said Act authorized to be taken, to be taken either upon the whole or any particular portions of the said Railway or its Branches, as they shall think fit; provided that all such Tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect of all passengers and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of Railway under the same circumstances; and no reduction or advance in any such Toll shall be made either directly or indirectly in favour of or against any particular Company or person travelling upon or using the Railway.

Rate of Tolls may be varied to suit the traffic, but not to prejudice particular parties.

IV. And be it enacted, That no bye laws, orders, rules and regulations, made under and by virtue of the power and authority of the hereinbefore recited Act, shall be of any force or effect until one calendar month after a true copy of such

Bye Laws made under 9 V. c. 75, not to be enforced until one month after submission to

bye

the Lieutenant Governor for approval or disapproval.

Exception.

bye laws, orders, rules or regulations, certified under the hand of the President of the said Company, shall have been laid before the Lieutenant Governor or Administrator of the Government in this Province for the time being, for his approval or disapproval, unless the Lieutenant Governor or Administrator of the Government shall, before such period, signify his approbation thereof.

## CAP. XXII.

An Act to incorporate the Miramichi Mechanics' Institute.

*Passed 12th March 1847.*

Miramichi Mechanics' Institute incorporated.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Miramichi Mechanics' Institute, now established in the Town of Chatham, in the County of Northumberland, for the purpose of instructing Mechanics and others in Physics, Literature, and the different branches of Science, be incorporated, and that the Honorable Joseph Cunard, James Johnson, James A. Pierce, George Kerr, John M. Johnson, Junior, Gavin Rennie, George Johnston, John Petrie, George Letson, William Manderson, John Nicholson, John M'Dougall, John Hea, James Caie, Shepherd J. Frost, William Rennie, and Michael Dunn, and such other persons as are or may become Members of the said Institute, shall be and they are hereby constituted a Body Corporate for that and no other purpose, by the name aforesaid, with all the general powers and privileges incident to Corporations by Act of Assembly of this Province: Provided always, that the Real Estate which the said Corporation may at any time hold, shall not exceed eight hundred pounds.

Real Estate to be held, limited to £800.

## CAP. XXIII.

An Act to incorporate the Charlotte County Agricultural Society.

*Passed 12th March 1847.*

Preamble.

**W**HEREAS Samuel Frye, John Strang, Robert Pagan, Christopher Scott, Thomas Wyer, Harris Hatch, Jerome Alley, John Dunn, Daniel MacMaster, John Wilson, Joseph Walton, Lawrence Williams, and others, Inhabitants of the County of Charlotte, did in the year one thousand eight hundred and twenty, form themselves into a Society for the promotion of Agriculture in the said County, which said Society has been ever since in active and useful operation: And whereas the said Society, from not being incorporated, is subject to many inconveniences, and has in consequence thereof been found unable in many instances efficiently to carry out the intentions and promote the objects of the Society;

Company incorporated under the name of The Charlotte County Agricultural Society.

**I.** Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Samuel Frye, Thomas Wyer, Harris Hatch, Joseph Walton, John Wilson, George F. Campbell, Samuel Getty, Thomas Turner, Adam W. Smith, James W. Chandler, William Maclean, Charles R. Hatheway, Wellington Hatch, Alexander T. Paul, Henry O'Neil, and all such other persons as are now or may hereafter be admitted Members of the said Society, their associates and successors, be and they are hereby erected into a Body Corporate, under the name and style of *The Charlotte County Agricultural Society*, for the purpose of promoting and encouraging Agriculture, and rural and domestic economy, and industry, within the said County, and for these purposes shall have and enjoy all general powers made incident to Corporations by the Act of the General Assembly of this Province made and passed in the sixth year of the Reign of His late Majesty King William the Fourth.

II. And be it further enacted, That there shall be a General Meeting of the Members of the said Corporation, to be annually holden on the second Tuesday in January in each and every year, at Saint Andrews, in the said County; at which annual meeting there shall be chosen by a majority thereof, one President, two Vice-Presidents, a Treasurer, Secretary, and nine Committee Men, who shall continue in office for one year, or until others are chosen in their room; in the choice of which, each Member of the said Corporation shall have one vote for each of the aforesaid Officers, and that every Member may vote by proxy, provided such proxy be a Member, and previously to voting produce a sufficient authority in writing from his constituent or constituents.

General annual meeting for choosing Officers to be held on second Tuesday in January.

Votes.  
Proxies.

III. And whereas at a General Meeting of the Members of the Society hereby incorporated, held at Saint Andrews, in the County of Charlotte aforesaid, one President, two Vice-Presidents, a Treasurer, Secretary, and nine Committee Men, were elected by the votes of the said Members for the current year; Be it enacted, That the said Officers so elected as aforesaid, are hereby declared to be the Officers of the said Corporation until the second Tuesday in January next, or until others be chosen in their stead.

Officers already elected to continue till others be chosen in their stead.

## CAP. XXIV.

An Act to incorporate the Woodstock Steam Boat Company.

Passed 12th March 1847.

**W**HEREAS it is thought that the running of Steam Boats on the River Saint John, between Fredericton and Woodstock, will be highly beneficial, and great accommodation to the Public, and that it would be essential to the success of the undertaking, that an Act of Assembly incorporating a Company for that purpose, should be granted;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That George W. Cleary, George Connell, William Connell, and David M. Coffin, and all and every other person or persons as shall from time to time become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Corporate, by the name of *The Woodstock Steam Boat Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of plying Steam Boats.

Company incorporated by the name of *The Woodstock Steam Boat Company*.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of two thousand pounds; the whole amount of said Stock to be divided into shares of twenty five pounds each.

Capital to be £2000.

III. Provided always, and be it enacted, That unless one fifth part of the said Capital Stock shall be actually paid in, for the purposes of the said Corporation, and a certificate of such payment, signed and verified on oath by the Directors, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer,) shall be filed in the Office of the Secretary of the Province before the expiration of two years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said two years.

Act to cease if one fifth of the Capital be not paid up and certificate lodged in Provincial Secretary's Office within two years.

IV. And be it enacted, That the said Corporation shall have the power to increase their Capital (if found necessary) to three thousand pounds.

Capital may be increased to £3000.

## CAP. XXV.

An Act to incorporate the Fredericton Hotel Company.

*Passed 12th March 1847.*

Preamble.

**W**HEREAS the erection of a good Hotel in Fredericton would be of public advantage, and it is advisable to incorporate a Company for that purpose;

Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Spafford Barker, William J. Bedell, Thomas T. Smith, Robert Chestnut, Henry Fisher, Junior, the Honorable Lemuel A. Wilmot, the Honorable Thomas Baillie, James Taylor, Oliver Frost, Charles Fisher, William End, and George Lee, Junior, their associates, successors, and assigns, be and they are hereby declared to be a Body Politic and Corporate, by the name of *The Fredericton Hotel Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting an Hotel in Fredericton, and other purposes connected therewith, and maintaining, supporting and managing the same.

Capital to be £5000 divided into 1000 shares.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of five thousand pounds, to be divided into one thousand shares of five pounds each.

First meeting for organizing the Company.

III. And be it enacted, That the first meeting of the said Corporation shall be called by Charles Fisher, or in case of his death or refusal to act, by any two of the said Corporation, after ten days notice in a Newspaper published in Fredericton, for the purpose of organizing the said Corporation, which meeting shall be held at the time and place mentioned in such notice.

Instalment to be paid previous to voting at the first meeting.

IV. And be it enacted, That the subscribers for Stock in the said Corporation shall, previous to the first meeting of the said Corporation, pay into the hands of such person or persons as the persons incorporated by the first section of this Act, or the major part of them, or in case of the death of any of them, the major part of the survivors, such an instalment or deposit on the Capital Stock of the said Corporation they subscribe for, as the said persons incorporated, or the major part of them as aforesaid, may appoint and determine, due notice being given at the time of the notice calling the first meeting of the members and stockholders of the Corporation, of the time or several periods of time when, of the place and places where, and person and persons to whom the said instalment or deposit shall be paid; and the said instalment or deposit shall be taken and allowed to every subscriber who shall pay it, as part of the Capital Stock required to be paid in under and by virtue of this Act; and every subscriber who shall neglect or refuse to pay in the said deposit or instalment, shall be deemed a defaulter; and no subscriber shall upon any pretence whatsoever vote at the first meeting for the choice of Directors upon any share or shares, unless he has paid the said instalment or deposit.

Capital may be increased.

V. And be it enacted, That should the sum of five thousand pounds be found insufficient for the purposes of the said Company, the said Corporation shall have full power and authority to increase the Capital Stock of the said Company to a further sum not exceeding five thousand pounds, by additional shares, or by increasing the amount of such shares, as provided by this Act.

Shares to be assessed to carry on the business, and on default of payment may be sold after public notice.

VI. And be it enacted, That the said Corporation shall have power to levy and collect assessments upon the shares from time to time, of such sums of money as may be deemed necessary for carrying on the business of the said Corporation; and whenever any such assessment shall be made by the stockholders of the Corporation, it shall be the duty of the Treasurer to give notice thereof in a Newspaper

Newspaper printed in Fredericton, requiring payment of the same within thirty days ; and if any stockholder shall neglect and refuse to pay to the Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale ; and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold at public auction to the highest bidder ; and after retaining the amount of assessment and interest due on each share, and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold, shall be made out and delivered to the purchasers : Provided always, that no assessment shall be made except by a vote of the stockholders, and by a majority of all the shares.

VII. And be it enacted, That the joint property or stock of the said Company shall be alone liable for the debts and engagements of the said Company.

VIII. And be it enacted, That unless fifteen per cent. of the Capital Stock shall be paid in for the purposes of this Corporation, and a certificate of such payment, signed and verified by the oath of the Directors of the said Corporation, or a majority of them, before any Justice of the Peace, shall be filed in the Office of the Secretary of the Province before the expiration of three years next after the passing of this Act, the operation of this Act shall cease, and the corporate powers hereby granted become null and void.

Responsibility for the corporate debts.

Act to cease if 15 per cent. of the Capital be not paid in, and certificate lodged in Secretary's Office within three years.

#### CAP. XXVI.

An Act further to continue and amend an Act, intituled *An Act imposing Duties for raising a Revenue.*

Passed 23d March 1847.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act imposing Duties for raising a Revenue*, and every clause, matter and article therein contained, save and except only the Duties imposed by the said Act on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, be and the same are hereby further continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty eight.

Act 8 V. c. 2, with the exception of Duties on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, continued.

II. And be it enacted, That all Duties imposed on Wheat, Wheat Flour, Corn Meal, Rye Flour, and Oatmeal, in and by the said recited Act, shall cease and determine after the passing of this Act.

Duties on Wheat, &c. to cease.

III. And be it enacted, That this Act may be amended or repealed by any Act or Acts to be passed in the present Session of the Legislature.

Act may be amended during present Session.

#### CAP. XXVII.

An Act further to amend and extend the provisions of an Act, intituled *An Act to incorporate the Saint Andrews and Quebec Rail Road Company.*

6 W. 4, c. 31.

Passed 23d March 1847.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the third section of an Act made and passed in the sixth year of the Reign of His late Majesty William the Fourth, as requires ten thousand shares of the Capital Stock to have been actually subscribed for before the said Corporation be authorized and empowered to make and construct a single or double Line of Rail Road from Saint Andrews to the Boundary Line of Lower Canada,

6 W. 4, s. 31, s. 3, in part repealed.

Operations may commence when 2000 shares are subscribed for.

Railroad from Saint Andrews to Woodstock to be completed within ten years.

Interest may be paid to shareholders pending the construction.

Certificate of proprietorship of shares to be *prima facie* evidence.

No transfer allowed of shares in arrear.

Interest to be paid on calls in arrear.

Register of shareholders to be *prima facie* evidence.

Construction of Railroad may be proceeded in on a specified portion of subscriptions and deposits being made.

Power to make Branch Railways and establish Steam Boats.

Canada, be repealed; and that the said Corporation be and they are hereby authorized and empowered to proceed in the making and construction of the said Rail Road, in every respect as is provided by the said Act, when two thousand shares shall have been actually subscribed for.

II. And be it enacted, That the twenty fifth section of the above recited Act be and the same is hereby repealed; and in lieu thereof, the said Corporation, to entitle themselves to the privileges, benefits and advantages to them granted by the above recited Act, and by this Act, shall and they are hereby required to make and complete the said Rail Road from Saint Andrews, in the County of Charlotte, to Woodstock, in the County of Carleton, within ten years from the passing of this Act; and if the same shall not be so made and completed within the period before mentioned, so as to be used for the conveyance and carriage of passengers, goods, chattels, wares and merchandize thereon, then the above recited Act, and this Act, and every matter and thing therein respectively contained, shall cease and be utterly null and void.

III. And be it enacted, That it shall be lawful for the Directors of the said Corporation, until the said Railway shall be completed and opened to the public, to pay interest at any rate not exceeding six pounds per centum per annum, on all sums called up in respect of the shares, from the respective days on which the same shall be paid; such interest to accrue and be paid at such times and places as the said Directors shall appoint for that purpose: Provided always, that no interest shall accrue to the proprietor of any share upon which any call shall be in arrear in respect of such shares, or any other share to be holden by the same proprietor, during the period while such call shall remain unpaid.

IV. And be it enacted, That the certificate of the proprietorship of any share in the said Company shall be admitted in all Courts as *prima facie* evidence of the title of any shareholder, his executors, administrators, successors, or assigns, to the share therein specified: Provided nevertheless, the want of such certificate shall not prevent the holder of any share from disposing thereof.

V. And be it enacted, That no shareholder shall be entitled to transfer any share after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being due on every share held by him or her.

VI. And be it enacted, That if before or on the day appointed for payment, any shareholder do not pay the amount of any call for which he is liable, then such shareholder shall be liable to pay interest for the same, at the rate allowed by Law, from the day appointed for the payment thereof to the time of actual payment.

VII. And be it enacted, That the production of the Register of shareholders shall be *prima facie* evidence of any defendant being a shareholder, and of the number and amount of his shares.

VIII. And be it enacted, That so soon as fifty thousand pounds of the Capital Stock of the said Company shall have been subscribed, and the deposit of two pounds ten shillings per share shall have been actually paid, it shall be lawful for the said Corporation, and they are hereby authorised and empowered to proceed to the construction of the said Rail Road, as is provided in and by the third section of the above recited Act.

IX. And be it enacted, That the said Company shall and may (if they deem it expedient) make Branch Railways or extensions to every or any part of the Province, and manage such Branch Railways, and procure and own such Steam Boats or Vessels as may be necessary to ply in the Waters of the River Saint Croix, or in the Bay of Fundy, or either of them, in connexion with the said Railway

Railway, and for that purpose shall exercise and possess all the powers, privileges and authorities necessary for the management of the same, in as full and as ample a manner as they are hereby authorized to do with respect to the said Railway.

X. And be it enacted, That in order that the true state of the said Corporation shall be known, it shall be the duty of the President and Directors to file in the Office of the Secretary of the Province, for the information of the Legislature, at the expiration of seven years after the said Railway shall have been completed as aforesaid, a just and true statement and account of the monies by them disbursed and laid out in making and completing the said Railway in manner aforesaid, and also of the amount of tolls and revenues of the said Railway, and of the annual expenditure and disbursements in maintaining and keeping up the same during the said seven years; the said several accounts and statements to be signed by the President and Treasurer of the said Corporation, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said Corporation, once in each and every year after the expiration of the said seven years, to file in the said Office of the Secretary of the said Province, for the information of the said Legislature, a like statement and account, verified by the President and Treasurer as aforesaid.

Statement of expenses and receipts to be filed in the Provincial Secretary's Office for the information of the Legislature.

XI. And be it enacted, That whatever may be the rate of divisible profits on the said Railway, it shall be lawful for Her Majesty's Government, if it shall think fit, subject to the provisions hereinafter contained, at any time after the expiration of the term of twenty one years, to purchase the said Railway, with all its hereditaments, stock, and appurtenances, in the name and on behalf of Her Majesty, upon giving to the said Company three calendar months notice in writing of such intention, and upon payment of a sum equal to twenty five years purchase of the annual divisible profits, estimated on the average of the seven then next preceding years; provided that if the average rate of profits for the said seven years shall be less than the rate of fifteen pounds in the hundred, it shall be lawful for the Corporation, if they should be of opinion that the said rate of twenty five years purchase of the said average profits is an inadequate rate of purchase of such Railway, reference being had to the profits thereof, to require that it shall be left to arbitration, in case of difference, to determine what (if any) additional amount of purchase money shall be paid to the said Corporation; provided also, that such option of purchase shall not be exercised except with the consent of the Corporation, while any such revised scale of tolls, fares and charges shall be in force.

Right of purchasing the Railway and its appurtenances reserved to Her Majesty's Government.

XII. And be it enacted, That it shall be lawful for the Postmaster General, or his chief Deputy in this Province, by notice in writing under his hand, or under the hand of such Deputy as aforesaid, delivered to the said Company, to require that the Mails or Post Letter Bags shall from and after the day to be named in such notice, (being not less than twenty eight days from the delivery thereof,) be conveyed and forwarded by the said Company on their Railway, either by the ordinary trains of carriages, or by special trains, as need may be, at such hours or times in the day or night, as the Postmaster General or his said Deputy shall direct, together with the guards appointed and employed by the Postmaster General, or his said Deputy, in charge thereof, and any other officers of the Post Office; and thereupon the said Company shall from and after the day to be named in such notice, at their own costs, provide sufficient carriages and engines on the

Mails, Guards, &c. to be forwarded on the Railway under the direction of the Postmaster General.

said Railway for the conveyance of such Mails and Post Letter Bags, to the satisfaction of the Postmaster General or his said Deputy, and receive and take up, carry or convey, by such ordinary or special train of carriages, or otherwise as need may be, all such Mails or Post Letter Bags as shall for that purpose be tendered to them, or any of their officers, servants, or agents, by any officer of the Post Office, and also receive, take up, carry and convey, in and upon the carriage or carriages carrying such Mail or Post Letter Bags, the guards in charge thereof, and any other officer of the Post Office; and shall receive, take up, deliver and leave such Mails or Post Letter Bags, guards and officers, at such places in the line of such Railway, on such days, and such hours or times in the day or night, and subject to all such reasonable regulations and restrictions as to speed of travelling, places, times and durations of stoppages, and times of arrival, as the Postmaster General or his said Deputy shall in that behalf from time to time order or direct; provided always, that the rate of speed so required shall in no case exceed the maximum rate of speed prescribed by the Directors of the said Company for the conveyance of passengers by their first class train, nor shall the Company be responsible for the safe custody or delivery of any Mail Bags so sent.

Compensation for carrying the Mails to be fixed by agreement or arbitration.

XIII. And be it enacted, That the said Company shall be entitled to such reasonable remuneration to be paid by the Postmaster General or his Deputy, for the conveyance of such Mails, Post Letter Bags, Mail guards, and other officers of the Post Office, in manner required by such Postmaster General, his Deputy, or by such other officer of the Post Office as he shall in that behalf nominate as aforesaid, as shall (either prior to or after the commencement of such service) be fixed and agreed on between the Postmaster General or his Deputy, and the said Company; or, in case of difference between them, the same shall be referred to the award of two persons, one to be named by the Postmaster General or his Deputy, and the other by the said Company; and if such two persons cannot agree on the amount of such remuneration or compensation, then to the umpirage of some third person, to be appointed by such two first named persons, previously to their entering upon the inquiry; and the said award or umpirage, as the case may be, shall be binding and conclusive on the said parties, and their respective successors and assigns.

Nomination of arbitrators and umpires.

XIV. And be it enacted, That in all references to be made under the authority of this Act, the Postmaster General, his Deputy, or the said Company, as the case may be, shall nominate his or their arbitrators within fourteen days after notice from the other party, or in default, it shall be lawful for the arbitrator appointed by the party giving notice, to name the other arbitrator; and such arbitrators shall proceed forthwith in the reference, and make their award therein within twenty eight days after their appointment, or otherwise the matter shall be left to be determined by the umpire; and if such umpire shall refuse or neglect to proceed and make his award for the space of twenty eight days after the matter shall have been referred to him, then a new umpire shall be appointed by the two first named arbitrators, who shall in like manner proceed and make his award within twenty eight days, or in default, be superseded, and so *toties quoties*.

Obligation to permit a line of Electrical Telegraph to be laid down by Her Majesty's Government.

XV. And be it enacted, That the said Company, on being required so to do by Her Majesty's Government, shall be bound to allow any person or persons duly authorized by Her Majesty's Government, with servants and workmen, at all reasonable times, to enter into or upon the lands of the said Company, and to establish and lay down upon such lands adjoining the line of the said Railway, or any of its branches or extensions, a line of Electrical Telegraph for Her Majesty's service, and to give to him and them every reasonable facility for laying down the same,

same, and for using the same for the purpose of receiving and sending messages on Her Majesty's service, subject to such reasonable remuneration to the Company as may be agreed upon between the Company and Her Majesty's Government; provided always, that, subject to a prior right of use thereof for the purposes of Her Majesty, such Telegraph may be used by the Company for the purposes of the Railway, upon such terms as may be agreed upon between the parties, or, in the event of differences, as may be settled by arbitration.

XVI. And be it enacted, That no dividend shall be paid in respect of any share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable, shall have been paid.

No dividend to be paid on shares in arrear.

XVII. And be it enacted, That if any other Railway Company, incorporated by law, shall build and construct any other Railway from any place or places in the Province, it shall be lawful for the said Railway Company so building and constructing the said other Railway, to form a junction with the main trunk, or any branch or extension thereof which may be built and constructed by the said Saint Andrews and Quebec Rail Road Corporation, at such point or points, place or places, as may be desired or considered most advantageous by such Railway Company; and the said Saint Andrews and Quebec Rail Road Corporation shall convey and transport all passengers, goods, chattels and merchandize of every kind, so arriving at the said junction, onwards and backwards at all convenient and usual times, on the said trunk or any branch thereof, without any unnecessary delay or hindrance, to their respective destinations, subject to the payment of such rates, tolls or dues per mile as may be paid in similar cases to the said Saint Andrews and Quebec Rail Road Corporation.

Power to form junctions given to other Railway Companies.

XVIII. And be it enacted, That all persons taking shares as aforesaid, shall or may deposit the said sum of two pounds ten shillings per share, either in the Bank of British North America in England, or any of its Branches in the British North American Colonies, or such other Bank or Banks in London or elsewhere in Great Britain, and in the said British North American Colonies, as the Directors of the Corporation, or the Committee or Committees corresponding with those in Great Britain, or in any of the said Colonies, shall from time to time appoint for that purpose.

Places of deposit for the £2 10s. per share mentioned in Section VIII.

XIX. And be it enacted, That the Directors of the said Rail Road shall be bound to provide such conveyance as aforesaid for the said Military, Marine, and Police Forces, at such time or times (whether the same shall be the usual hours of starting trains or not) as shall be required or appointed by any officer duly authorized for that purpose.

Obligation to provide conveyances for Government Forces.

XX. And be it enacted, That the Directors of said Corporation, subject to the provisions and limitations herein or in the said recited Act contained, shall have power from time to time to alter or vary the toll by the said recited Act, or this Act, authorized to be taken either upon the whole or upon any particular portions of the said Rail Road, or its branches or extensions, as they shall think fit; provided that all such tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect of all passengers, and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of Rail Road under the same circumstances; and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favor of or against any particular Company or person travelling upon or using the Railway; and it shall not be lawful for the Directors of the said Corporation at any time to demand or take a greater amount of toll, or make any greater charge for the carriage of passengers

Rate of tolls may be varied to suit the traffic, but not to prejudice particular parties.

or goods, than they are by this and the said recited Act authorized to demand; and upon payment of the tolls from time to time demandable, all Companies and persons shall be entitled to use the Rail Road with engines and carriages, properly constructed, as by this and the said recited Act directed; subject, nevertheless, to the provisions and restrictions of the said recited Act, and of this Act, and to the regulations to be from time to time made by the Corporation by virtue of the powers in that behalf hereby and by the said recited Act conferred upon them.

Bye Laws not to be enforced until one month after submission to the Lieutenant Governor for approval or disapproval.

XXI. And be it enacted, That no bye laws, orders, rules and regulations, made under and by virtue of the power and authority of the hereinbefore recited Act, shall be of any force or effect until one calendar month after a true copy of such bye laws, orders, rules or regulations, certified under the hand of the President of the said Company, shall have been laid before the Lieutenant Governor or Administrator of the Government in this Province for the time being, for his approval or disapproval; unless the Lieutenant Governor or Administrator of the Government shall, before such period, signify his approbation of the same.

Exception.

### CAP. XXVIII.

An Act to Incorporate the Saint Andrews Benefit Society.

*Passed 23rd March 1847.*

Preamble.

6 **W**HEREAS an Association has been in operation in the Town of Saint Andrews since the year one thousand eight hundred and twenty five, for the purpose of raising a fund for the mutual assistance and benefit of the members thereof, in case of sickness, accident, or old age: And whereas the operations of the said Association have been productive of much benefit: And whereas it is desirable that the said Association should be protected by an Act of Incorporation; therefore

Company incorporated by the name of *The Saint Andrews Benefit Society.*

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Donald D. Morrison, Thomas Sime, Peter Smith, Peter Sime, Miles S. Hannah, Jacob Paul, Thomas Berry, Cornelius Connelly, George M'ulloch, and such other persons as are now or may hereafter become members of the said Association, agreeably to the rules, bye laws and regulations of the same, their associates and successors, be and they are hereby erected into a Body Corporate, by the name of *The Saint Andrews Benefit Society*, and shall have all the powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of accumulating a fund from which mutual assistance can be afforded to the members thereof, in case of sickness, accident, or old age, and for that purpose only.

Meeting to be called to frame bye laws and appoint officers.

II. And be it enacted, That a meeting of the said Corporation shall be called by Miles S. Hannah, or in case of his death, absence, neglect, or refusal, by any two members of the said Society, by giving two days notice of such meeting in any Newspaper published in the Town of Saint Andrews, for the purpose of establishing bye laws, and making such rules and regulations as may be deemed necessary for the management of the said Society, and for the purpose of appointing such officers as may be necessary for the management of said Society; which officers so elected shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the affairs of the said Society, subject to the bye laws established at the said meeting; provided always, that the said bye laws may be altered and amended at any annual meeting thereafter to be held, in such manner as two thirds of the members present at such meeting may direct; three months previous notice of such alteration or amendment having been given.

III.

III. And be it enacted, That a general meeting of the members of the said Society shall be held on the fourth Tuesday in March in each and every year, for the election of officers for the management of the said Society, and the transaction of such other business as may be provided for by the bye laws, rules and regulations of the said Society.

A general annual meeting to be held on the fourth Tuesday in March.

IV. And be it enacted, That no member of the said Society shall have any power to assign, transfer or set over unto any person or persons whatsoever, any interest which he may have in, or claim to, the funds or property of the said Society; but the same shall at all times after the passing of this Act be subject to and under control of the said Society.

Interest in the funds may not be transferred.

V. And be it enacted, That no property of any kind whatsoever belonging to the said Society shall be subject to the payments of the debts of any of its members; nor shall the same be liable to be taken in Execution by any judgment creditor against any of the members of the said Society.

The Society property not to be liable for debts of the members.

VI. And be it enacted, That the property of the said Society shall alone be responsible for the debts and engagements of the same.

Responsibility for the Society debts.

VII. And be it enacted, That it shall and may be lawful to and for the Treasurer of the said Society, and he is hereby authorized and empowered, from time to time, by and with the consent of the said Society, to be had and testified in such manner as may be directed by the bye laws, rules and regulations of the said Society, to lay out and dispose of all such sums of money as shall at any time be collected, given or paid to and for the beneficial ends, intents and purposes of such Society, as the exigencies of such Society shall not call for the immediate application or expenditure of, either on private securities, to be approved of as aforesaid, (such securities to be taken in the name of the said Corporation,) or to invest the same in real estate, or the public or other stocks or funds, in the name of the said Corporation, and from time to time, with such consent as aforesaid, to alter, sell, and transfer such securities, real estate, and funds respectively.

Investment of surplus funds.

VIII. And be it enacted, That the said Society shall not be dissolved, nor shall any appropriation be made of its funds contrary to the meaning of this Act, while any three of the members of the same object thereto.

No dissolution of the Society, or misappropriation of funds while three members object.

### CAP. XXIX.

An Act in addition to and further to extend the provisions of an Act, intituled *An Act to encourage the establishment of Banks for Savings in this Province.*

Passed 23rd March 1847.

**W**HEREAS in and by the thirteenth section of an Act made and passed in the sixth year of the Reign of King George the Fourth, intituled *An Act to encourage the establishment of Banks for Savings in the Province*, it is among other things enacted, that the Debentures to be issued in pursuance of the provisions of the said Act, shall never at any time exceed the amount of ten thousand pounds in the aggregate for the whole Province; and that whenever the Debentures issued in pursuance of the provisions of the said Act shall amount in the aggregate for the whole Province to the said sum of ten thousand pounds, the Province Treasurer and his Deputies shall cease to issue any more such Debentures; and it shall be the duty of the said Treasurer to give the requisite directions to his Deputies for that purpose: And whereas in and by an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act to extend the provisions of an Act, intituled 'An Act to encourage the establishment of Banks for Savings in this Province,'* it was enacted, that it should be lawful for the Treasurer of the Province and his Deputies to receive deposits

Preamble.

6 G. 4, c. 4.

4 V. c. 20.

9 V. c. 61.

' deposits and issue Debentures for the sum of ten thousand pounds, in addition to the said sum of ten thousand pounds mentioned in the first herein recited Act: And whereas in and by an Act made and passed in the ninth year of the Reign of Her present Majesty, intituled *An Act further to extend the provisions of an Act, intituled 'An Act to encourage the establishment of Banks for Savings in the Province,'* it was enacted, that it should be lawful for the Treasurer of the Province and his Deputies to receive deposits and issue Debentures for the sum of ten thousand pounds, in addition to the said sum of twenty thousand pounds mentioned in the said herein recited Acts: And whereas it is deemed expedient further to extend the provisions of the said recited Acts;

Treasurer and Deputies empowered to receive and issue Debentures for the further sum of £20,000.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Treasurer of the Province and his Deputies, in addition to the sum of thirty thousand pounds to be by them received, and for which they are authorized and empowered to issue Debentures in and by the said several recited Acts, to receive further deposits to the amount of twenty thousand pounds, and to issue Debentures therefor in like manner, and subject nevertheless to the provisions in the said herein first recited Act contained.

## CAP. XXX.

An Act further to continue an Act, intituled *An Act to provide for the support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes.*

Passed 23rd March 1847.

4 W. 4, c. 33, continued.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His late Majesty William the Fourth, intituled *An Act more effectually to provide for the support of a Nightly Watch in, and for lighting the City of Saint John, and for other purposes,* be and the same is hereby further continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty nine.

## CAP. XXXI.

An Act to continue and amend the several Acts to provide for the greater safety of Passengers on board Steam Boats.

Passed 23rd March 1847.

7 V. c. 42, and

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act to repeal an Act, intituled 'An Act to provide for the greater safety of Passengers on board Steam Boats,'* and to make further provision in lieu thereof; also, an Act made and passed in the eighth year of the Reign of Her said present Majesty, intituled *An Act to amend an Act to repeal an Act, intituled 'An Act to provide for the greater safety of Passengers on board Steam Boats,'* and to make further provisions in lieu thereof, be and the same are hereby respectively continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

3 V. c. 95, continued.

Gangway for passengers to be provided and lighted.

II. And be it further enacted, That from and after the first day of May next ensuing, every Steam Boat or Vessel propelled by steam, carrying passengers to or from any Port or place within this Province, shall be provided with a good, safe and convenient gangway to the wharf at which she may be lying, such gangway to be not less than two feet wide, with a good hand-rail or ridge-rope on one side thereof, suitable for the landing and embarking of Passengers to and from such

such Steam Boat or Vessel as aforesaid, at all times of the tide ; such landing or gangway to be separate and distinct from that used for landing or loading coals or cargo ; and, for the greater security of Passengers, it shall be incumbent upon the Master and Owner of such Vessel or Boat to have a good light placed at each end of such gangway, for one hour at least before leaving the wharf, and continued until her departure, and one hour after arrival at the wharf or place of landing and embarking Passengers, after dark, that is from sunset to sunrise.

III. And be it further enacted, That from and after the first day of May next ensuing the passing of this Act, it shall be the duty of the Master and Owner, or person in charge of any such Steam Boat or Vessel plying in the Waters of New Brunswick and in the Bay of Fundy, in addition to any light which may be required under and by virtue of the eighth section of the first hereinbefore recited Act, to carry at the mast head of such Steam Boat or Vessel, at night, during the time she is under way, and not lower than the top of the funnel, a good, clear and distinct Signal Light, and when within four miles of her port of destination, to place or cause to be placed under the end of the bowsprit of such Vessel, a good, clear and distinct light, which light shall be so kept until alongside of the wharf.

Light to be carried at the mast head, and when within four miles of Port, also under the end of the bowsprit,

IV. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, to appoint three Commissioners, resident within the County of Charlotte, for the Harbours and Inland Waters of the said County, in lieu of the three Commissioners mentioned in the said first recited Act, so far as the said Commissioners' powers are thereby extended to the Harbours and Inland Waters of the said County of Charlotte, with the like powers and authorities to the said Commissioners so to be appointed, as are given to other Commissioners mentioned in the seventh section of the said first recited Act.

Three Commissioners, resident in Charlotte County, to be appointed.

V. And be it further enacted, That it shall be the duty of the Commissioners duly appointed, as provided in and by the first recited Act hereby renewed and continued, and by this Act, to examine from time to time the several and respective Steam Boats and Vessels plying to or from the respective places for which such Commissioners are appointed, to see that the several provisions of this Act, and the Acts hereby renewed and continued, are complied with, and to make reports from time to time to His Excellency the Lieutenant Governor or Administrator of the Government for the time being, as to the efficiency of such Steam Boats or Vessels, and their equipments or otherwise, as the case may be.

Commissioners to examine the Steam Vessels and report to the Lieutenant Governor.

## CAP. XXXII.

An Act to encourage the raising and dressing of Hemp.

*Passed, 23rd March 1847.*

**W**HEREAS it is believed that the climate and alluvial lands of this Province are favourable to the growth and manufacture of Hemp, and it is expedient to encourage the cultivation of that article by granting a Bounty on the same ;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That for the encouragement of the growth of Hemp in this Province, there shall be applied, distributed and paid in Bounties yearly, a sum not exceeding one thousand pounds per annum out of the monies now remaining in or hereafter to be in the Treasury, at and after the rate of ten shillings for every hundred weight of Hemp to be raised within this Province, in the year of our Lord one thousand eight hundred and forty seven, and in every subsequent year during the space of five years, and which shall be broken and properly prepared for Market, to be paid

Bounty granted for the growth and manufacture of Hemp.

paid to the grower or other person who breaks and properly prepares such Hemp for Market.

Oath to be taken by the claimant.

II. And be it enacted, That the grower or person claiming, and who shall be entitled to the said Bounty, in order to entitle himself or herself thereto, shall first take and subscribe the following oath, the same to be set down in writing, that is to say :—

‘ I, A. B., of —, in the County of —, do swear that — hundreds weight of Hemp, broken and properly prepared for Market, and of a good merchantable quality, were really and truly raised on the land occupied by me in the Parish of —, in the County of —, and that the same is actually the crop of the year —, and that no other person, to my knowledge or belief, has applied for, or received any Bounty on the same.

(Signed)

‘ A. B.

‘ Sworn before me at —, this — day of —, 184 —  
and I verily believe the statements therein set forth.

‘ C. D., Justice of the Peace.’

Confirmatory oath to be taken by a Witness.

And some credible Witness shall also make oath in writing, subscribed by his name, and annexed to the said affidavit, in the form following, that is to say :—

‘ I, E. F., of —, in the County of —, do swear that I was present at —, on the — day of —, and did see the Hemp mentioned in the annexed affidavit, duly and fairly weighed, that it was previously broken and properly prepared for Market, and that I verily believe it was grown in all respects as set forth in the said affidavit.

(Signed)

‘ E. F.

‘ Sworn before me at —, this — day of —.

‘ C. D., Justice of the Peace.’

Which said affidavits shall be made before any Justice of the Peace of the County where such applicant shall reside, who is hereby authorized to administer the same.

Affidavits to be filed with the Clerk of the Peace, who is to prepare a Schedule, and submit it to the Sessions.

III. And be it enacted, That every such affidavit shall be filed in the Office of the Clerk of the Peace of the proper County, at least six days before some General Session of the Peace of the same, and it shall be the duty of such Clerk of the Peace to arrange the several applications in a tabular form, containing the names and residences of the parties applicant, the names of the Magistrates before whom the affidavits had been made, the quantity of, and the Parish in which the Hemp is stated to have been raised, with the several amounts of Bounty claimed; and shall submit the same, together with the said affidavits, unto the Justices assembled at such General Sessions of the Peace: and the said Justices shall thereupon order and direct that the said table, together with the said affidavits, shall be publicly read in the said Court, in the presence and hearing of the Grand Jury, and shall determine and settle all such claims, and shall certify in one general Schedule all such claims as they, the said Justices, shall then allow, and shall within six days after the rising of such Court, transmit such Schedule to the Office of the Secretary of the Province.

Schedule to be read before the Grand Jury, certified, and transmitted to the Secretary's Office.

Authority given to draw on the Treasury.

IV. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council, to draw by Warrant on the Treasury for the gross amount of the Bounties as set forth in the said Schedule, together with the sum of five per centum on the same, in favor of the

the Clerk of the Peace, such sum of five per centum to be by him retained for his trouble, and the residue to be by him forthwith paid and distributed to the respective claimants.

V. And be it enacted, That no person or persons shall be entitled to any Bounty under the provisions of this Act, unless the quantity of Hemp broken and properly prepared for Market as aforesaid, and for which he, she or they shall claim the Bounty, shall amount to one hundred weight, and in settling claims no Bounty shall be allowed by the Justices for any fractional portion less than a quarter of a hundred weight.

No Bounty to be allowed for less than one hundred weight.

VI. And be it enacted, That any person or persons who shall be guilty of false swearing in any matter or thing connected with this Act, with intent or design to defraud the Treasury, such person or persons so offending, shall be subject to all the pains and penalties of the Law, for wilful and corrupt perjury.

False swearing to induce pains of perjury.

### CAP. XXXIII.

An Act to authorize the Justices of the Peace for the County of Carleton to assess the said County for the erection of a Lock-up House at the Grand Falls, in the said County.

*Passed 23rd March 1847.*

**W**HEREAS by reason of the great extent of the County of Carleton, the removal to the County Gaol of persons committed for breaches of the Peace and other offences, is oftentimes very expensive and inconvenient; for remedy whereof,

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace of the said County, or the major part of them, at any General Sessions of the Peace hereafter to be holden, be and they are hereby authorized and empowered to contract and agree with able and sufficient workmen, for building and finishing a Lock-up House at the Grand Falls in the said County, and to agree for such sum or sums of money as to them may seem meet, in order to carry into effect this object: and the said Justices, or the major part of them, at their General Sessions as aforesaid, are hereby authorized and empowered to make a rate and assessment on that part of the said County, for a sum not exceeding two hundred pounds, for defraying the expense of the erection and finishing of the said Lock-up House, and to make such rules and regulations for the said Lock-up House, as to them may seem meet.

Contract for erecting a Lock-up House at the Grand Falls may be made,

and the County assessed for the expense, not exceeding £200.

II. And be it enacted, That it shall and may be lawful for the High Sheriff of the said County, or any other Officer having legal custody of any person or persons, who shall or may be arrested in the upper parts of the said County, in all cases in which the said Sheriff, or other Officer, could legally lodge the said person or persons in the Common Gaol of the said County, to commit the said person or persons to the said Lock-up House, until the said person or persons can be removed to the said County Gaol: Provided always, nevertheless, that no person under civil arrest shall be detained in the said Lock-up House for any space of time exceeding ninety days.

Commitments to the Lock-up House may be made.

III. And be it enacted, That the said sum, not exceeding two hundred pounds, so to be assessed, shall be assessed, collected and paid agreeably to any Acts in force for the assessing, collecting and levying of County Rates.

Assessments to be levied as other County Rates.

## CAP. XXXIV.

An Act to authorize Her Majesty's Justices of the Peace of the County of Westmorland to make provision for the payment of the County Contingencies.

*Passed 23rd March 1847.*

Preamble.

**W**HEREAS the Local Revenues of the County of Westmorland have been found insufficient to meet the annual expenditure of the said County ;

An annual assessment authorized to defray the County Contingencies.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for Her Majesty's Justices of the Peace of the said County, at any General Sessions of the Peace of the said County to be thereafter holden, annually to make and order an assessment on the inhabitants of the said County for such sum as they in their discretion shall see fit, not exceeding the sum of one hundred and fifty pounds in any one year, for the purpose of providing for the annual Contingent Expenses of the said County ; such sum to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, levying and collecting of County Rates.

Limitation.

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

## CAP. XXXV.

An Act to authorize the Justices of the Peace of the County of Charlotte to levy an assessment to pay off the County Debt.

*Passed 23rd March 1847.*

Assessment to pay off the County Debt, authorized.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace for the County of Charlotte hereafter to be holden, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding four hundred pounds as in their discretion they may think necessary for the purpose of paying off the Debt of the said County ; the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

## CAP. XXXVI.

An Act to authorize an annual assessment on the City and County of Saint John for the payment of County Contingencies.

*Passed 23rd March 1847.*

Preamble.

**W**HEREAS the Contingent Funds of the City and County of Saint John are inadequate to the payment of the Contingent Expenses thereof ;

Annual assessments to defray the annual contingent expenses of the County, authorized.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace of the City and County of Saint John, at any General Sessions of the Peace to be holden for the said City and County, yearly and every year during the continuance of this Act, to order and direct an assessment for the year then current, together with the expenses of assessing and collecting the same, for the purpose of defraying the annual Contingent Expenses of the said City and County, of the following amounts, that is to say : for the present year one thousand eight hundred and forty seven, a sum not exceeding one thousand pounds ; and for each and every subsequent year during the continuance of this Act, a sum not exceeding eight hundred and fifty pounds ; which said sums, together with the expenses as aforesaid, shall be annually assessed, levied, collected and paid in the same manner as any

any County or Parish Rates are assessed, levied, collected and paid, under and by virtue of any Act or Acts of General Assembly made or to be made for that purpose, and when received, shall be paid over by the Collector into the hands of the County Treasurer, to be disbursed by him from time to time on the order of the said Justices in any General Sessions to be made for the purpose of paying such Contingent Expenses.

II. And be it enacted, That this Act shall continue and be in force for five years, and no longer: Provided always, that nothing in this Section contained shall be construed to prevent the recovery of all and every the rates and assessments imposed or to be imposed by virtue of this Act.

Limitation.

### CAP. XXXVII.

An Act to authorize Her Majesty's Justices of the Peace of the County of Albert to make provision for the payment of the County Contingencies.

*Passed 23rd March 1847.*

WHEREAS the Local Revenues of the County of Albert have been found 'insufficient to meet the annual expenditure of the said County;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for Her Majesty's Justices of the Peace of the said County, at any General Sessions of the Peace of the said County to be thereafter holden, annually to make and order an assessment on the inhabitants of the said County, for such a sum as they in their discretion shall see fit, not exceeding the sum of one hundred pounds in any one year, for the purpose of providing for the annual Contingent Expenses of the said County; such sum to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

Annual assessments to defray contingent expenses, authorized.

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

Limitation.

### CAP. XXXVIII.

An Act for the further regulation of the Court of Governor and Council in causes of Marriage and Divorce.

*Passed 7th April 1847.*

WHEREAS it is expedient that certain regulations should be made to expedite the proceedings in the Court of Governor and Council in suits 'of Marriage and Divorce;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all causes which by the Laws of this Province are cognizable in the Court of Governor and Council for hearing causes of Marriage and Divorce, when any person or persons having been duly cited to appear in such Court, or required to comply with the lawful orders or decrees, as well final as interlocutory, of such Court, shall neglect or refuse to appear, or neglect or refuse to pay obedience to such lawful orders or decrees, or when any person or persons shall commit a contempt in the face of such Court, it shall be lawful for the Court who issued out the citation, or whose lawful orders or decrees have not been obeyed, or before whom such contempt shall have been committed, to pronounce such person or persons in contempt, and thereupon a Writ *de contumace capiendo*, in the form to this Act annexed, shall issue out of the said Court, directed to any of the Sheriffs of the several Counties in this Province within whose Bailiwick the person or persons so in contempt may be alleged to be, returnable on the first day

Court empowered to pronounce persons in contempt in certain cases, and issue Writs *de contumace capiendo*.

Teste and Return.

of

Execution.

Discharge.

of the next Term of such Court, and tested the last day of the preceding Term, or if issued in Term time, returnable on any day in such Term to be directed by the said Court, and tested the first day of the said Term; and all Sheriffs, Gaolers, and other Officers, are hereby authorized and required to execute the same, by taking and detaining the body of the person against whom the said Writ shall be directed to be executed; and upon the due appearing of the said party so cited, and not having appeared as aforesaid, or the obedience of the party so cited, and not having obeyed as aforesaid, or the due submission of the party so having committed a contempt in the face of the Court, the said Court shall pronounce such party absolved from the contempt aforesaid, and shall forthwith make an order on the Sheriff or other Officer in whose custody such party may be, for discharging such party out of custody; and such Sheriff or other Officer shall, on the said order being shewn to him, as soon as such party shall have discharged the costs lawfully incurred by reason of such contempt, forthwith discharge him.

Power to direct forms of process and prescribe the practice.

II. And be it enacted, That the said Court shall have full power and authority from time to time to direct and declare the forms of process, and to prescribe, modify, alter and amend the practice and proceedings to be observed in all matters of which the said Court now has or hereafter may have cognizance and jurisdiction.

### SCHEDULE.

#### FORM OF WRIT *De Contumace Capiendo*.

Form of Writ.

Victoria, &c.

To the Sheriff of

Greeting:

Whereas — is manifestly contumacious, and contemns the jurisdiction and authority of the Court of Governor and Council for Marriage and Divorce [*here state fully the non-appearance, disobedience, or the contempt in the face of the Court, as the case may be*] You are hereby commanded to attach the said — by — body until — shall make satisfaction for the said contempt; and how you shall execute this precept, notify unto the said Court on — next, and in no wise omit this: and have you there then this Writ.

Witness — Lieutenant Governor [*or Administrator of the Government, as the case may be*] in the said Province.

### CAP XXXIX.

An Act to simplify the proceedings in the Court of Chancery in certain cases.

*Passed 7th April 1847.*

Preamble.

3 W. 4, c. 19.

‘ **W**HEREAS by the first section of an Act made and passed in the third year of the Reign of His late Majesty King William the Fourth, intitled *An Act in addition to an Act for making process in Courts of Equity effectual against persons who reside out of this Province, and cannot be served therewith*, it is provided that a copy of the order for the appearance of any such persons shall be inserted in the Royal Gazette for the space of not less than three months: And whereas the publication of every such order in the Royal Gazette increases the expense of the proceedings, without producing any corresponding benefit: And whereas it is expedient to make provision for service of process upon Corporations;’

Act 3 W. 4, c. 19, so far as it requires the publication in the Royal Gazette, of order for appearance, repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, so much of the said recited Act as requires the publication of the copy of the order for the appearance of any defendant or defendants in the Royal Gazette, be and the same is hereby repealed.

II.

II. And be it enacted, That from and after the passing of this Act, every subpoena, rule, order, or other proceedings in Chancery, requiring to be served upon any Corporation, shall and may be served upon the Mayor, President, or other Head Officer, or on the Secretary, Treasurer, Cashier, or principal Agent of such Corporation.

Proceedings in Chancery may be served on certain Officers of Corporations.

### CAP. XL.

An Act relating to Courts of Oyer and Terminer and General Gaol Delivery in this Province.

*Passed 7th April 1847.*

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any Court of Oyer and Terminer and General Gaol Delivery hereafter to be holden in this Province, from pressure of business at other places, or other unforeseen circumstances, shall not be opened at any place specified for holding the same on the day appointed for the attendance of the Grand and Petit Juries respectively, summoned by virtue of any precept or precepts for that purpose to be issued, it shall and may be lawful to open the same on the following day, or, if such following day shall be Sunday or other day of public rest, then on the next succeeding day; and such opening shall be as effectual to all intents and purposes as if the same had been opened on the day appointed for the attendance of such Jurors as aforesaid, and shall be deemed and taken to be an opening thereof on the day so appointed; and all Records or other proceedings under or relating to the said Court which may be opened and read by virtue of this Act, shall and may be drawn up, entered and made out under the same date and in the same form in all respects as if such Court had been opened on the day originally appointed for such Juries' attendance.

Power to open the Courts after the day appointed, in cases of unforeseen circumstances.

II. And be it enacted, That all Jurors duly summoned or required by law to attend at any Court of Oyer and Terminer and General Gaol Delivery, or Court of Nisi Prius, established or to be established by law, and the respective Sheriffs, Coroners, Bailiffs, Constables, and Officers and Ministers of the Law of the respective Counties where the said Court of Oyer and Terminer and General Gaol Delivery, Circuit Court, or Court of Nisi Prius, may be opened, and also all parties and witnesses, both in Criminal and Civil cases, shall give their attendance at such Courts of Oyer and Terminer and General Gaol Delivery on such day as the said several Courts may actually be opened, whether the same be the day appointed or established as aforesaid or not, and shall be charged and bound in like manner, and upon like pains and penalties, for non-appearance and non-attendance, or for any misdemeanor or default, at such several Courts respectively, as if the said Courts were opened on the very day appointed as hereinbefore mentioned, and as if the said parties respectively were bound to appear and give their attendance on the day of the actual opening of the said Courts.

Jurors and Ministers of the Law to attend on the day of the actual opening of the Court.

### CAP. XLI.

An Act for the safe custody of Insane persons charged with offences, and for the confinement of Insane Prisoners.

*Passed 7th April 1847.*

**W**HEREAS persons charged with high treason, murder, felony, or misdemeanors, may have been or may be of unsound mind at the time of committing the offence wherewith they may have been or shall be charged, and by reason of such insanity may have been or may be found not guilty of such offence, and it may be dangerous to permit persons so acquitted to go at large;

Preamble.

I.

The Court to order any person charged with Treason, &c. and proved to be insane, to be kept in custody till the Lieutenant Governor's pleasure be known, &c.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where it shall be given in evidence upon the trial of any person charged with treason, murder, felony, or any misdemeanor, that such person was insane at the time of the commission of such offence, and such person shall be acquitted, the Jury shall be required to find specially whether such person was insane at the time of the commission of such offence, the Court, before whom such trial shall be had, shall order such person to be kept in strict custody, in such place and in such manner as to the Court shall seem fit, until the pleasure of the Lieutenant Governor or Administrator of the Government for the time being shall be made known; and it shall thereupon be lawful for the said Lieutenant Governor or Administrator of the Government to give such order for the safe custody of such person, during his pleasure, in such place and in such manner as to the said Lieutenant Governor or Administrator of the Government for the time being shall seem fit; and in all cases where any person, before the passing of this Act, has been acquitted of any such offences on the ground of insanity at the time of the commission thereof, and has been detained in custody as a dangerous person by order of the Court before whom such person has been tried, and still remains in custody, it shall be lawful for the said Lieutenant Governor or Administrator of the Government to give the like order for the safe custody of such person during his pleasure, as the said Lieutenant Governor or Administrator of the Government is hereby enabled to give in the cases of persons who shall hereafter be acquitted on the ground of insanity.

Persons indicted for any offence, and upon arraignment found to be insane, or if upon trial they shall be so found, &c., the Court shall order them to be kept in custody till the Lieutenant Governor's pleasure be known.

II. And be it enacted, That if any person indicted for any offence shall be insane, and shall, upon arraignment, be found to be so by a Jury lawfully impannelled for that purpose, so that such person cannot be tried upon such indictment, or if upon the trial of any person so indicted, such person shall appear to the Jury charged with such indictment to be insane, it shall be lawful for the Court before whom any such person shall be brought to be arraigned or tried as aforesaid, to direct such finding to be recorded, and thereupon to order such person to be kept in strict custody until the pleasure of the said Lieutenant Governor or Administrator of the Government shall be known; and if any person charged with any offence shall be brought before any Court to be discharged for want of prosecution, and such person shall appear to be insane, it shall be lawful for such Court to order a Jury to be impannelled to try the sanity of such person, and if the Jury so impannelled shall find such person to be insane, it shall be lawful for such Court to order such person to be kept in strict custody in such place and in such manner as to such Court shall seem fit, until the pleasure of the said Lieutenant Governor or Administrator of the Government shall be known; and in all cases of insanity so found, it shall be lawful for the said Lieutenant Governor or Administrator of the Government to give such order for the safe custody of such person so found to be insane, during his pleasure, in such place and in such manner as to the said Lieutenant Governor or Administrator of the Government shall seem fit.

Prisoners becoming insane, two Justices may inquire, with medical aid, respecting such insanity:

III. 'And whereas it is expedient that provision should be made for the confinement of insane prisoners;' Be it therefore enacted, That if any person, while imprisoned in any prison or other place of confinement under any sentence of death or imprisonment, or under a charge of any offence, or for not finding Bail for good behaviour, or to keep the peace, or to answer a criminal charge, or in consequence of any summary conviction or order by any Justice or Justices of the Peace, or under any other than Civil Process, shall appear to be insane, it shall be lawful for any two Justices of the Peace of the County, City and County,

or place where such person is imprisoned, to inquire, with the aid of two Physicians or Surgeons, as to the insanity of such person ; and if it shall be duly certified by such Justices and such Physicians or Surgeons that such person is insane, it shall be lawful for the said Lieutenant Governor or Administrator of the Government, upon receipt of such certificate, to direct, by Warrant under his hand, that such person shall be removed to such County Lunatic Asylum, or other proper receptacle for insane persons, as the said Lieutenant Governor or Administrator of the Government may judge proper and appoint ; and every person so removed under this Act, or already removed or in custody under any former Act relating to insane prisoners, shall remain under confinement in such County Asylum or other proper receptacle as aforesaid, or in any other County Lunatic Asylum or other proper receptacle to which such person may be removed, or may have been already removed, or in which he may be in custody by virtue of any like order, until it shall be duly certified to the said Lieutenant Governor or Administrator of the Government, by two Physicians or Surgeons, that such person has become of sound mind ; whereupon the said Lieutenant Governor or Administrator of the Government is hereby authorized, if such person shall still remain subject to be continued in custody, to issue his Warrant or Order to the Keeper or other person or persons having the care of any such Asylum or receptacle as aforesaid, directing that such person shall be removed back from thence to the Prison or other place of confinement from whence he or she shall have been taken ; or, if the period of imprisonment or custody of such person shall have expired, that he or she shall be discharged.

If certified to be insane, Lieutenant Governor to grant Warrant for removal to Lunatic Asylum.

If afterwards sane, how to be dealt with.

Warrant for removal back to Prison, or to be discharged.

IV. And be it enacted, That this Act may be altered, amended or repealed by any Act to be passed in the present Session of the General Assembly.

Act may be altered this Session.

## CAP. XLII.

An Act to consolidate and amend the Laws relating to the Registry of Deeds and other Instruments.

*Passed 7th April 1847.*

**6** WHEREAS it is expedient to consolidate and amend the Laws relating to ' the Registry of Deeds and other Instruments, and the execution of ' Deeds by Femmes Covert ;'

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the several Acts and parts of Acts hereinafter mentioned shall be and the same are hereby repealed, (save as hereinafter otherwise is provided,) that is to say : an Act passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for the Public Registering of all Deeds, Conveyances and Wills, and other incumbrances which shall be made of, or that may affect any Lands, Tenements or Hereditaments within this Province ;* an Act passed in the twenty seventh year of the same Reign, intituled *An Act for more effectually securing the Title of Purchasers of Real Estates against claims for Dower ;* an Act passed in the thirty second year of the same Reign, intituled *An Act in amendment of an Act, intituled ' An Act for more effectually securing the Title of Purchasers of Real Estates against claims of Dower, ' and also to enable Femmes Covert more easily to convey any Real Estate they may hold in their own right ;* an Act passed in the thirty third year of the same Reign, intituled *An Act in amendment of an Act, intituled ' An Act for more effectually securing the Title of Purchasers of Real Estate against claims of Dower ; ' an Act passed in the fifty second year of the same Reign, intituled *An Act supplementary to the Acts now in force for the Public Registering of Deeds, Conveyances and Wills, and other incumbrances of,**

Acts repealed, viz :

26 G. 3, c. 3.

27 G. 3, c. 9.

32 G. 3, c. 2.

33 G. 3, c. 5.

52 G. 3, c. 20.

*of, or which may affect any Lands, Tenements or Hereditaments within this Province, and for more effectually securing the Title of Purchasers of Real Estates against claims of Dower*; an Act passed in the eighth year of the Reign of His Majesty King George the Fourth, intituled *An Act to provide for the Registering of Judgments and Recognizances which are intended to bind or affect Real Estates*; the first and second Sections of an Act passed in the second year of the Reign of His late Majesty William the Fourth, intituled *An Act to improve the Law relating to Mortgages*; an Act passed in the seventh year of the same Reign, intituled *An Act in addition to the Acts relating to the Public Registry of Deeds in this Province*; and an Act passed in the fourth year of the Reign of Her present Majesty, intituled *An Act in addition to the Registry Acts of this Province*: Provided always, that nothing in this Act contained, shall extend to repeal any of the said recited Acts, so far as they or any of them repeal any former Act or Acts, or so far as respects any act, matter or thing heretofore done under or by virtue of the said recited Acts; and provided that every such act, matter or thing heretofore done under or by virtue of any of the said recited Acts, shall be and continue valid and effectual, and of the like force and effect as if this Act had not been made and passed; and provided further, that every Register now appointed under the provisions of any of the said recited Acts, shall continue in office, and have full power and authority to act under the provisions of this Act, until some other person be appointed in his place; and further provided, that the Registry Offices erected and established at the time of the passing of this Act, shall continue and remain to be the proper Registry Offices of the Counties for which they were respectively established, for all the purposes of this Act, until other Offices be erected in their place; and that the several Books of Record belonging to any such Offices shall still continue to be the Records of such Offices.

8 G. 4, c. 8.

2 W. 4, c. 23, s. 1 & 2.

7 W. 4, c. 15.

4 V. c. 33.

Repeal not to affect the repeal of former Acts, nor the validity of things done.

Registers, Registry Offices and Records to continue.

One Registry Office to be established in each County.

Register of Deeds to be appointed by the Lieutenant Governor;

Sworn;

Liable for damages by neglect, &c.; and

To enter into a recognizance to Her Majesty.

II. And be it enacted, That in each and every County in this Province there shall be established one Public Office for the Registering of all Conveyances and other Instruments of and concerning any Lands, Tenements and Hereditaments, that are situate, lying and being within the County for which such Office is established.

III. And be it enacted, That such Office shall be managed and conducted by such person as shall thereto be nominated and appointed by the Lieutenant Governor or Administrator of the Government for the time being, and the person so appointed shall be designated the Register of Deeds of the County for which he is appointed; and before entering upon the duties of his office he shall be sworn before one of Her Majesty's Justices of the Peace well and faithfully to execute the duties of his office, which oath every such Justice is hereby empowered and required to administer; and if any such Register shall be guilty of any neglect, misdemeanor or fraudulent practice in the execution of his said office, he shall be liable to pay all damages, with full costs of suit, to the party injured, to be recovered in an action on the case in any of Her Majesty's Courts of Record in this Province; and that every such Register, at the time of his being sworn into the said office, shall enter into a recognizance with two or more sufficient sureties to be taken and approved of by the Justice by whom the said oath shall be administered, in the penalty of three hundred pounds to Her Majesty, Her Heirs and Successors, conditioned for his true and faithful performance of his duty, in the execution of the said office; the same to be transmitted within three months after the date thereof, by the said Justice, into the Office of the Clerk of Her Majesty's Supreme Court of Judicature, there to remain amongst the Records of the said Court; and a copy of such recognizance, certified by such Justice, shall

shall also be filed with the Clerk of the Peace for the County where such Register of Deeds resides, to remain with the Records of the Sessions for the said County.

IV. And be it enacted, That the said Register shall from time to time, as the same may be required, provide suitable Books for the Records, and Indices; that such Books shall be regularly paged throughout, and lettered, for the purpose of marking their regular succession, and that only one such Book shall be in course of filling up at any one and the same time; and such Indices to contain the names of the Grantees, the names of the Grantors and Grantees arranged in alphabetical order; that all conveyances and other instruments required to be registered in the County Registry shall be numbered in the order in which they are received, and shall be consecutively transcribed in the like order into the said Registry; that every such Register, or in case of the necessary absence or illness of the said Register, a sworn Deputy to be approved of by the Lieutenant Governor or Administrator of the Government for the time being, shall give due attendance at his office daily, from ten o'clock A. M. to four o'clock P. M., except Sundays and Holidays, for the despatch of all business belonging to his Office, and shall, as often as required, make searches concerning all conveyances and instruments so entered and registered, or supposed to be entered and registered, and give copies and certificates of and concerning the same under his hand; and in general that he shall do and perform all such matters and things as appertain to his Office of Register, and as are required by the provisions of this Act.

General duties of Registers.

V. And be it enacted, That all conveyances and instruments whereby any lands, tenements or hereditaments in this Province, may be any way affected in law or equity, may be registered at full length in the Registry Office of the County where the lands, tenements or hereditaments are situate, in such manner as is hereinafter directed; and that every conveyance or instrument not so registered, shall be adjudged fraudulent and void against subsequent purchasers for valuable consideration, unless such conveyance or instrument be registered as by this Act is directed, before the registering of the conveyance or instrument under which such subsequent purchaser shall claim: Provided always, that in all cases where any person in the official capacity of Sheriff, Coroner, Executor, Administrator, Master in Chancery, Trustee, Provisional Assignee of the Estate and Effects of any Bankrupt, Commissioner of Sewers, Collector, or of any other office, shall make and execute any conveyance of any interest in lands, tenements, or hereditaments, sold at public auction pursuant to the directions of any Act of the General Assembly, or of any Court of law or of equity, such conveyance, if registered within six months from the day of such public sale, shall be deemed as valid and effectual against any such subsequent purchasers as if the same had been made and registered immediately upon or after such sale; and provided also, that all Wills which shall be registered within the space of six months after the death of the deviser or testator, dying within this Province, or within the space of three years after his death, if dying without the limits of this Province, shall be deemed as valid and effectual against any such subsequent purchasers, as if the same had been registered immediately after the death of such deviser or testator.

Instruments affecting Lands may be registered; and to be void against subsequent purchasers unless registered before the subsequent purchaser's conveyance.

Conveyances by persons in an official capacity, and Wills registered within prescribed periods, to have the effect of immediate registry.

VI. And be it enacted, That in case the devisee or person interested in the lands, tenements or hereditaments devised by any Will, by reason of the contesting of such Will, or other inevitable difficulty, without his neglect or default, shall be disabled to exhibit the same for registry within the respective times hereinbefore limited, and that a memorial shall be entered in the said Registry Office of such contest or impediment, within the space of six months after the decease of such deviser or testator who shall die within this Province, or within the space

Wills being contested, or by other inevitable difficulty not registered, and a memorial of such impediment being entered, registry within six months after removal of impediment to be sufficient.

of three years next after the decease of such person who shall die without the limits of this Province, then, and in such case, the registry of such Will within the space of six months next after his attainment of such Will, or a Probate thereof, or removal of the impediment whereby he was so disabled or hindered as aforesaid, shall be a sufficient registry within the meaning of this Act, anything herein contained to the contrary thereof in any wise notwithstanding: Provided nevertheless, and be it enacted, that in case of any concealment or suppression of any Will or Devise, no purchaser or purchasers for valuable consideration, shall be defeated or disturbed in his or their purchases by any title made or devised in and by any such Will, unless the Will be actually registered within three years after the death of the deviser or testator.

Purchaser not to be defeated by any title under a suppressed Will, unless the Will be registered within three years.

Acknowledgment or proof of execution of a conveyance to be made before Registry:

How made, if executed in the Province;

If executed without the limits of the Province;

In Great Britain or Ireland;

In other parts of the British dominions;  
In a Foreign State or Kingdom.

Reservation for Deeds proved before the passing of this Act.

Manner of certifying and authenticating acknowledgments or proofs of the execution of conveyances.

VII. And be it enacted, That before any such conveyance or instrument shall be so registered, the due execution of the same shall be made evident either by the acknowledgment of the party to be bound thereby, or by proof of the same, and a certificate of such acknowledgment, or proof thereof, as hereinafter mentioned, that is to say: the person executing such conveyance, as a party thereto, shall, either before the Supreme Court of Judicature for this Province, or any Judge thereof, or any Inferior Court of Common Pleas in any County in this Province, or any Judge thereof, or any Member of the Executive or Legislative Council in this Province, or before the Register, or any Justice of the Peace of the County in which the conveyance or instrument is to be registered, acknowledge that he did execute such conveyance or instrument; or else a subscribing witness attesting the execution of any such conveyance or instrument, shall, upon oath, before the said Supreme Court, or any of the Judges thereof, or some Inferior Court as aforesaid, or any Judge thereof, or any Member of the Executive or Legislative Council, or the Register of the County in which the conveyance or instrument is to be registered, prove the execution of such conveyance or instrument by the party thereto; or in case the subscribing witness or witnesses to any such conveyance or instrument shall be dead, or without the limits of the Province, that then the execution of such conveyance or instrument shall be proved before the said Supreme Court, or some Circuit Court, or Court of Nisi Prius, by the ordinary legal proof; or in case the person executing such conveyance or instrument as a party, or the subscribing witness or witnesses thereto, shall live out of the limits of this Province, the acknowledgment or proof of any such conveyance or instrument may be had and taken, if in Great Britain or Ireland, before any Judge of the Courts of Queen's Bench, or Common Pleas, or Baron of the Exchequer, or any Master in Chancery in England or Ireland; or any Judge or Lord of the Session in Scotland, or before any Mayor or other Chief Magistrate of the City, Borough, or Town Corporate in any part of the United Kingdom; and if in any other part of the British dominions, by and before any Judge of the Supreme or Superior Court of Judicature in such Colony or part of said dominions; or if in any Foreign State or Kingdom, before any public Minister, Ambassador or Consul from the Court of Great Britain, resident in any such State or Kingdom: Provided always, that any conveyance or instrument which may have been duly proved or acknowledged before the time of passing this Act, agreeably to the directions of the Acts then in force, may be registered agreeably to the provisions of this Act, without any further proof or acknowledgment, and being so registered, shall have the like force and effect as if the said Acts had not been repealed.

VIII. And be it enacted, That all such acknowledgments or proofs, or acknowledgments and declarations, so taken or made under and by virtue of this Act, shall be certified on such conveyances or instruments by the persons or authority before

before whom the same is taken or made, as follows, that is to say : if before any Court, then under the Seal of such Court, and the signature of some proper officer of such Court ; if before any such Judge, Councillor, Register, Justice of the Peace, or any Judge of the Court of Queen's Bench, or Common Pleas, Baron of the Exchequer, Lord of Session, or Master in Chancery, then under the hand of such persons respectively, by the name of their office ; or if before any such Mayor, or other Chief Magistrate of a City, Borough, or Town Corporate, Public Minister, Ambassador, or Consul, then under the Common Seal of such City, Borough, or Town Corporate, or the Seal of the Office of such Public Minister, Ambassador, or Consul ; such certificate being also authenticated, if in the British Plantations, (other than this Province,) under the Hand and Seal of the Governor, Lieutenant Governor, or person administering the Government, or some Notary Public, of the Province where the same shall be made ; and if in Great Britain or Ireland, when the same shall be made by any such Judge, Baron, Lord of Session, or Master in Chancery, then under the Public Seal of some Corporation there, certifying that all faith and credit ought to be given to the acts or attestations of the person or authority giving such certificate.

IX. And be it enacted, That in all cases where any married woman, being of the full age of twenty one years, having an interest in lands, tenements, or hereditaments, either in her own right, or in right of dower, or otherwise, shall sign, seal and deliver any conveyance of and concerning the same, such conveyance shall vest the estate or interest of such married woman in such lands, tenements, and hereditaments, in the person mentioned in such conveyance, according to the intents, uses and purposes therein expressed ; provided that such married woman do acknowledge such execution in the manner and before the like persons and authorities respectively as is hereinbefore provided for taking acknowledgments in other cases, and at the same time, being examined separate and apart from her said husband, shall declare that she so executed such conveyance freely and voluntarily, and without any threat, fear or compulsion from him, and that such acknowledgment and declaration be endorsed on said conveyance, and with the conveyance, be duly registered agreeably to the provisions of this Act ; and provided also, that the assent of the husband be given to such conveyance, to be signified by his joining therein, or becoming a party thereto.

X. And be it enacted, That all conveyances and instruments which shall be duly acknowledged or proved agreeably to the provisions of this Act, together with all certificates thereon, shall, on being produced to the said Register, be registered in the proper Registry Book in the order in which the same were received by him ; and the said Register shall endorse on the said conveyance or instrument, when so registered, a certificate under his hand, mentioning the day on which such conveyance or instrument was so registered, (being the day and hour on which it was so received by him for registry,) and expressing also in what book and page, and under what number, the same is registered ; which certificate shall be taken and allowed as evidence of such registry in all Courts of Record.

XI. And be it enacted, That all conveyances or instruments which shall be duly acknowledged or proved before any Court, officer or person authorized and empowered as aforesaid, and duly registered agreeably to the provisions of this Act, shall be and shall be deemed and taken to be good, effectual and available for the passing and transferring the estate and possession of such lands, tenements, and hereditaments, according to the intents, uses and purposes in such conveyance or instrument expressed, without livery of seisin, or any other act, or deed, or form, or ceremony whatsoever.

Conveyance by a married woman to vest her title in the grantee, provided an acknowledgment of voluntary execution be endorsed, &c. and the assent of the husband be given.

Register to register all duly acknowledged or proved conveyances produced to him, and endorse a certificate, which is to be received as evidence in all Courts of Record.

Conveyances duly acknowledged or proved, and registered, shall pass Estates without livery of seisin, &c.

Conveyances so registered, and copies thereof, to be as good and sufficient evidence as Deeds enrolled in Courts at Westminster.

XII. And be it enacted, That all conveyances or instruments so executed, acknowledged, or proved, and also registered, and which shall appear to be so acknowledged or proved, and registered, by endorsement or certificate thereon in manner aforesaid, and all copies of the registry thereof, duly certified by the Register, shall be allowed in all Courts where such conveyances and instruments, or copies, shall be produced, to be as good and sufficient evidence as any bargains and sales enrolled in any of the Courts of Westminster, and the copies of the enrolments thereof are in any Court in Great Britain.

A certified copy of the registry of a Deed may be produced in evidence on certain conditions.

XIII. And be it enacted, That in any suit in any Court of law or equity in this Province, where any party may be desirous of giving in evidence any conveyance or instrument which may have been duly registered pursuant to the Act or Acts of Assembly in such case made and provided, and which may be relevant to the matter in question, such party may produce in evidence a copy of the registry of such conveyance or instrument, certified under the hand of the Register of the County where the same may be registered; which copy shall in the absence of the original conveyance or instrument be received and allowed as good and sufficient evidence of the contents of such original conveyance or instrument: Provided always, that before any such copy shall be received in evidence, it shall be made to appear to the satisfaction of the Court, by affidavit, that such original conveyance or instrument is not in the possession or under the control of the party so offering such copy in evidence, and that such party doth not know where the same may be found; provided also, that at least fourteen days notice in writing be given to the adverse party, his Attorney or Agent, of the intention to offer such certified copy in evidence; which notice shall be accompanied by a copy of such certified copy, and of the affidavit hereinbefore required; and the due service of such notice, with the requisite accompaniments, shall also be proved either *viva voce*, or by affidavit, to the satisfaction of the Court.

No certified copy to be otherwise received in evidence unless by consent, &c.

XIV. And be it enacted, That no certified copy of the registry of any conveyance or instrument shall be received in evidence otherwise than is hereinbefore provided, unless by consent of parties, or unless it shall be made to appear to the satisfaction of the Court at which the trial may be had that the original conveyance or instrument is in the possession of the adverse party, and that due notice has been given to such party to produce the same at the trial, anything herein contained to the contrary notwithstanding.

Powers of Attorney duly proved, may be registered.

XV. And be it enacted, That every Letter or Power of Attorney, or other deed or instrument whereby power or authority is given to convey, transfer or affect any lands, tenements and hereditaments in this Province, may be registered in the same manner as any conveyance or instrument, provided the same shall have been duly acknowledged or duly proved in the same manner as is required by this Act for the acknowledging or proving of any conveyance or other instrument; and that the registry of any conveyance or instrument made and executed by virtue of any such power or authority shall not be valid and effectual, unless the deed or instrument granting such power or authority, or some deed or instrument subsequently confirming the same, shall be duly registered in the Registry Office of the County in which the lands, tenements or hereditaments to which the same may relate, are situate.

Conveyances founded on Powers of Attorney not registered, to be void, unless subsequently confirmed.

Penalties for forging certificates of acknowledgments, &c.;

XVI. And be it enacted, That if any person shall forge or counterfeit any certificate required by the provisions of this Act, of the acknowledgment or proof of any such conveyance or instrument, or of the registry thereof, such person being thereof lawfully convicted, shall incur and be liable to such pains and penalties as are imposed upon persons by the Laws of this Province for the crime

crime of Forgery ; and if any person shall, at any time, falsely, maliciously, and corruptly, make oath or swear before any Court, person, or authority, in any of the cases hereinbefore mentioned, and be thereof lawfully convicted, such person shall incur and be liable to all the pains and penalties inflicted upon persons committing and convicted of wilful and corrupt perjury.

XVII. And be it enacted, That any Mortgage already registered, or which may hereafter, under the provisions of this Act, be registered, may be discharged by a certificate under the hand and seal of the Mortgagee, his executors, administrators or assigns, declaring that all the monies due upon the Mortgage have been paid, or that the Mortgage has been otherwise satisfied and discharged ; which certificate shall be duly acknowledged or proved in like manner as a conveyance or instrument is required to be proved or acknowledged, agreeably to the provisions of this Act, and shall be registered at full length, with the acknowledgment or proof thereof, in the proper Registry Book, in the Office where the Mortgage is registered ; and the Register shall make an entry in the margin of the registry of the Mortgage, that such Mortgage is satisfied and discharged ; which entry shall refer to the book and page where such certificate is registered, and such certificate shall also be filed in such Registry Office ; or such Mortgagee, his executors, administrators, or assigns, may acknowledge the payment, and cause satisfaction thereof to be entered in the margin of the Registry Book, against the registry of the said Mortgage, and subscribe his proper hand and name thereto, in presence of the said Register, who shall also sign his name as a witness thereto.

XVIII. And be it enacted, That every discharge of Mortgage duly made and entered in the Registry Book, agreeably to the provisions of this Act, shall be valid and effectual to discharge and release the Mortgage to all intents and purposes, as well in law as at equity, from the time when such entry is made, and to revert the legal estate in the Mortgagor, his heirs, executors, administrators, or assigns, without any reconveyance thereof.

XIX. And be it enacted, That no judgment or recognizance (other than such as shall be entered into in the name and upon the proper account of Her Majesty, Her Heirs and Successors) shall affect or bind any lands, tenements, or hereditaments, situate, lying and being in any County within the Province, against any subsequent purchaser or mortgagee, for valuable consideration, but only after the time that a memorial of such judgment or recognizance shall be entered at the Register's Office of such County, expressing and containing, in case of judgments, the names of the plaintiffs and defendants, the sums thereby recovered, and the time of the signing thereof ; and, in case of recognizances, expressing and containing the date of such recognizance, the name and addition of the cognizers and cognizees therein, and for what sums, and before whom, the same were acknowledged ; and that, in order to the making an entry of such memorials of judgments and recognizances as aforesaid, the party or parties desiring the same shall produce to and leave with the Register, to be filed in the Register's Office, a memorial of such judgment or recognizance, signed by the proper Officer or his Deputy, together with an affidavit sworn before one of the Judges of the Supreme Court, or any Commissioner appointed to take affidavits to be read in the Supreme Court, (other than the Attorney in the suit,) that such memorial was duly signed by the Officer whose name shall appear to be thereunto set ; which memorial such Officer is hereby required to give such plaintiff or plaintiffs, defendant or defendants, cognizee or cognizees, his, her or their executors or administrators, or Attorney, or any of them ; provided that after the expiration of five years from and after the time of the registry of any such memorial of judgment, such memorial

and for falsely swearing, under this Act.

A Mortgage may be discharged by certificate of Mortgagee ;

[Certificate to be acknowledged or proved, and registered.]

or by acknowledgment entered in the margin of the Registry Book in presence of the Register.

Discharge of Mortgage duly made and registered, to revert the Estate in the mortgagor.

Judgments or recognizances not to affect Lands, &c. till a memorial be entered at the Register's Office in the County where the Lands, &c., lie, except in Crown cases.

Memorial and Registry to be void against purchasers

and

unless renewed within five years before the conveyance.

and registry shall be of no force or effect against any lands, tenements, or hereditaments, as to any purchaser for a valuable consideration, unless a like memorial is again registered within five years before the conveyance to any such purchaser is duly registered: Provided always, that any conveyance founded on a *bona fide* sale of such lands, tenements, or hereditaments, which may have taken place under execution issued on any such judgment, and duly registered before the registry of the conveyance to such purchaser, shall be good and effectual, notwithstanding a longer period than five years may have elapsed between the date of the registry of the memorial and the sale.

Register to make entry of the memorials, and give certificates.

XX. And be it enacted, That the said Register shall make an entry, and likewise, if required, shall give a certificate in writing, under his hand, of every such memorial of any judgment or recognizance brought to him to be so registered as aforesaid, and therein mention the certain day on which such memorial is so entered and registered, expressing also in what book, page and number the same is registered; and such certificate shall be taken and allowed as evidence of the registry of such memorial in all Courts whatsoever.

Certificate to be evidence.

Entry of satisfaction to be made opposite to the registry of the memorial on the production of a certificate.

XXI. And be it enacted, That in case of any judgment or recognizance whereof a memorial shall be entered in the Registry Office of any County pursuant to this Act, if at any time afterwards a certificate shall be brought to the Register, signed by the plaintiff in such judgment, or defendant, in case the judgment be for such defendant, and cognizee in such recognizance, or his attorney, executors, administrators, or assigns, and attested by two witnesses, whereby it shall appear that the monies due upon or by virtue of such judgment or recognizance have been paid and satisfied in discharge thereof; which witnesses, or one of them, shall upon oath before one of the Judges of the Supreme Court, or any of the Commissioners as aforesaid, or the said Register, prove that the said plaintiff or defendant, or cognizee, or his lawful attorney, executors, administrators, or assigns, signed such certificate, and acknowledged such payment or satisfaction, or if a certificate is produced to the Register, signed by the proper Officer or his Deputy, and duly proved in the manner hereinbefore directed, that satisfaction of such judgment or recognizance has been duly entered upon record, or that an execution issued upon such judgment has been returned duly satisfied, that then, and in every such case, the said Register shall make an entry in the margin of the said Registry Book against the registry of the memorial of such judgment or recognizance, that the same was satisfied and discharged according to such certificate, to which the same entry shall refer, and shall afterwards file such certificate, to remain upon record in the said Registry Office.

Act not to affect priority given by Act 26 G. 3, c. 12.

XXII. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to affect the priority given in and by an Act made and passed in the twenty sixth year of the Reign of His Majesty George the Third, intituled *An Act subjecting Real Estates in the Province of New Brunswick to the payment of debts, and directing the Sheriff in his proceedings thereon, to executions which may be taken out and executed upon Real Estates within the Province.*

Judgments or Recognizances in any Inferior Court not to affect Lands, &c. except in Crown cases.

XXIII. Provided also, and be it enacted, That no judgment of any Inferior Court, or recognizance entered into before any Inferior Court or Judge thereof, (other than such as shall be entered into in the name of Her Majesty, Her Heirs and Successors,) shall affect or bind any lands, tenements or hereditaments within this Province, any law, usage or custom to the contrary notwithstanding.

Act not to extend to short Leases.

XXIV. And be it enacted, That this Act shall not extend to any Lease not exceeding three years, where the actual possession and occupation go along with the Lease.

XXV. And be it enacted, That in all conveyances registered in pursuance of this Act, whereby an inheritance in fee simple is limited to the grantee or bargainee, and his heirs, the words 'grant, bargain and sell,' shall amount to and be construed and adjudged in all Courts of Judicature, to be express covenants to the bargainee or grantee, his heirs and assigns respectively, from the bargainer and grantor, for him and themselves respectively, their several and respective heirs, executors and administrators, that the bargainer and grantor respectively, notwithstanding any act done by him or them, was and respectively were, at the time of the execution of such deed and deeds, seized of the hereditaments and premises thereby granted, bargained and sold, of an indefeasible estate of inheritance, in fee simple, free from all incumbrances, (rents, duties, conditions and services due and reserved to the Queen only excepted,) and for quiet enjoyment thereof against the grantor and bargainer, his and their heirs and assigns respectively, and all claiming under him or them, and also for further assurance thereof to be made by the grantor and bargainer, his and their heirs and assigns, and all claiming under him or them, unless the same shall be restrained and limited by express particular words contained in such deed or deeds; and that the bargainee and grantee, their and each of their heirs, executors, administrators and assigns respectively, shall and may, in any action or actions to be brought, assign a breach or breaches thereupon, as they might do in case such covenants were expressly inserted in such bargain and sale, deed and conveyance aforesaid.

In registered conveyances the words 'grant, bargain, and sell,' shall be adjudged tantamount to certain express covenants.

XXVI. And be it enacted, That no mortgage, judgment or other incumbrance on land, shall have any priority or effect by reason of being held by or being vested in the same person with another mortgage or incumbrance of prior date and registry, any law, usage or custom to the contrary notwithstanding.

No Mortgage, &c. to have priority by being held with another Mortgage, &c.

XXVII. And be it enacted, That process of Subpœna may be issued out of the said Supreme Court of Judicature as in ordinary cases, (and in such form as the said Court may by general rule or order prescribe,) to compel the attendance of any witness, or the production of any conveyance or instrument for the due proof thereof, in order to be registered agreeably to the provisions of this Act; and such Court shall have the like power to punish disobedience to any such Subpœna in the same manner and to the same extent as in other cases; provided that no such witness shall be compelled to produce under such Subpœna any writing or other document that he would not be compelled to produce on a trial.

Supreme Court may issue Subpœnas to compel the attendance of witnesses and production of Conveyances.

XXVIII. And be it enacted, That the fees to be hereafter received for services and proceedings under this Act shall be according to the Table of Fees in the Schedule to this Act annexed: Provided always, that no Register shall be obliged to receive any conveyance or instrument for the purpose of being registered by him, unless the fees, if demanded, for registering the same, be first paid.

Fees to be as in the Schedule, and pre-paid if demanded.

XXIX. And be it enacted, That where by the provisions of any Act of Assembly heretofore made and passed, and not by this Act repealed, any Deed or Conveyance is required or authorized to be acknowledged or proved, and registered agreeably to the directions of the Registry Acts then in force, the acknowledgment or proof, and registry of any such Deed or Conveyance hereafter to be made shall be according to the directions of this Act, and being so done, shall be deemed good and effectual for all the intents and purposes contemplated by any such Acts.

Acknowledgments, &c., of Deeds agreeably to this Act shall fulfil the directions of previous Acts requiring their acknowledgment, &c.

XXX. And be it enacted, That throughout this Act, in the construction thereof, except there be something in the subject or context inconsistent with or repugnant to such construction, the word "County" shall extend to and mean any County, or City and County within this Province; that the word "Oath" shall include affirmation, when by law such affirmation is required or allowed to be taken in place

Construction of Act.

"County."  
"Oath."

Number. Gender. "Conveyance" or "Instrument." place of an oath; and when the subject or context requires it, every word importing the singular number or the masculine gender only, shall include and extend to several matters as well as one matter, and several persons as well as one person, and females as well as males, and bodies corporate as well as individuals; and the words "Conveyance" or "Instrument," shall extend and apply to any Deed, Will, Devise or Lease.

Act may be altered this Session. XXXI. And be it enacted, That this Act may be amended or repealed by any Act to be passed in the present Session of the Legislature.

SCHEDULE.

TABLE OF FEES.

Register of Deeds.

Table of Fees.

Every Search, Certificate, Registry of Memorial of Judgment, or Entry of Satisfaction of Judgment, each ... .. £0 1 0

And no further sum to be charged for Searches made the same day relating to one Title than five shillings; and the party searching shall only pay for looking at Deeds or Instruments relating to the Title in question.

Taking Acknowledgment, or Proof, as the case may be, and Certificate thereof endorsed, ... .. 0 3 0

And when a Feme Covert acknowledges at the same time with her Husband, or several persons acknowledge or prove at the same time, and are included in the same Certificate, then a further sum of 1s. for each person.

Preparing Discharge of Mortgage on the margin of the Registry, and attesting the signature of Mortgagee, &c. thereto, ... .. 0 3 0

Registry of every Conveyance or Instrument, and Certificate of acknowledgment, or proof thereof, and all copies from the Records, for every one hundred words, ... .. 0 1 0

Justice of Peace, or other authority.

Taking Acknowledgment or Proof, and Certificate thereof—The same as provided for the Register.

Witness.

Attending any Court under Subpœna—The same as allowed between party and party in such Court.

CAP. XLIII.

An Act relating to Banks for Savings.

Passed 7th April 1847.

Preamble.

6 WHEREAS the Acts now in force relative to Banks for Savings have, in many parts of this Province, been found insufficient to effect the objects contemplated, and it is expedient to repeal the same, (except so far as may relate to the Savings' Bank established at the City of Saint John,) and to make other provision in lieu thereof;

Acts repealed, viz :

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, that the several Acts hereinafter mentioned, shall be and the same are hereby repealed, (save as is hereinafter otherwise provided,) that is to say : an Act passed in the sixth year of the Reign of His late Majesty King George the Fourth, intituled *An Act to encourage the establishment of Banks for Savings in this Province* ;

6 G. 4, c. 4.

Province; and also an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to make provision for carrying on the affairs of the Savings Bank at Saint John*; and also an Act made and passed in the fourth year of the Reign of Her present Majesty, intituled *An Act to extend the provisions of an Act, intituled 'An Act to encourage the establishment of Banks for Savings in this Province.'* and also an Act made and passed in the ninth year of the Reign of Her present Majesty, intituled *An Act further to extend the provisions of an Act, intituled 'An Act to encourage the establishment of Banks for Savings in this Province.'* Provided always, that nothing in this Act contained, shall extend to repeal any of the said recited Acts, so far as they or any of them repeal any former Act or Acts, or so far as respects any act, matter or thing heretofore done under or by virtue of the said Acts, or so far as may relate to any Savings Bank established or to be established under the provisions of the said Acts, at the City and County of Saint John; but that any such Bank so established or to be established, agreeably to the provisions of all or any of the said recited Acts, shall be good, efficient and valid to all intents and purposes, as if this Act had not been made and passed; and provided also, that nothing in this Act contained, shall be construed in any way to affect or repeal any of the provisions of an Act made and passed in the ninth year of the Reign of Her present Majesty, intituled *An Act to make provision for winding up the affairs of the Savings Bank at Fredericton.*

6 W. 4, c. 52.

4 V. c. 20.

9 V. c. 61.

Reservations.

II. And be it enacted, That all tradesmen, mechanics, labourers, servants, and others, the industrious classes of Her Majesty's Subjects in this Province, and likewise the Treasurer of Friendly Societies, established or to be established therein, may deposit their respective savings with any Deputy Treasurer of the County, in or near which such depositor may happen to reside, which deposits every such Deputy Treasurer is hereby authorized and required to receive as hereinafter mentioned.

Deposits may be made with the Deputy Treasurer of the County in which the depositor resides.

III. And be it enacted, That every such depositor shall be entitled to receive for the monies so deposited, interest at the rate of five per cent. per annum, provided that no one depositor shall be allowed or entitled to receive at any time interest for a greater sum than fifty pounds.

Depositors to be entitled to receive five per cent. interest.

IV. And be it enacted, That it shall be the duty of every such Deputy Treasurer to attend, (at the usual place where he keeps his office,) on the first Monday in every month, from ten to three o'clock of the same day, for the purpose of receiving any such deposits, and in like manner to attend on the first Tuesday after the said first Monday in each month, for the purpose of paying out to any depositor such portion of such deposits as the depositor may wish to withdraw; provided that no less a sum than twenty shillings shall be received or paid out on any such day from or to any one such depositor; and provided that in all cases when such Deputy Treasurer shall not have sufficient funds in hand to pay such depositor the amount required at the time the same may be so required, the same shall be paid by a negotiable draft on the Province Treasurer.

Deputy Treasurers to receive deposits and pay drafts once a month.

Drafts on the Treasury may be given when the funds are insufficient.

V. And be it enacted, That on the first Wednesday after the said first Monday in every month, or as soon after as conveniently may be, the said Deputy Treasurers shall remit any balance of deposit monies which may be in their hands to the Province Treasurer, with an Account or Schedule of the several deposits received or withdrawn during the said Monday and Tuesday of the same month.

Balance of money, &c., to be sent to the Treasurer monthly.

VI. And be it enacted, That the said Province Treasurer shall open a separate Account with each of the Deputy Treasurers, shewing the sums deposited with and withdrawn from them respectively; and at the end of each and every year, he shall

Separate accounts to be kept by the Province Treasurer with each Deputy,

and Abstract to be furnished for the Legislature.

shall and is hereby required to make and transmit to the Auditor General or Provincial Secretary, an Abstract of such Accounts, in order to its being laid before the Legislature.

Deputy Treasurers to be furnished with Books, &c. by the Province Treasurer.

VII. And be it enacted, That it shall be the duty of the said Province Treasurer to furnish such Deputy Treasurers with all such necessary books and printed blanks as may be required for the purposes of this Act, the same to be charged by and allowed to him as a part of the contingent expenses of his office.

Commission of one per cent. allowed to the Deputy Treasurers.

VIII. And be it enacted, That such Deputy Treasurers shall be allowed to charge in their Accounts against the Province, over and above any other commission under the Act to provide for the collection of the Revenue, a commission of one per cent. and no more for all monies so deposited with them.

Powers conferred in Section II. confined to the Deputy Treasurers at Miramichi, Richibucto, Bathurst, Dalhousie, Shediac, and Saint Andrews.

IX. And be it enacted, That the powers vested in the several Deputy Treasurers in and by the second section of this Act, to receive deposits, shall be confined to Miramichi, in the County of Northumberland; Richibucto, in the County of Kent; Bathurst, in the County of Gloucester; Dalhousie, in the County of Restigouche; Shediac, in the County of Westmorland; and Saint Andrews, in the County of Charlotte; anything contained in this Act to the contrary notwithstanding; and no other, save and except the Deputy Treasurers established at the aforementioned ports or places, shall be allowed to receive any deposit or deposits authorized by this Act.

## CAP. XLIV.

An Act relating to Lands reserved for Schools or Educational purposes.

Passed 7th April 1847.

Preamble.

**W**HEREAS there are various tracts, lots or parcels of Land situate in several Counties of this Province, which have been reserved for the use and benefit of Schools or Educational purposes, and in order that such Lands may be protected and made available for the purposes intended, it is expedient that the same should be vested in the Justices of the Peace in and for the County in which the same may respectively lie;

Lands reserved for Schools or Educational purposes, not already granted, vested in the Justices of the County for the like purposes.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all such Lands so reserved as and for the purposes aforesaid, in the several Counties in this Province, and not already granted by the Crown to any person or authority, be and the same are hereby vested in the Justices of the Peace of the County in which the same may be situate, to be by such Justices held in the same manner, and in all respects with the like power and authority, as if the same were granted to them by the Crown, pursuant to the directions and authority of an Act made and passed in the twenty sixth year of the Reign of His Majesty George the Third, intituled *An Act to enable the Justices of the Peace of the several Counties in this Province for the time being, to receive, for public uses, Grants of Land lying in their respective Counties, and to regulate the Commons belonging to the several Townships or Parishes within the same*: Provided always, that the rents, issues and profits arising from any such Lands, shall be applied by such Justices for Educational purposes in the Common or Parish Schools only within the Parish where the Lands lie: Provided always, that nothing herein contained shall legalise or make good any Grant or Grants of Lands situate in any County in this Province, which had been formerly reserved for the use of Schools, but have since been granted, by private sale, to or for the use of any Rector, Church Wardens and Vestry of any Church erected or to be erected in this Province.

26 G. 3, c. 38.

Act not to legalise previous Grants.

II. And be it enacted, That such Justices shall annually cause to be made out a detailed statement of all monies received from such Lands during the year, and the application of the same, and shall transmit the same to the Secretary of the Province, in order to be laid before the Legislature when required.

Detailed statement of receipts and expenditures to be annually made.

### CAP. XLV.

An Act to amend an Act, intituled *An Act to repeal all the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned.*

*Passed 7th April 1847.*

**WHEREAS** it is expedient to repeal so much of the eighteenth Section of an Act made and passed in the ninth year of the Reign of His Majesty King George the Fourth, intituled *An Act to repeal all the Laws now in force for appointing Firewards and for the better extinguishing of Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned,* as authorizes the Justices of the Peace for the County of Charlotte to raise by assessment a sum not exceeding one hundred pounds in any one year, the said sum having been found insufficient for the purposes required;

Preamble.

9 G. 4, c. 28.

I. Be it therefore enacted by Lieutenant Governor, Legislative Council and Assembly, That so much of the eighteenth Section of the said Act as authorizes the raising of one hundred pounds in any one year, be and the same is hereby repealed.

9 G. 4, c. 28, s. 18, in part repealed.

II. And be it enacted, That the Justices of the Peace for the County of Charlotte, in their General Sessions, or the major part of them, are hereby authorized and required to raise by assessment such sum or sums of money, not exceeding two hundred pounds in any one year, in the said Town, as the Firewards from time to time, by estimate made out by them in writing, and produced to the said Justices of the Peace, or the major part of them, in their General Sessions, shew to be necessary over and above such fines in the said Act recited, for the purposes and uses contained in the said eighteenth Section, and for no other purpose; provided that nothing herein contained, shall authorize the said Sessions to make any rate or assessment under the provisions of this Act until the year one thousand eight hundred and forty eight.

Assessment authorized for not exceeding £200 per annum for the purposes mentioned in s. 18 of 9 G. 4, c. 28.

No assessment to be made until the year 1848.

### CAP. XLVI.

An Act for erecting the Parish of Harvey, in the County of Albert, into two separate Parishes.

*Passed 7th April 1847.*

**WHEREAS** the Parish of Harvey, in the County of Albert, is so extensive as to render the performance of the duties of the Parish Officers troublesome and inconvenient, and it is expedient to divide it into two Parishes;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the ninth day of November next, all that part of the said Parish of Harvey which lies to the north of a line running from the northwest angle of the Parish of Hopewell, south seventy two degrees west by the magnet, until it strikes the division line between the Counties of King's and Albert, be and the same is hereby erected and constituted a separate Parish, to be called the Parish of Elgin; and also that all the remaining part of the said Parish of Harvey, including Grindstone Island, do constitute and comprise the Parish of Harvey.

Parish of Harvey divided into two Parishes.

Parish Officers for the Parishes of Elgin and Harvey to be appointed annually.

II. And be it enacted, That the Justices of the Peace for the said County, at the General Sessions in November in each and every year, shall in like manner, as for the other Towns and Parishes in the said County, appoint Parish Officers for the said Towns or Parishes of Elgin and Harvey, who shall be subject to the same laws and regulations, and liable to the same penalties in all respects as Parish Officers in any other Parish are or may be subject or liable to.

Act not to prevent the recovery of assessments due.

III. Provided always, and be it enacted, That nothing in this Act contained shall extend or be construed to extend to prevent the recovery of any Parish or other dues, assessments, taxes, penalties, fines or monies whatsoever, which may be due, incurred, forfeited or unpaid, when this Act shall go into operation, but the same shall and may be paid and recovered in like manner as if this Act had not been made.

### CAP. XLVII.

An Act relating to a tract of Land situate below the Town Plat of Fredericton.

*Passed 7th April 1847.*

Preamble.

**W**HEREAS there is a piece or parcel of Land situate below the Town Plat of Fredericton, reserved in the original Grant from the Crown to the Governor and Trustees of the College of New Brunswick, for a Common, and other public uses: And whereas, for the preservation of the said piece or parcel of Land from injury and destruction by the operation of the water, ice, and other causes, for the common benefit of all the inhabitants of Fredericton forever, according to the intention of the said original Grant, it is necessary that the said piece or parcel of Land should be placed under some more efficient supervision and control;

Described piece of land to be under the control of the Commissioners of Highways.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the said piece and parcel of Land below the Town Plat of Fredericton, and reserved in the Grant from the Crown to the Governor and Trustees of the College of New Brunswick, for a Common, and other public uses, shall be and be deemed to be under the supervision and control of the Commissioners of Highways for the Parish of Fredericton for the time being, in the same manner as the Streets and Highways in Fredericton are, subject to the provisions of this Act.

Commissioners empowered to lay out a Highway, &c., and form Promenades.

II. And be it enacted, That the said Commissioners of Highways, or the major part of them, shall have full power and authority to lay out a Highway or such Highways, in, over or upon such part or parts of the said piece or parcel of Land as they may deem necessary, and from time to time to lay out such Promenades and Walks thereon as they may deem necessary and promotive of the comfort, health and convenience of the inhabitants of Fredericton.

Penalty for dragging timber, &c. over Promenades between the 20th March and 20th December.

III. And be it enacted, That between the twentieth day of March and the twentieth day of December in each and every year, it shall not be lawful for any person or persons to haul or drag any Timber, Logs, Masts, Spars, and other Lumber, over any part of the said Land which the said Commissioners may lay off for a Promenade, unless such Timber, Logs, Masts, Spars, or other Lumber, be required for the repair and improvement of the said piece or parcel of Land; and every person or persons shall for each and every offence forfeit and pay a sum not less than five shillings nor exceeding twenty shillings, in the discretion of the Justice before whom the offender shall be prosecuted; which penalties, with costs of suit, shall and may be sued for and recovered in the manner provided in the fourth section of this Act.

IV. And be it enacted, That the Justices of the General Sessions of the Peace for the County of York, shall have full power and authority from time to time to make such rules and regulations relating to the said piece or parcel of Land, or any Promenade or Promenades, or Walk or Walks, laid out thereon, for the purpose of promoting the cleanliness, health and comfort of the inhabitants of Fredericton; and such rules and regulations to alter, repeal, and amend, and to substitute others in lieu thereof, and to enforce the observance of such rules and regulations by such fines and penalties as they in their discretion may deem meet; provided that no greater fine or penalty than ten shillings shall be imposed for any breach of such rules or regulations; which fines and penalties shall be sued for and recovered, with costs, before any one of the Justices of the Peace for the County of York, upon the oath of one or more credible witness or witnesses, and levied by warrant directed to any Constable of the Town or Parish of Fredericton, by distress and sale of the goods and chattels of the offender or offenders; and when no such effects can be found, the offender or offenders to be imprisoned in the Common Gaol of the County of York for a period of time not exceeding one day for every two shillings of the said fine or penalty.

Justices empowered to make regulations with penalties.

Recovery.

### CAP. XLVIII.

An Act to appropriate a part of the Public Revenue for the payment of the Ordinary Services of the Province.

*Passed 14th April 1847.*

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province, for the services hereinafter mentioned, the following sums to wit:

To the Chaplain of the Legislative Council in General Assembly the sum of twenty pounds. Chaplains.

To the Chaplain of the House of Assembly the sum of twenty pounds.

To the Serjeant at Arms attending the Legislative Council in General Assembly the sum of fifteen shillings per diem during the present Session. Sergeants at Arms.

To the Serjeant at Arms attending the House of Assembly the sum of fifteen shillings per diem during the present Session.

To the Clerk of the Legislative Council in General Assembly the sum of two hundred pounds in full for his services during the present Session. Clerks of Council and Assembly.

To the Clerk of the House of Assembly the sum of two hundred pounds in full for his services during the present Session.

To the Clerk Assistant of the Legislative Council in General Assembly the sum of one hundred pounds in full for his services during the present Session. Clerks Assistant of Council and Assembly.

To the Clerk Assistant of the House of Assembly the sum of one hundred pounds in full for his services during the present Session.

To the Doorkeepers attending the Legislative Council and Assembly the sum of ten shillings each per diem during the present Session. Doorkeepers and Messengers.

To the Messengers attending the Legislative Council and Assembly the sum of seven shillings and six pence each per diem during the present Session.

To the Province Treasurer the sum of six hundred pounds for his services for the year one thousand eight hundred and forty seven; and to Henry Whiteside, Chief Clerk in that Office, the sum of two hundred pounds for his services for the same period. Province Treasurer and Clerk.

To the Province Treasurer the sum of ninety one pounds five shillings, being for the services of a Tide Waiter or Messenger to the Treasury for the year one thousand eight hundred and forty seven. Messenger to the Treasury.

To

Parish Schools.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twelve thousand pounds towards the encouragement of Parish Schools, agreeably to a Law of this Province.

Apprehension of Deserters.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding one hundred pounds, to be applied in rewarding persons for apprehending Deserters from Her Majesty's Land Forces within this Province; provided that no greater sum than five pounds be paid for the apprehension of any one Deserter.

Librarian Legislative Library.

To the Librarian of the Legislative Library the sum of seventy five pounds for his services to the end of the present Session.

Master in Chancery.

To the Master in Chancery appointed to carry Messages from the Legislative Council to the House of Assembly the sum of forty pounds for his services during the present Session.

Destruction of Bears and Wolves.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds to encourage the destruction of Bears and Wolves, agreeably to a Law of the Province.

Light Houses:

To the Commissioners of Light Houses in the Bay of Fundy the following sums to pay for services for the year one thousand eight hundred and forty seven viz:—

Gannet Rock,

To the Keeper of the Light House on Gannet Rock, and his Assistants, two hundred and ten pounds;

Thrum Cap,

To the Keeper of the Light House on Thrum Cap, Quaco, one hundred and ten pounds;

Point Le Proe,

To the Keeper of the Light House on Point Le Proe, eighty five pounds;

Partridge Island,

To the Keeper of the Light House on Partridge Island, eighty five pounds;

Campo Bello,

To the Keeper of the Light House on Campo Bello, one hundred pounds;

Beacon Light,

To the Keeper of the Beacon Light, eighty five pounds;

Machias Seal Island,

To the Keeper of the Light House on Machias Seal Island, one hundred and ten pounds;

Saint Andrews Harbour,

To the Keeper of the Light House in the Harbour of Saint Andrews, forty pounds;

Cape Enrage,

To the Keeper of the Light House on Cape Enrage, eighty five pounds.

Point Escuminaç.

To the Commissioners of the Light Houses in the Gulph of Saint Lawrence the sum of eighty five pounds, to provide for the services of a Keeper for the year one thousand eight hundred and forty seven, at the Light House on Point Escuminaç.

Tide Surveyor at Shippegan or Caraquet.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Shippegan or Caraquet, in the County of Gloucester, for the year one thousand eight hundred and forty seven.

Tide Surveyor at Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty two pounds ten shillings for a Tide Surveyor at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty seven.

Tide Waiter at Dalhousie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to provide for the services of a Tide Waiter at Dalhousie for the year one thousand eight hundred and forty seven.

Money to be paid by Warrant.

II. And be it enacted, That all the before-mentioned sums of money shall be paid by the Treasurer of this Province, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies in the Treasury, or as payment may be made at the same.

## CAP. XLIX.

An Act to appropriate a part of the Public Revenue for the services therein mentioned.

*Passed 14th April 1847.*

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of this Province, the following sums, to-wit :

- To Gerard Simpson the sum of nineteen pounds seventeen shillings and six pence for building a Bridge over Dingee's Mill Stream, in Queen's County, in the year one thousand eight hundred and thirty nine. Gerard Simpson, building a Bridge.
- To D. R. Carter, M. D., the sum of thirty pounds to compensate him for services performed under the direction of the Magistrates of the County of Restigouche, in vaccinating the inhabitants and Indian population during the prevalence of the Small Pox last Summer. D. R. Carter, M.D. vaccinating.
- To Dorothy Groom, Widow of the late Enoch Groom, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her present destitute situation. Dorothy Groom.
- To Leah Wannamaker, Widow of the late Henry Wannamaker, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute situation. L. Wannamaker.
- To Samuel Fulton the sum of six pounds thirteen shillings and four pence, being the amount due Sarah Lovely at the period of her death, being a Widow of Benjamin Lovely, a Soldier of the Revolutionary War. Samuel Fulton.
- To John Howe, Son of the late Mary Howe, Widow of an old Soldier in the Revolutionary War, the sum of ten pounds, being the Pension due to his late Mother at the time of her death. John Howe.
- To Henry T. Partelow the sum of forty five pounds to remunerate him for outlay and interest on a tract of Land granted to him, situate in the Parish of Lancaster, in the County of Saint John; it appearing that the same land had been previously granted under the Great Seal of Nova Scotia. H. T. Partelow.
- To Adam Crane the sum of ten pounds, being the amount due his late Mother-in-Law, Ruth Todd, the Widow of the late Mix Todd, an old Soldier of the Revolutionary War, for the year ending in June one thousand eight hundred and forty six. Adam Crane.
- To Mary Whelpley, Widow of the late Jonathan Whelpley, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition. Mary Whelpley.
- To Sabra Lyon, Widow of the late Hezekiah Lyon, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition. Sabra Lyon.
- To Rebecca Trecarten, Widow of an old Soldier of the Revolutionary War in America, the sum of ten pounds to relieve her in her present destitute circumstances. Rebecca Trecarten.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds toward the support of the Roman Catholic School established in the City of Saint John. Roman Catholic School, Saint John.
- To William Watts the sum of ten pounds for his services as Crier and Usher of the Supreme Court for the past year. William Watts.
- To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to pay a Sub-Collector and Deputy Treasurer at Woodstock, in the County of Carleton; the duties of both Offices to be performed by one Officer; this being in addition to the allowance made to Deputy Treasurers by Law. To

- Matthew Brannen. To Matthew Brannen, of the Secretary's Office, the sum of fifteen pounds as a mark of approbation for his long and faithful services in that Office.
- Mary Harned. To Mary Harned, Widow of the late Alward Harned, formerly Doorkeeper of this House, the sum of ten pounds.
- Widow of Thomas Burden. To the Widow of Thomas Burden, of the Corps of Loyal Associated Refugees, the sum of ten pounds to assist her in her present distressed circumstances.
- Clerk Crown, Supreme Court. To the Clerk of the Crown in the Supreme Court the sum of one hundred pounds for his services for the year one thousand eight hundred and forty six.
- Missionary for Milicete Indians. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for a Missionary for the Melicete Tribe of Indians stationed at Fredericton, for the year one thousand eight hundred and forty seven.
- John Sevewright, Newcastle Grammar School. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds, in aid of the Grammar School presently taught at Newcastle by John Sevewright, to whom the same shall be paid in part of his salary for teaching said School in the present year, on the usual certificate being given.
- Index to Laws. To John Gregory the sum of ten pounds to prepare an Index to the Laws of the present Session.
- Free School, Portland. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds in aid of individual subscription, towards the Free School in the Parish of Portland; the same to be expended by the Board of Commissioners to the Roman Catholic School in Saint John.
- Jacob Kollock. To Jacob Kollock, an old and meritorious Soldier, the sum of fifteen pounds to aid him in his present indigent circumstances.
- Jane M'Cardy. To Jane M'Cardy, Widow of an old meritorious Officer of the Revolutionary War in America, the sum of ten pounds to relieve her in her present destitute condition.
- Madras Board. To the Governor and Trustees of the Madras Board the sum of four hundred pounds towards the support of that Institution.
- Sackville Academy. To the Trustees of the Wesleyan Academy, at Sackville, the sum of three hundred pounds towards the support of that Institution.
- Baptist Seminary. To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds, to be paid to the Managing Committee of the Baptist Seminary at Fredericton, under the control of the Committee, when it shall be certified to His Excellency or the Administrator of the Government, that the said Institution is in an efficient state.
- John Simpson, Journals Council and Assembly. To John Simpson, Queen's Printer, the sum of two hundred and seventy five pounds for printing the Daily Journals of the Legislative Council and House of Assembly the present Session; and the further sum of one hundred and fifty pounds towards printing the Revised Journals and Appendices of both Houses of the Legislature for the present Session.
- Elizabeth Fairchild. To Elizabeth Fairchild, a Schoolmistress at Saint John, the sum of ten pounds for her services in that capacity.
- Mary Ann Smith. To Mary Ann Smith, for upwards of forty years a Schoolmistress in Saint John, the sum of ten pounds for her services in that capacity.
- D. A. Lugin. To Deborah Ann Lugin, Widow of the late G. K. Lugin, many years King's Printer in this Province, the sum of fifteen pounds to assist her in her present destitute situation.
- Sarah Cypfers. To Sarah Cypfers, Widow of an Officer of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

To John Simpson, Queen's Printer, the sum of one hundred and fifty pounds towards printing the Laws of the present Session. John Simpson,  
Lawe.

To Elizabeth Palmer, Widow of an old Soldier, the sum of ten pounds to relieve her in her present destitute circumstances. Elizabeth Palmer.

To Jacob Paul the sum of seven pounds ten shillings, being the amount of Pension due to the late Experience Thompson, Widow of an old Soldier of the Revolutionary War. Jacob Paul for  
E. Thompson,

To Rosanna Pulk, Widow of an old Soldier of the Revolutionary War, ten pounds, being the usual Pension granted to the Widows of old Soldiers. Rosanna Pulk.

To Sarah Califf, Daughter of the late John Califf, deceased, formerly Surgeon to the Forces in New Brunswick, ten pounds to aid her in her present destitute circumstances. Sarah Califf.

To Rose Harquoil, Widow of the late John Harquoil, the sum of ten pounds to assist her under her present distressed circumstances, occasioned by the ravages of the Small Pox last Summer. Rose Harquoil.

To the Justices of the Peace in the County of Albert the sum of fifteen pounds to enable them to pay a Courier for carrying the Mail from the Post Office in Harvey to Salmon River in said County. Courier from Post  
Post Office Harvey,  
to Salmon River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds towards remunerating the Reverend Andrew Barron, a Missionary at Bathurst, for the spiritual care and instruction of the Indian population of that place and its vicinity. Reverend Andrew  
Barron, Indians at  
Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds to assist in rebuilding the Public Wharf in the Port of Shediac. Public Wharf,  
Shediac.

To Samuel Frye, M. D., the sum of twenty nine pounds for Medicine furnished by him, by order of the Justices of Charlotte, to persons infected with the Small Pox on board the Brig "Pero," said Brig having arrived at Saint Andrews. Samuel Frye, M. D.

To Sarah Berry, Widow of the late James Berry, who served in the Ordnance Department during the Revolutionary War in America, the sum of ten pounds to aid her in her present destitute circumstances. Sarah Berry.

To David Weeks the sum of ten pounds, being Pension due to the late Dorcas Allen, deceased, Widow of an old Soldier of the Revolutionary War. David Weeks.

To Messieurs Crane and Allison the sum of eight pounds eight shillings and nine pence to reimburse them for advances made to sick Indians. Messrs. Crane and  
Allison.

To Jane Hawkins, of the Parish of Pennfield, in the County of Charlotte, Widow of the late William W. Hawkins, an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her distressed situation. Jane Hawkins.

To Mercy M'Nichol, of the Parish of Saint George, in the County of Charlotte, Widow of an old Soldier in the Revolutionary War, the sum of ten pounds to relieve her in her distressed situation. Mercy M'Nichol.

To the Reverend William M'Donald, Dennis Bradley, and Charles Bradley, Managing Committee of the School in connexion with the Roman Catholic Church in the Parish of Saint Andrews, the sum of thirty pounds to assist them in keeping up that Institution. Roman Catholic  
School, Saint  
Andrews.

To Letty Bell, Widow of an old Soldier in the Revolutionary War, the sum of ten pounds to relieve her in her present indigent circumstances. Letty Bell.

To Her Majesty's Justices of the Peace of the County of Gloucester, the sum of forty pounds to indemnify the County expenses incurred in transporting Convicts from Bathurst Gaol to the Provincial Penitentiary. Justices of Gloucester,  
removal of  
Convicts.

To William Doyal the sum of eight pounds six shillings and eight pence, being balance William Doyal.

balance due his late Father, James A. Doyal, an old Soldier of the Revolutionary War, up to the time of his death.

James Dyer.

To James Dyer the sum of ten pounds, being the allowance due to the late James Dyer, a Soldier of the Revolutionary War.

Saint John Total Abstinence Relief Society.

To the Reverend James Quin, President, and the Committee of the Saint John Roman Catholic Total Abstinence Relief Society, the sum of two hundred pounds to assist them in completing and finishing a Building eighty feet long, and forty feet broad, in the City of Saint John, erected by them for the purpose of being occupied as School Rooms for male and female children of Roman Catholics, and for a Temperance Hall.

Drawbridge, Oromocto.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to pay an Overseer for taking charge of the Draw in the Bridge on the Oromocto for the year one thousand eight hundred and forty seven.

Infant School, Fredericton.

To the Committee of the Infant School at Fredericton, the sum of fifty pounds in aid of that Institution.

Government House Coals.

To the Commissioners of Government House the sum of one hundred pounds for Coals for the Public Rooms and Offices in Government House.

Messenger to the Executive Council.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to pay a Messenger to the Executive Council.

Treasury Assistant Clerk.

To the Provincial Treasurer the sum of one hundred and fifty pounds for the services of an Assistant Clerk in his Office for the present year.

Quarter Master General Militia Forces.

To the Quarter Master General of the Militia Forces the sum of one hundred and fifty pounds for his services for the year one thousand eight hundred and forty six.

Adjutant General Militia Forces.

To the Adjutant General of the Militia Forces the sum of eighty five pounds for his services and contingencies of Office for the year one thousand eight hundred and forty seven.

African School, Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds, in aid of individual subscription, for the support of the African School in the City of Saint John.

Dr. G. P. Peters, Vaccine Establishment.

To Doctor G. P. Peters, Surgeon to the Vaccine Establishment, Central Board, at Saint John, the sum of thirty pounds for his services for the year one thousand eight hundred and forty six.

Joseph Read, Bridge over the Caraquet River.

To Joseph Read, Supervisor of the Great Road from Bathurst towards Tracadie, the sum of ten pounds for exploring and reporting on a proper site for a Bridge over the South Branch of Caraquet River, in the County of Gloucester, pursuant to an Address of the House of Assembly to His Excellency the Lieutenant Governor for that purpose.

Wharf, Regent Street, Fredericton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds to improve the Public Wharf at the foot of Regent Street, in the City of Fredericton.

Bounty for erecting Oat Mills & Kilns.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds for the purpose of encouraging the erection of Oat Mills in proper situations throughout the Province; no greater sum than twenty five pounds to be appropriated to the owner of any one Mill and Kiln: the said Bounty not to be paid until it shall be certified to His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by the Court of General Sessions of the Peace of the County within which such Oat Mill and Kiln may be situate, for which such Bounty is claimed,

claimed, that the same have been established at a convenient place for the accommodation of the inhabitants of the County, and are actually in operation, and in every respect properly fitted for the manufacture of Oat Meal; provided that no Mill or Kiln which may have received any previous Bounty by virtue of any Law or Resolution heretofore made, shall be entitled to the Bounty given by this Resolution.

To Ruth Baird, the Widow of an old Soldier of the Revolutionary War, the sum of five pounds, being the amount of half year's Pension ending in January one thousand eight hundred and forty four, which by mistake she never received. Ruth Baird.

To Isaac Budd, Son of Elizabeth Budd, deceased, formerly the Widow of an old Soldier of the Revolutionary War, the sum of seven pounds ten shillings, being the amount of Pension due to his Mother at her decease. Isaac Budd.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and thirty six pounds five shillings, to discharge and cancel certain Bonds given by Thomas Watt, Alexander Campbell, and G. D. Street, to the Crown, and on which an Extent has been issued; to be drawn when the costs due on said Extent have been paid by the said T. Watt, A. Campbell, and G. D. Street, agreeably to the recommendation of the Committee thereon. To cancel Bonds given by T. Watt, A. Campbell and G. D. Street.

To Alexander Campbell and G. D. Street the sum of seventy eight pounds, fifteen shillings to reimburse them for that amount paid in cash at the sale of the property of the said Thomas Watt, under an Extent from the Crown, agreeably to the recommendation of the Committee thereon. A. Campbell and G. D. Street.

To William Ker, for Trustees of the Creditors of the Estate of the late James Rait, the sum of eighteen pounds fifteen shillings, being a portion of the sum of two hundred and fifty five pounds paid by the deceased in his life time to the Crown, and not credited to him, agreeably to the recommendation of the Committee on Watt's Petition. William Ker, for Trustees of Estate of James Rait.

To the Miramichi Mechanics' Institute the sum of one hundred pounds to enable them to purchase Apparatus, and increase their Library, in order to the extension of the usefulness of the said Institution. Miramichi Mechanics' Institute.

To Sarah Creekmore, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her present destitute circumstances. Sarah Creekmore.

To P. C. Amireaux the sum of ten pounds for apprehending two Deserters from Her Majesty's fifty sixth Regiment in one thousand eight hundred and forty one. P. C. Amireaux.

To the Joint Committee of the Legislative Library the sum of three hundred pounds Sterling to pay the debt now existing, and for the purchase of Books. Legislative Library.

To James Johnston, F. M. Gordon, and Thomas Pickard, Junior, Trustees of the Building lately erected in Fredericton, and appropriated as a Public Lecture Room, the sum of one hundred pounds, in aid of individual subscription, to enable them to complete the said Building. Public Lecture Room, Fredericton.

To William Carman, Tide Surveyor at Miramichi, the sum of seventy five pounds for his services for the year one thousand eight hundred and forty seven; the same to be drawn in the usual manner, on a certificate from the Deputy Treasurer that the duties have been performed, by Warrant of His Excellency the Lieutenant Governor in Council. William Carman, Tide Surveyor, Miramichi.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the encouragement of a steam communication between the Grand Falls of the River Saint John and the River Saint Francis; the same to be paid to James Drake in November next, on satisfactory certificates being produced, that a good and efficient Steam Steam Communication between Grand Falls and River Saint Francis.

Boat has run on the said route, whenever it was practicable, during open water the present year.

Tide Surveyor,  
Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven pounds ten shillings, being an additional allowance for a Tide Surveyor at Bathurst, in the County of Gloucester, for the year one thousand eight hundred and forty seven.

Holderness and  
Chilton, Return  
Duties.

To J. W. Holderness and Chilton, of Richibucto, the sum of three pounds seven shillings and one penny to refund them Duties on Tea exported to Prince Edward Island.

To J. W. Holderness and Chilton, of Richibucto, the sum of twenty three pounds three shillings and three pence to reimburse them Duties of Export paid on the Cargo of the Barque "Evening Star," which Vessel was wrecked at the entrance of that Harbour, and the Cargo subsequently reshipped in another Vessel, when the Duties were again paid.

S. H. Wathen.

To Sylvester H. Wathen, of Richibucto, the sum of nine pounds eleven shillings and six pence to reimburse him Duties of Export paid on the Cargo of the Barque "Campbells," wrecked under similar circumstances, and Duties subsequently paid, as in the case of the preceding Grant to J. W. Holderness and Chilton.

Firewards in Fre-  
dericton.

To the Honorable Thomas Baillie and others, Firewards at Fredericton, the sum of twenty one pounds nine shillings and nine pence to reimburse them Duties paid on Leathern Hose imported from the United States.

Samuel Crossman.

To Samuel Crossman the sum of four pounds nine shillings and seven pence to reimburse him Duties paid on Horses and Cows brought by him from Prince Edward Island on his removal to this Province.

Gilmour, Rankin  
& Co.

To Gilmour, Rankin and Company, the sum of nine pounds six shillings and eight pence, as return Duty paid on the importation of a Fire Engine into Miramichi the past year.

Dark Harbour  
improvement.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the further improvement of Dark Harbour in the Island of Grand Manan.

Henry P. Sancton.

To Henry P. Sancton, of Saint John, the sum of eight pounds eighteen shillings and ten pence to reimburse him Duties paid on Printing Presses and appurtenances, to replace those destroyed by fire in July one thousand eight hundred and forty five.

James Chaffey.

To James Chaffey, of West Isles, the sum of thirty eight pounds eight shillings and nine pence to reimburse him for Export Duty and Light Money of Vessels paid on shipments to the West Indies, after the present Act relating thereto passed, and before it received the Royal assent.

John Marks.

To John Marks, of Saint Stephen, the sum of eight pounds two shillings and seven pence to reimburse him Duties paid as Export on a Cargo of Lumber shipped to the West Indies, for the reasons given in the Grant to James Chaffey.

Elizabeth Williston.

To Elizabeth Williston the sum of thirteen pounds six shillings and eight pence for having taught a School in Chatham for eight months, ending the twenty fourth day of February last.

Lazaretto,  
Sheldrake Island.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and forty one pounds twelve shillings and six pence, for the support of the Lazaretto, at Sheldrake Island, to first of January one thousand eight hundred and forty seven.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding six hundred pounds towards the support

support of the Establishment on Sheldrake Island, in the County of Northumberland, under the direction of the Board of Health for the Counties of Northumberland and Gloucester.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eight hundred pounds for the support of the Provincial Penitentiary for the year one thousand eight hundred and forty seven. Provincial Penitentiary.

To Elizabeth Cameron, Widow of the late William Cameron, an old Soldier of the Revolutionary War, the sum of two pounds ten shillings, being the amount due to her late Husband up to the time of his death in April one thousand eight hundred and forty six, and the further sum of seven pounds ten shillings as the Widow of the said William Cameron, since his death, from April one thousand eight hundred and forty six to January last. Elizabeth Cameron.

To the Mechanics' Institute, at Saint John, the sum of one hundred pounds to enable its Directors in part to relieve the Establishment from the debt now due by them, and to extend its general usefulness. Mechanics' Institute, Saint John.

To William Lowry, Senior, the sum of twenty pounds to enable him to purchase such part of Gregory's land upon which he has improved, as recommended by the Select Committee. William Lowry, Senior.

To the Commissioners of the Alms House and Work House for the City and County of Saint John, a sum not exceeding four hundred pounds, to be applied in erecting a suitable Hospital for sick and distressed Emigrants; the same to be taken from the Emigrant Fund. Hospital for Emigrants, Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to provide for the services of a Tide Waiter at the Port and District of Richibucto. Tide Waiter, Richibucto.

To the Justices of the Peace for the County of Charlotte the sum of one hundred pounds for the purpose of repairing the buildings on Hospital Island, and fitting them for the reception of sick and distressed Emigrants. Emigrant Buildings, Hospital Island.

To the Province Treasurer the sum of two hundred pounds, being for Rent for Offices for the Treasury Department to the thirty first December one thousand eight hundred and forty six. Treasury Office Rent.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds to reimburse advances from the Treasury of two Warrants of three hundred and two hundred pounds issued for the past year, in support of the Establishment on Sheldrake Island, to the Board of Health or Commissioners of that Establishment. Lazaretto, Sheldrake Island, reimbursement of advances.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds to reimburse advances made by the Government the past year for the support and relief of sick and distressed Emigrants at Saint John; the same to be taken from the Emigrant Fund. Distressed Emigrants, Saint John.

To the Province Treasurer the sum of ninety three pounds sixteen shillings and three pence, being for Contingencies of Office the past year. Treasury Contingencies.

To David W. Jack the sum of four pounds five shillings, being for Gauging and Weighing dutiable articles the past year. David W. Jack, Gauging.

To Robert Watson the sum of six pounds eight shillings and six pence, being for Gauging and Weighing dutiable articles, at Saint Stephen, for the last four years. Robert Watson, Gauging.

To Mary M'Leod, of the Parish of Alnwick, in the County of Northumberland, Widow of an old Soldier of the Revolutionary War, the sum of ten pounds to relieve her in her destitute circumstances. Mary M'Leod.

N. Wheeler,  
Preventive Officer.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds as an additional allowance to N. Wheeler, Preventive Officer in the County of York, for his services in that capacity.

Hugh M'Monagle.

To Hugh M'Monagle, of King's County, the sum of four pounds to reimburse him Duties paid on two entire Horses of a superior description imported from the United States.

Restigouche Agri-  
cultural Society.

To Andrew Barberie, President of the Restigouche Agricultural Society, the sum of eleven pounds thirteen shillings and one penny, being a remission of Duties paid on six Ayrshire Cattle and sundry Agricultural Implements imported for the use of that Society.

Northumberland  
Agricultural  
Society.

To John Wright, President of the Northumberland Agricultural Society, the sum of four pounds to reimburse Duties paid on two entire Horses imported in one thousand eight hundred and forty six from the United States.

C. C. Stewart,  
Return Duty.

To Charles C. Stewart, of Saint John, the sum of seventy six pounds six shillings and nine pence, as a remission of Duties paid on British Sheathing Copper imported under unavoidable circumstances from the United States, for his Ships "James Stewart," and "Athol," employed in prosecuting the Whale Fishery.

Jane Brown,  
Return Duty.

To Jane Brown, of Hampton, King's County, the sum of sixteen pounds thirteen shillings and four pence, being a reimbursement of Duties paid on an Iron House imported from Liverpool for construction in New Brunswick, which House was destroyed by fire previously to its being erected.

Corporation of  
Saint John,  
Return Duty.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of fifteen pounds nineteen shillings and five pence, being a remission of Duties paid on Leathern Hose imported from the United States for the use of the Fire Department.

John Kinnear.

To John Kinnear, of Saint John, the sum of seven pounds ten shillings to reimburse Duties over-paid on Oil imported from the United States.

Robert Watson.

To Robert Watson, Deputy Treasurer at Saint Stephen, the sum of six pounds six shillings and six pence to reimburse him expenses incurred in proceedings had against John Marks for refusing to execute a Bond to the Crown, under the Act of 7 Vic. cap. 18.

Approaches to  
Breakwater, Saint  
John.

To the Mayor, Aldermen and Commonalty of the City of Saint John, the sum of five hundred pounds towards constructing approaches to the Breakwater in that City, in consequence of the former Road being taken by the Government for Military purposes; the same not to be drawn from the Treasury until it shall be satisfactorily certified to His Excellency in Council, that a similar amount has been raised by subscription or otherwise, and is applicable towards this object; agreeably to the Report of the Committee of Trade.

Barzillai Ansley.

To Barzillai Ansley, of Saint John, the sum of fifteen pounds eighteen shillings to reimburse Duties paid on a quantity of Wheat imported in March one thousand eight hundred and forty six.

Thomas Sime, Jr.

To Thomas Sime, Junior, the sum of five pounds five shillings and two pence to reimburse Duties paid on Corn Broom Brush for the manufacture of Brooms, imported from the United States.

Robert B. Cutler.

To Robert B. Cutler, of Buctouche, in the County of Kent, the sum of seventeen pounds sixteen shillings to reimburse Export Duties paid on a Cargo of Timber and Deals shipped in the Brig "Mary Ann," which Vessel was subsequently wrecked in the Harbour, and the Cargo relanded.

William Scovil,  
encouragement of  
Steamer between

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds annually, for three

three successive years, for the purpose of encouraging the running a new and substantial Iron Steamer, constructed on the latest and most approved principle, between Shediac, Prince Edward Island, and Pictou; the same to be paid to William H. Scovil, the proprietor, at the expiration of each and every year, for the three successive years as aforesaid, on satisfactory Certificates being produced to His Excellency in Council, that a Boat, answering the above description, has run once a week, during open water, between the aforementioned places, (unavoidable accidents excepted) for the accommodation of Passengers and conveyance of Freight.

Prince Edward  
Island and Pictou.

To the Commissioners of Buoys and Beacons at Buctouche, in the County of Kent, the sum of forty pounds to be applied in erecting new Buoys and Beacons in that River.

Buoys and Beacons  
Buctouche.

To the Commissioners of Buoys and Beacons at Bathurst, in the County of Gloucester, the sum of seventy six pounds, being a balance over-expended by them.

Buoys and Beacons  
Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds, being an additional Grant for the services of John Doran, Tide Waiter at Shippegan, in the County of Gloucester, by reason of increased duties in his Office the present year.

John Doran,  
Tide Waiter,  
Shippegan.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty pounds for the purpose of erecting a Tablet in Christ Church, Fredericton, to the memory of Captain Pison, late of the Corps of Royal Engineers, who unfortunately lost his life while engaged in duties connected with the best interests of this Province.

Tablet to memory  
of Captain Pison.

To Joseph Michaud, of Madawaska, in the County of Carleton, the sum of twenty five pounds, as relief by reason of a seizure of a Horse under peculiar circumstances.

Joseph Michaud.

To Ann M'Donald, Widow of the late Surgeon M'Donald, of the Jersey Volunteers, the sum of ten pounds, to assist her in her present destitute condition.

Ann M'Donald.

To Elizabeth Whitehead, Widow of the late James Whitehead, a meritorious old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.

E. Whitehead.

To Elizabeth Mays, a licenced Teacher, the sum of ten pounds to compensate her for teaching a School in the Parish of Greenwich, in King's County, for six months ending the first day of December one thousand eight hundred and forty six.

Elizabeth Mays.

To George Woods the sum of twenty five pounds, being an allowance for a quantity of Land owned by him, included in the Grant to the New Brunswick and Nova Scotia Land Company, agreeably to the Report of the Select Committee, the eleventh day of April one thousand eight hundred and forty three.

George Woods.

To the Trustees of the Sackville Academy at Westmorland, the sum of two hundred pounds, in aid of individual subscription, towards the enlargement of the accommodations at the said Academy.

Sackville Academy.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to aid the inhabitants of the County of Westmorland in employing a Courier to carry the Mails from Cape Tormentine to the Post Office in Sackville in that County.

Courier from Cape  
Tormentine to the  
Post Office, Sack-  
ville.

To Magdalen Schurman, Widow of the late Philip Schurman, the sum of twenty pounds to relieve her in her present indigent and distressed circumstances, as the relict of a staunch old Loyalist, who served his Country faithfully in the Revolutionary War in America, as per certificate of his discharge dated in New York, in June one thousand seven hundred and eighty three, accompanying her Petition.

M. Schurman.

To

Lieut. Colonel Whannell, Return Duties on Wines.

To Lieutenant Colonel Whannell, of Her Majesty's thirty third Regiment, the sum of ninety five pounds and four pence, being a remission of Duties paid on Wines, &c., used at the Mess of that Regiment the past year.

Wharf at Saint Stephen.

To Commissioners to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for the purpose of extending the Public Wharf at Saint Stephen.

Elizabeth Ferris.

To Elizabeth Ferris, the Widow of an old Soldier of the Revolutionary War in America, the sum of twenty pounds, being the amount of Pension due her for the years one thousand eight hundred and forty two and one thousand eight hundred and forty three, the same not having been drawn from the Treasury.

Timothy Kehoe.

To Timothy Kehoe the sum of ten pounds for attending the Draw in the Oromocto Bridge for the year one thousand eight hundred and forty three.

William Watts, airing Province Hall.

To William Watts the sum of ten pounds for airing and taking care of the Province Hall.

David S. Kerr, Decisions Supreme Court.

To David S. Kerr, Esquire, Barrister at Law, a sum not exceeding seventy five pounds in part to remunerate him for reporting and publishing the Decisions of the Supreme Court.

Ruth Cornwall.

To Ruth Cornwall, Widow of Samuel Cornwall, an old Soldier of the Revolutionary War, the sum of ten pounds to assist her in her destitute circumstances.

Robert Watson, expenses of a prosecution.

To Robert Watson, Deputy Treasurer of Saint Stephen, in the County of Charlotte, the sum of forty three pounds two shillings and four pence to reimburse him for expenses incurred in prosecuting the seizure of a number of Clocks in the year one thousand eight hundred and forty four.

Emigration Societies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, an amount not exceeding the following sums, for the purpose of assisting Emigrant Societies in the respective Counties, to encourage and promote the settling of Emigrants, viz: Restigouche, Gloucester, Northumberland, Kent, Westmorland, Albert, King's, Saint John, Charlotte, Queen's, Sunbury, York, and Carleton, one hundred pounds each; which sums, or aliquot portions thereof, shall be paid to the Order of the President of the respective Emigrant Societies, when it shall be certified that the inhabitants of the several Counties have subscribed and paid a sum equal to one half of the respective sums above mentioned, or to the said aliquot proportions thereof, to be expended as may be considered most advisable for the encouragement of Immigration, or assisting Emigrants in locating themselves, by any such Association or Society; and that an Account of the expenditure be laid before the Legislature.

British School, Saint John.

To the President, Vice President, and Committee of Management of the British School, in the City of Saint John, the sum of one hundred pounds in aid of that Institution.

J. N. Murphy, M. D., Indians.

To J. N. Murphy, M.D., the sum of five pounds for Medical aid and attendance rendered to sick Indians during the prevailing epidemic in the County of Westmorland, in the year one thousand eight hundred and forty six.

Lewis Johnston, M. D., Indians.

To Lewis Johnston, M.D., the sum of five pounds for Medical aid rendered the Indians suffering under the prevailing epidemic at Sackville, County of Westmorland, in one thousand eight hundred and forty six.

Shipwrecked Emigrants, Richibucto.

To the Overseers of the Poor for the Parish of Richibucto, the sum of sixty six pounds eleven shillings and seven pence to reimburse them expenses incurred on account of sick, indigent and shipwrecked Emigrants during the past year; the same to be taken from the Emigrant Fund.

David Ferguson.

To David Ferguson, a licenced Schoolmaster, the sum of six pounds thirteen shillings and four pence for teaching a School in the Parish of Queensbury, in the County

County of York, for four and a half months in one thousand eight hundred and forty six, he being compelled to discontinue teaching the said School from sickness.

To Theodosia E. Stultz the sum of twenty pounds for having taught a School in the Parish of Moncton, County of Westmorland, for one year ending the tenth day of November one thousand eight hundred and forty six.

T. E. Stultz.

To Peter Stewart the sum of five pounds for having taught a School in the Parish of Botsford, County of Westmorland, for three months ending in February one thousand eight hundred and forty six.

Peter Stewart.

To William H. Hardie the sum of twenty pounds for having taught a School in the Parish of Botsford, County of Westmorland, for one year ending in November one thousand eight hundred and forty four.

William H. Hardie.

To Edward V. Tait the sum of ten pounds for having taught a School in the Parish of Sackville, County of Westmorland, for six months ending in November one thousand eight hundred and forty five.

Edward V. Tait.

To Sophia W. Chapman the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Sackville, in the County of Westmorland, for four months ending in October one thousand eight hundred and forty six.

S. W. Chapman.

To Rebecca Lutes the sum of five pounds, to make up her Provincial allowance to twenty pounds, for having taught a School in the Parish of Moncton, County of Westmorland, for one year ending in November one thousand eight hundred and forty four.

Rebecca Lutes.

To J. M. DeVarrannes the sum of twenty pounds for having taught a School in the Parish of Shediac, County of Westmorland, for one year ending in November one thousand eight hundred and forty six.

J. M. DeVarrannes.

To Albert Steves the sum of ten pounds for having taught a School in the Parish of Hopewell, County of Albert, for six months ending in August one thousand eight hundred and forty six.

Albert Steves.

To Mary Gunning the sum of thirty pounds for having taught a School in the Parish of Hillsborough, County of Albert, for eighteen months ending in November one thousand eight hundred and forty six.

Mary Gunning.

To John Powell the sum of ten pounds for having taught a School in the Parish of Hillsborough, County of Albert, for six months ending in June one thousand eight hundred and forty six.

John Powell.

To Albert Steves the sum of three pounds six shillings and eight pence for a School taught by his Brother, G. W. Steves, for two months, in the Parish of Hopewell, County of Albert, in one thousand eight hundred and forty four.

Albert Steves.

To Thomas E. Carter the sum of fifteen pounds for having taught a School in Carleton, in the City of Saint John, for nine months ending in February one thousand eight hundred and forty seven.

Thomas E. Carter.

To Rachel Martin the sum of twenty pounds for having taught a School in the Parish of Portland, County of Saint John, for one year ending in one thousand eight hundred and forty six.

Rachel Martin.

To John M'Carthy the sum of thirteen pounds six shillings and eight pence for having taught a School in the Parish of Portland, County of Saint John, for eight months ending fourth March one thousand eight hundred and forty seven.

John M'Carthy.

To Jane Danforth the sum of twenty pounds for having taught a School in Carleton, City of Saint John, for one year ending September one thousand eight hundred and forty six.

Jane Danforth.

To Thomas Quinlan the sum of five pounds for having taught a School in Carleton, City of Saint John, for three months ending in March one thousand eight hundred and forty five.

Thomas Quinlan.

- John M'Court.* To John M'Court the sum of fifteen pounds for having taught a School in the Parish of Saint Martin's, County of Saint John, for nine months ending in May one thousand eight hundred and forty five.
- John Palmer.* To John Palmer the sum of ten pounds for having taught a School in the Parish of Brighton, County of Carleton, for six months ending in May one thousand eight hundred and forty three.
- Thomas Morris.* To Thomas Morris the sum of ten pounds for having taught a School in the Parish of Woodstock, County of Carleton, for six months ending in March one thousand eight hundred and forty three.
- Francis Lereque.* To Francis Lereque the sum of fifteen pounds for having taught a School in the Parish of Madawaska, County of Carleton, for nine months ending January one thousand eight hundred and forty seven.
- E. M'Atagart.* To Edward M'Atagart the sum of ten pounds for having taught a School in the Parish of Woodstock, County of Carleton, for six months ending in December one thousand eight hundred and forty six.
- Thomas Chasse.* To Thomas Chasse the sum of ten pounds for having taught a School in the Parish of Madawaska, County of Carleton, for six months ending in January one thousand eight hundred and forty seven.
- Sidney Maloney.* To Sidney Maloney the sum of three pounds six shillings and eight pence for having taught a School in the Parish of Madawaska, County of Carleton, for two months ending in January one thousand eight hundred and forty seven.
- William M'Knight.* To William M'Knight the sum of eight pounds six shillings and eight pence for having taught a School in the Parish of Kingsclear, County of York, for five months ending in April one thousand eight hundred and forty six.
- Eloise Akerley.* To Eloise Akerley the sum of twenty pounds in full for services as a public Teacher of Youth in Fredericton, County of York, up to December one thousand eight hundred and forty six.
- Chloe Dow.* To Chloe Dow the sum of thirty pounds for having taught a School in the Parish of Southampton, County of York, for eighteen months ending in December one thousand eight hundred and forty six.
- Munroe Hill.* To Munroe Hill the sum of ten pounds for having taught a School in the Parish of Saint Stephen, County of Charlotte, for six months ending eighth April one thousand eight hundred and forty six.
- H. C. M'Alister.* To Hannah C. M'Alister the sum of ten pounds for having taught a School in the Parish of Saint David, County of Charlotte, for six months ending the twenty sixth day of September one thousand eight hundred and forty five.
- Magnus Green.* To Magnus Green the sum of eleven pounds thirteen shillings and four pence for having taught a School in the Parish of Grand Manan, County of Charlotte, for seven months ending first September one thousand eight hundred and forty five.
- Eliza R. DeWolfe.* To Eliza Randolph DeWolfe the sum of ten pounds for having taught a School in Saint Andrews, County of Charlotte, for six months ending the first day of October one thousand eight hundred and forty six.
- T. Crowley.* To Thomas Crowley the sum of ten pounds for having taught a School in Saint Andrews, County of Charlotte, for six months ending the sixteenth day of May one thousand eight hundred and forty six.
- Alice Thompson.* To Alice Thompson the sum of twenty pounds for having taught a School in Saint Andrews, County of Charlotte, for one year ending eighteenth day of November one thousand eight hundred and forty six.
- Christiana Walker.* To Christiana Walker the sum of ten pounds for having taught a School in the Parish of Saint George, County of Charlotte, for six months ending in December one thousand eight hundred and forty six.

To Margaret Grant the sum of thirty pounds for having taught a School in the Parish of Saint David, County of Charlotte, for eighteen months ending second day of September one thousand eight hundred and forty five. Margaret Grant.

To Thomas Fowler the sum of thirteen pounds six shillings and eight pence for having taught a School in the Parish of Glenelg, County of Northumberland, for eight months ending twentieth day of June one thousand eight hundred and forty five. Thomas Fowler.

To Ann Mooney the sum of twenty pounds for having taught a School in the Parish of Wellington, County of Kent, for one year ending in May one thousand eight hundred and forty five. Ann Mooney.

To Louis Allen the sum of ten pounds for having taught a School in the Parish of Wellington, County of Kent, for six months ending in September one thousand eight hundred and forty six. Louis Allen.

To George P. Davis the sum of ten pounds for teaching a School in the Parish of Dundas, County of Kent, for six months ending thirteenth July one thousand eight hundred and forty six; and the further sum of ten pounds for having taught a School in the Parish of Wellington, County of Kent, for six months ending the twelfth day of January one thousand eight hundred and forty seven. George P. Davis.

To Dennis Murphy the sum of ten pounds for having taught a School in the Parish of Petersville, Queen's County, for six months ending in June one thousand eight hundred and forty three. Dennis Murphy.

To Winckworth Snow the sum of ten pounds for having taught a School in the Parish of Johnston, Queen's County, for six months ending second April one thousand eight hundred and forty six. Winckworth Snow.

To Angus M'Phee the sum of five pounds for having taught a School in the Parish of Wickham, Queen's County, for three months ending in September one thousand eight hundred and forty six. Angus M'Phee.

To Hannah Parrett the sum of five pounds for having taught a School in the Parish of Kingston, King's County, for three months ending third day of June one thousand eight hundred and forty six. Hannah Parrett.

To C. E. Lefrance the sum of twenty pounds for having taught a School in the Parish of Saumarez, County of Gloucester, for one year ending first day of January one thousand eight hundred and forty seven. C. E. Lefrance.

To William Caulfield the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Beresford, County of Gloucester, for four months ending the twenty fifth day of March one thousand eight hundred and forty six. William Caulfield.

To John M'Minn the sum of thirty pounds for having taught a School in the Parish of Colborne, County of Restigouche, for eighteen months ending the sixteenth day of December one thousand eight hundred and forty five. John M'Minn.

To the Right Reverend William Dollard, Roman Catholic Bishop, the sum of twenty five pounds to pay a Missionary for visiting the Indians in the County of Carleton. Missionary to the  
Indians, Carleton.

To Nathan S. Demill, President of the Saint John Total Abstinence Society, a sum not exceeding fifty pounds, in aid of individual contributions, towards encouraging them in disseminating Temperance information, and in forwarding the general laudable purposes of that Association. Nathan S. Demill,  
Total Abstinence  
Society, Saint  
John.

To George J. Harding, Esquire, M. D., Medical Officer at the Emigrant Establishment at Partridge Island, in Saint John, a sum not exceeding fifty pounds towards his services in that capacity the past year. George J. Harding,  
M. D., Medical  
Officer, Partridge  
Island.

To Thomas Turner the sum of one hundred and twenty pounds in full for expenses incurred by him in the support of sick and destitute Emigrants. Thomas Turner,  
Destitute  
Emigrants.

To

- Distressed Indians.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds to be applied in relieving sick, aged and distressed Indians in this Province, and for procuring Seed Grain and Potatoes.
- Protection of Revenue.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand five hundred and fifty pounds towards the protection of the Revenue for the present year.
- Canal between South Bay and River Saint John.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred and fifty pounds for deepening and improving the Canal between South Bay and the River Saint John, in the County of Saint John.
- Robert S. Bernison Teacher of the African School.** To Robert Strong Bennison, Teacher of the African School in the City of Saint John, the sum of twenty pounds, being for one year's service in that capacity.
- Elisha A. Cunliffe.** To Elisha A. Cunliffe, of Woodstock, in the County of Carleton, the sum of thirty pounds nine shillings and five pence for damages sustained by him in the discharge of his duties as Commissioner of Highways in one thousand eight hundred and forty.
- Walter Calder, expenses as Commissioner of Highways.** To Walter Calder, of the Parish of West Isles, in the County of Charlotte, the sum of one hundred and five pounds two shillings and three pence, expenses incurred by him in the discharge of his duties as Commissioner of Highways.
- Improvement of Roads and Bridges through Lands of the New Brunswick and Nova Scotia Land Company.** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred pounds to be appropriated in improving the Roads and erecting Bridges in the Settlement made on the Lands of the New Brunswick and Nova Scotia Land Company, and in aid of appropriations made by the Company for that object.
- Ruth Macfarlan.** To Ruth Macfarlan, of Saint Patrick, County of Charlotte, Widow of the late Duncan Macfarlan, a deceased Soldier of the Revolutionary War, the sum of ten pounds to assist her in her present destitute condition.
- Road between Pokemouche and Shippegan. (Re-appropriation)** To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds granted last Session in aid of the sufferers by the deficiency of the Potato Crop in the County of Gloucester, and not drawn from the Treasury, to be re-appropriated and expended on the Road between Pokemouche and Shippegan, via the Plains.
- Mary Ann Leggett.** To Mary Ann Leggett the sum of twenty pounds to remunerate her for her services as a Schoolmistress in Sussex, King's County, in one thousand eight hundred and forty six.
- John Orr, for a destitute Emigrant.** To John Orr, of the Parish of Saint Patrick, in the County of Charlotte, the sum of nine pounds six shillings, being expenses incurred by him in support of a sick and destitute Emigrant during the year one thousand eight hundred and forty six.
- Overseers of Poor, Saint Andrews, for destitute Emigrants.** To the Overseers of the Poor for the Parish of Saint Andrews, in the County of Charlotte, the sum of forty pounds eleven shillings and eleven pence, being expenses incurred by them in the support and relief of sick and destitute Emigrants in one thousand eight hundred and forty six.
- Dugald Stewart, support of a destitute Emigrant.** To Dugald Stewart, Emigrant Agent at Dalhousie, in the County of Restigouche, the sum of three pounds ten shillings, expended by him in relief of a destitute Emigrant and Family in the year one thousand eight hundred and forty four.
- Overseers of Poor, Chatham, for destitute Emigrants** To the Overseers of the Poor of the Parish of Chatham, in the County of Northumberland, the sum of twenty nine pounds eight shillings and nine pence, being

being expenses incurred by them in support and relief of destitute Emigrants during the year one thousand eight hundred and forty six.

To the Commissioners of the Alms House and Work House in the County of York, the sum of thirty five pounds ten shillings and six pence, being expenses incurred by them in support of destitute Emigrants during the year one thousand eight hundred and forty six.

Commissioners of Alms House, York County, for destitute Emigrants.

To the Commissioners of the Alms House and Work House in the City of Saint John, the sum of four hundred and sixty pounds seventeen shillings and ten pence, being expenses incurred by them in support of sick and destitute Emigrants.

Commissioners of Alms House, Saint John, for destitute Emigrants.

To the Justices of the Peace for the County of Northumberland, the sum of fifty two pounds five shillings and seven pence, being expenses incurred by them in support and relief of destitute and sick Emigrants during the year one thousand eight hundred and forty six.

Justices of Northumberland, for destitute Emigrants.

To the Commissioners of the Alms House and Work House in the City of Saint John, the sum of seventeen pounds five shillings, being amount expended by them in procuring Seed Potatoes for the Black Refugees.

Seed Potatoes for Black Refugees.

To Richard M'Farlane, of Saint Patrick, in the County of Charlotte, the sum of twenty pounds in consideration of his ingenuity and ability in the construction of Fishways.

Richard M'Farlane.

To Sarah Ann Dysart, Teacher of an Infant School in the City of Saint John, twenty pounds as an encouragement for the continuance of the School, which she has conducted for twelve years past.

Sarah Ann Dysart, Infant School, Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds granted last Session in aid of the sufferers by the failure of the Potato Crop in the County of Sunbury, and not drawn from the Treasury, to be re-appropriated and expended as follows:—

Roads in Sunbury. (Re-appropriation)

Fifty pounds on the Road from Hartt's Mills to the Rushagonis;

Twenty pounds for the Road from William Dow's to John Peabody's;

Thirty pounds for the road from Oak Point to Sand Point.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding five hundred pounds, to be appropriated for the providing a more efficient Vessel for the protection of the Revenue than the one now at the disposal of the Treasury and Custom House Department at Saint John; and that such Vessel may be also employed in the protection of the Fisheries in the Bay of Fundy, and for the Light House Service.

Vessel for protection of Revenue.

To the two Appraisers at Saint John, under the Imperial and Provincial Acts, the sum of twenty five pounds each for their services for the year one thousand eight hundred and forty six.

Appraisers of dutiable articles at Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds, in aid of individual subscription, towards the support of a School at Fredericton, for the education of poor female Children, under the auspices of the Lord Bishop of Fredericton.

Poor Female School at Fredericton.

To the Building Committee of the Temperance Hall and Mechanics' Institute, at Dorchester, the sum of thirty pounds, in aid of individual subscription, towards the completion of that Building.

Temperance Hall and Mechanics' Institute at Dorchester.

To the Reverend John G. M'Gregor the sum of thirty pounds for teaching a School in the City of Saint John during the past year.

Reverend John G. M'Gregor.

To Samuel Huestis the sum of five pounds to compensate him for ferrying Her Majesty's Mail over the Jemseg River, in Queen's County, during the year one thousand eight hundred and forty six.

Samuel Huestis, for ferrying Mails.

Academy at  
Cocagne.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds towards the support of an Academy in Cocagne, in the County of Kent; the same to be drawn when it has been duly certified that the School has been in operation one year, in accordance with the requirements of the Grammar School Act of one thousand eight hundred and forty six.

Rufus Pipes.

To Rufus Pipes, of the Parish of Harvey, in the County of Albert, the sum of ten pounds for giving instruction in the higher Branches of Education for one year, in addition to the annual Provincial allowance.

Removal of Snags  
in River Saint  
John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to remove two Snags from the River Saint John, near Major's Island.

Provincial Lunatic  
Asylum.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds towards the support of the Provincial Lunatic Asylum for the year one thousand eight hundred and forty seven.

John Harris,  
Horticulture.

To John Harris, of Saint John, Nurseryman, Seedsman and Florist, the sum of twenty five pounds in consideration of the large expenditure and the great exertions made by him for the advancement of Horticulture.

Nathaniel Green,  
to purchase a Mill  
site.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twelve pounds, to be applied towards payment for a lot of one hundred acres of Crown Land for Nathaniel Green, of South Richmond, Carleton, for a Mill site; such sum to be paid when it shall be certified to His Excellency that a Mill has been erected and is in operation on the said lot.

Barnard Duffy,  
Oat and Grist Mill.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds, to be paid Barnard Duffy, of Harvey, in the County of Albert, when it shall be certified to His Excellency that an Oat Mill and Grist Mill shall have been built by the said Duffy, and are in operation; such sum to be in addition to the Bounty for the Oat Mill.

Importation of  
thorough bred  
Stallions.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seven hundred pounds to encourage the importation of an improved breed of Horses into the Province, to be applied as follows: two hundred pounds to be paid as a Premium for the best thorough bred Stallion, not under sixteen hands high, and not less than four nor more than six years of age; one hundred and fifty pounds to be paid as a Premium for the second best Stallion of the same description; two hundred pounds to be paid as a Premium for the best Stallion of the Irish Hunter Breed, not under sixteen hands high, and not less than four nor more than six years of age; one hundred and fifty pounds to be paid as a Premium for the second best Stallion of the description last mentioned: The said Horses are to be imported from England or Ireland during the current year; and before any Premium be paid, it shall be certified to His Excellency, by competent judges to be appointed by His Excellency for that purpose, that the Horse is in every respect of the character, age and description required, and that the owner thereof is justly entitled to the premium therefor; and further, the owner or owners of every such Horse shall give a sufficient bond in the penal sum of one thousand pounds, to keep the said Horse for the space of five years within the Province for the purposes intended.

Agricultural  
Societies.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, not exceeding the following sums for the support and encouragement of Agricultural Societies in the respective Counties the present year,

year, viz: York, one hundred pounds; Carleton, one hundred pounds; Sunbury, one hundred pounds; Charlotte, one hundred pounds; Saint John, one hundred pounds; King's, one hundred pounds; Queen's, one hundred pounds; Albert, one hundred pounds; Westmorland, one hundred pounds; Kent, one hundred pounds; Northumberland, one hundred pounds; Gloucester, one hundred pounds; Restigouche, one hundred pounds: which sums, or aliquot portions thereof, shall be paid to the Order of the President of the respective Agricultural Societies, when it shall be certified to His Excellency that any portion of the inhabitants of any one of the said Counties have subscribed and paid during the present year a sum equal to one half of the respective sums above mentioned, or the said aliquot portions thereof, for the support of Agriculture; which sums so paid shall be accounted for to the Legislature; provided always, that in such Counties in which District Agricultural Societies are formed, embracing one or more Parishes only, it shall and may be lawful for His Excellency to apportion the amounts so to be granted to those Counties among the said District Societies; and further provided, that no Warrant do issue for such sums, or any parts thereof, until an Account Current for the past year of the Society for whose benefit such application may be made, duly attested by the Treasurer, be first laid before His Excellency the Lieutenant Governor or Administrator of the Government for the time being, to be laid before the Legislature at its next meeting.

To R. S. M. L. M'Donald the sum of ten pounds for teaching a School in the Parish of West Isles, in the County of Charlotte, for six months ending on the ninth day of March one thousand eight hundred and forty six.

R. S. M. L. M'Donald.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds for the support of a Courier between Miramichi and Pokemouche, via Tabusintac and Tracadie.

Courier between Miramichi and Pokemouche.

To James Tupper, Courier between Fredericton and Woodstock, the sum of seventy five pounds to compensate him in part for losses sustained by him in consequence of the Bridges on the line having been carried away by the Freshet last Spring.

James Tupper, Courier between Fredericton and Woodstock.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds for the encouragement of running a Packet between Prince Edward Island and Bay Verte, in the County of Westmorland, to be paid to William Weeks, on a satisfactory certificate being produced that the said Packet has run at least once a fortnight during the season, touching at Bedeque and Charlotte Town each alternate voyage.

Packet between Prince Edward Island and Bay Verte.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty pounds to enable him to pay a Courier for carrying the Mail once a week between Madawaska Post Office and the River Saint Francis.

Courier between the Madawaska Post Office and the River Saint Francis.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to pay a Courier for running once a week between the City of Saint John, Black River, Gardner's Creek, and Ten Mile Creek Settlements, in the County of Saint John.

Courier between Saint John, Black River, Gardner's Creek, and Ten Mile Creek.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to provide for the services of a Courier to carry the Mail once a week between Sackville and the North Joggins, in the County of Westmorland.

Courier between Sackville and the North Joggins.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty pounds to pay a Courier for carrying

Courier between Hampton Post Office and Parish of Upham.

the

the Mail once a week between Hampton Post Office and the Parish of Upham, King's County.

Mails between Nerepis and Gagetown.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds to provide for the additional expense of carrying the Mail between Nerepis and Gagetown, through the Jerusalem Settlement, instead of the present route.

Weekly communication between Fredericton and Saint Andrews.

To Commissioners to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds towards encouraging a weekly communication between Fredericton and Saint Andrews, to be paid quarterly upon its being certified that the communication is efficiently kept up.

Semi-weekly Mails between Saint Andrews and Saint Stephen.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to pay for the conveyance of a semi-weekly Mail between Saint Andrews and Saint Stephen.

James Green and John Winters.

To James Green and John Winters the sum of ten pounds for services rendered to the Legislature during the present Session.

Courier between Fredericton and Stanley.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to provide for the services of a Courier between Fredericton and Stanley.

Courier between Fredericton and Finger Board.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty pounds to enable him to pay a Courier for carrying the Mail once a week between Fredericton and the Finger Board.

Courier between Miramichi and Dalhousie.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to defray the expense of a semi-weekly Courier between Miramichi and Dalhousie.

Courier between Nerepis and Long Reach.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to enable him to pay a Courier for carrying the Mail once a week between the mouth of the Nerepis and head of the Long Reach, through the Parishes of Westfield and Greenwich.

Courier between Saint John and Quaco.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to pay a Courier for running once a week between the City of Saint John and Quaco.

Courier between Long Creek and Sussex Vale.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds to pay a Courier between Long Creek, on the Washademoak Lake, and Sussex Vale.

Courier between Gagetown and Salmon River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty five pounds to pay for the services of a Courier between Gagetown and Salmon River.

Courier between Bathurst and Pokemouche.

To Her Majesty's Justices of the Peace for the County of Gloucester the sum of thirty pounds to pay a Courier from Bathurst to Pokemouche, via Shippegan, for the year ending first June one thousand eight hundred and forty seven.

Packet between Saint Andrews, Deer Island, Campo Bello and Grand Manan.

To Commissioners to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds for continuing the running of a Packet between Saint Andrews, Deer Island, Campo Bello, and Grand Manan.

Grave Yard at Moncton.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds for the protection of the Grave Yard at Fort Moncton, in the County of Westmorland, in which a number of British Officers were buried nearly a century since, after the capture of that place.

Rev. D. M'Phail, Neil Henderson,

To Beverley Robinson, Esquire, Province Treasurer, the sum of six pounds to enable him to return to the Reverend Donald M'Phail, Neil Henderson, and the

the Reverend Matthew Smith, the sum of two pounds each, being amount of Duties paid upon Horses brought by them, severally, as part of their Stock, when they came as permanent residents, with their respective families and effects, into this Province from Prince Edward Island. and Rev. Matthew Smith, Return Duties.

To the Reverend Alexander M'Donald, of Carleton, the sum of two pounds, being the amount of Duty paid upon one horse brought with him as part of his Stock, when he removed as a permanent resident, with his family and effects, into this Province from Prince Edward Island. Rev. A. M'Donald.

To the High Sheriff of the City and County of Saint John, sixty four pounds four shillings and four pence, for the expenses of the County Election, and also twenty eight pounds for the expenses of the City Election; also twenty pounds as an additional allowance for conducting said Elections in one thousand eight hundred and forty six; High Sheriffs for holding Elections; City and County of Saint John.

To the High Sheriff of the County of Restigouche, thirty two pounds six shillings, and also ten pounds as an additional allowance for conducting the Election of that County in one thousand eight hundred and forty six; Restigouche.

To the High Sheriff of the County of Charlotte, fifty five pounds seventeen shillings, and also ten pounds as an additional allowance for conducting the Election of that County in one thousand eight hundred and forty six; Charlotte.

To the High Sheriff of King's County, forty seven pounds, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; King's.

To the High Sheriff of the County of Gloucester, the sum of thirty three pounds, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Gloucester.

To the High Sheriff of the County of Northumberland, the sum of sixty one pounds six shillings, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Northumberland.

To the High Sheriff of the County of Kent, the sum of thirty eight pounds thirteen shillings, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Kent.

To the High Sheriff of the County of Westmorland, the sum of forty four pounds seventeen shillings and ten pence, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Westmorland.

To the High Sheriff of the County of York, the sum of fifty seven pounds nineteen shillings and three pence, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; York.

To the High Sheriff of the County of Queen's, forty four pounds seven shillings, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Queen's.

To the High Sheriff of the County of Carleton, seventy eight pounds six shillings and three pence, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Carleton.

To the High Sheriff of the County of Sunbury, thirty six pounds nine shillings and one penny, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Sunbury.

To the High Sheriff of the County of Albert, thirty eight pounds one shilling and six pence, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty six; Albert.

Queen's.

To the High Sheriff of the County of Queen's, sixty four pounds seven shillings and six pence, and also ten pounds as an additional allowance for conducting the Election in that County in one thousand eight hundred and forty seven ;

The above amounts so granted to the respective Sheriffs to be in full and lieu of any claims they may have under the Election Law.

Thomas Lamb,  
Light House at  
Quaco.

To Thomas Lamb, Keeper of Quaco Light House, the sum of thirty six pounds to enable him to employ an Assistant at his Station ; to be taken from the Light House Fund.

Light House at  
Apple River.

To the Commissioners of Light Houses in the Bay of Fundy, two hundred pounds towards the expense of erecting a Light House at Apple River, in Nova Scotia ; the same not to be drawn until a similar grant be made for this purpose by the Legislature of Nova Scotia ; to be taken from the Light House Fund.

John Connolly,  
Light House at  
Machias Seal  
Island.

To John Connolly, Keeper of the Light House at Machias Seal Island, the sum of twenty pounds as an additional remuneration, also the sum of thirty six pounds to enable him to hire an Assistant at that Station ; to be taken from the Light House Fund.

Isaac Woodward,  
services as Light  
House Commis-  
sioner.

To Isaac Woodward, Esquire, Commissioner of Lights, the sum of one hundred and twenty pounds as remuneration for past services ; the same to be taken from the Light House Fund.

Fog Bell at Gull  
Rock.

To the Commissioners of Light Houses in the Bay of Fundy the sum of one hundred pounds for the purpose of erecting a Fog Bell at Gull Rock, near the Island of Grand Manan ; the same to be taken from the Light House Fund.

Commissioners of  
Saint Andrews  
Harbour Light  
House, for a  
Bridge.

To the Commissioners of the Saint Andrew's Harbour Light House twenty five pounds for the purpose of building a Bridge on a line with the north west side of Patrick Street, and across the Salt Water Pond, leading to said Light House ; the same to be taken from the Light House Fund.

Road leading to  
Light House at  
Cape Enrage.

To the Commissioner to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, twenty pounds to repair the Road leading to the Light House at Cape Enrage, in the County of Albert ; the same to be taken from the Light House Fund.

Bridges and Road  
from Head Har-  
bour Light House  
to Campo Bello.

To a Commissioner to be appointed by His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifteen pounds for repairing the Bridges and Road leading from Head Harbour Light House to the Island of Campo Bello ; the same to be taken from the Light House Fund.

Commissioners of  
Light Houses in  
the Gulf of Saint  
Lawrence.

To the Commissioners of Light Houses in the Gulf of Saint Lawrence the sum of one hundred and twenty three pounds and eleven pence, being the balance due them as per Auditor's Report ; and also one hundred pounds as contingencies for the current year.

W. Straight, and  
James G. Watson,  
ferrying Mails.

To William Straight and James G. Watson the sum of ten pounds each to compensate them for ferrying Her Majesty's Mails at the Washademoak Lake, in Queen's County, during the year one thousand eight hundred and forty six.

Emigrant Build-  
ings on Partridge  
Island.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds for repairing the Emigrant Buildings on Partridge Island, Saint John.

Commissioners of  
Dredging Machine.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of forty nine pounds one shilling to reimburse the Commissioners of the Dredging Machine for an over-expenditure of that sum the past year.

Depositors in the  
Fredericton  
Savings Bank.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two thousand five hundred pounds.

to be applied towards paying off the various Depositors in the Fredericton Savings Bank the amount of their respective deposits; this Grant being rendered necessary in consequence of a deficiency of Funds in that Institution, occasioned by losses, failures, and otherwise, since its original establishment.

To William Carman the sum of fifteen pounds for Gauging and Weighing in Miramichi the past year.

William Carman,  
Gauging and  
Weighing.  
New Gaol,  
Carleton.

To the Justices of the Peace for the County of Carleton the sum of one hundred pounds towards building the new Gaol in that County.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty six pounds thirteen shillings and one penny to remunerate the Commissioners for fixing on a Site for the contemplated Bridge over the South West Branch of the Miramichi River.

Commissioners for  
site of Bridge over  
the S. W. Branch  
of the Miramichi.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to remunerate the Emigrant Agent for Office Rent and Contingencies in full to the first day of January one thousand eight hundred and forty seven.

Emigrant Agent  
for Office Rent, &c.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of three hundred and fifty six pounds sixteen shillings and six pence to reimburse the Commissioners of the Temporary Lunatic Asylum for over-expenditure for the past year.

Lunatic Asylum  
Commissioners,  
over-expenditure.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty four pounds five shillings to reimburse the Commissioners the balance due them for building a Breakwater at Quaco.

Breakwater at  
Quaco.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of eighty two pounds to reimburse the Commissioner the over-expenditure for building the Bridge over the Great Presqu'île.

Bridge over the  
Great Presqu'île.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds to provide for a Warrant on the Treasury issued by the Executive Government the past year towards relieving the sufferers by the great conflagration at Newfoundland.

Sufferers by Fire,  
Newfoundland.

To Samuel M. Chamberlain, of Saint John, the sum of twenty five pounds, in consideration of his having kept for several years past a School of a superior description in that City.

S. M. Chamberlain.

To the Commissioner of Public Buildings the sum of two hundred and ninety seven pounds thirteen shillings and five pence, being amount over-expended by him the past year in repairs about Government House, the Province Hall, Court House, &c.; and the further sum of one hundred pounds for his services for one thousand eight hundred and forty six.

Commissioner of  
Public Buildings,  
for Government  
House repairs, &c.  
and compensation.

To the Commissioner of the Public Buildings a sum not exceeding five hundred pounds for indispensable repairs of Government House, and for erecting Out-Houses, new fences, and other work required the present year.

To John Simpson, Queen's Printer, the sum of one thousand one hundred and sixty one pounds five shillings and seven pence, being balance of his Account in full for Printing and Publishing, and for all other services the past year.

John Simpson,  
Queen's Printer.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of four hundred and fifty pounds for Provincial Contingencies for the present year.

Provincial Contingencies.

To John Walsh the sum of twenty pounds for having taught a School at Saint John for one year ending first day of February one thousand eight hundred and forty six.

John Walsh.

To

Wharf at Bellevous Village.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds, in aid of individual subscription, towards the erection of a Public Wharf at Bellevous Village, on the eastern side of Petitcodiac River.

T. N. Woodman, Grammar School, Albert.

To Thomas N. Woodman the sum of one hundred pounds for teaching a Grammar School in the County of Albert for one year ending on the thirteenth day of April one thousand eight hundred and forty seven.

Bridge over Maduxnikik. (Re-appropriation)

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of seventy pounds to rebuild the Bridge over the Maduxnikik, at Peabody's Mill, injured by the ice freshet in one thousand eight hundred and forty six, being a re-appropriation of the sum of twenty pounds granted in one thousand eight hundred and forty two from Gidney's to Eel River, and fifty pounds granted in one thousand eight hundred and forty six on the division line between Griffith's and Bedell's, in the Parish of Woodstock, the same not having been drawn from the Treasury.

Andrew Rainsford, Return Duties.

To Andrew W. Rainsford, Esquire, late Captain of the one hundred and fourth regiment, the sum of eleven pounds eleven shillings and nine pence, being amount of Duties paid by him to the Deputy Treasurer at Woodstock on five Horses, Sleighs, &c., brought with him from Canada as part of his Farming Stock, on his removal to this Province.

Meductic Falls, River Saint John.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding two hundred and fifty pounds to remove the Rocks and improve the Navigation of the River Saint John, at the Meductic Falls; out of which sum the over-expenditure of the last year to be paid.

Supreme Court Room.

To the Commissioners of Public Buildings the sum of fifty pounds to complete the repairs and improvements incurred in fitting up the Supreme Court.

Roman Catholic School at Bathurst.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of thirty pounds to enable him to pay the Managing Committee of the Roman Catholic School at Bathurst, to aid towards the support of said School.

William Hay.

To William Hay, a licenced Teacher, the sum of six pounds thirteen shillings and four pence for having taught a School in the Parish of Burton, in the County of Sunbury, for four months ending first day of March one thousand eight hundred and forty seven.

Bridge over the South West Branch Miramichi River.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding four hundred pounds to complete the Bridge over the South West Branch of the Miramichi River.

W. M'Dermott.

To William M'Dermott, a licenced Teacher, the sum of ten pounds for teaching a School in the Parish of Prince William, in the County of York, for half a year ending the twenty third of January last.

A. M'Gowan.

To Andrew M'Gowan the sum of twenty pounds to remunerate him for building a Bridge in the year one thousand eight hundred and forty one on the line of Road from Fredericton to Woodstock, by direction of the then Supervisor; to be taken out of the Grant made at the present Session for the said Road.

Chairman of Committee of Public Accounts.

To the Chairman of the Committee of Public Accounts the sum of one hundred pounds for extra services; and the further sum of fifty pounds for services and expense incurred during the recess in investigating certain Provincial claims against individuals.

Road through the Inglewood Manor.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one hundred pounds to be appropriated in opening and laying out a Road through the tract of Land known as "Inglewood Manor,"

Manor," to connect the Saint Andrews Road with the Nerepis Road, in aid of appropriation to be made by the proprietors of said Manor for that object.

To James Newcomb, a licenced Teacher in Quaco, Parish of Saint Martin's, County of Saint John, the sum of twenty pounds as an additional remuneration for his keeping a School of a superior description at that place for two years ending in July last.

James Newcomb.

To Thomas Baldwin, of Saint John, the sum of one hundred pounds to compensate him for damages, costs and charges incurred in consequence of a portion of a tract of Land granted to him, having been included in a former grant.

Thomas Baldwin.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of five hundred pounds to enable the Commissioner to complete the contract entered into for the improvement of the Navigation of the River Saint John, at Bear Island and Chapel Bar; seventy five pounds of which to be expended in removing Rocks above the White Rapids.

Improvement of  
River Saint John  
at Bear Island and  
Chapel Bar.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of fifty pounds for the Road leading from Fredericton to New Maryland; and the sum of one hundred pounds towards the erection of a Bridge near Smith's, in the County of York; the above amount being a re-appropriation of a like sum made at the last Session of the Legislature for the purchase of Seed Potatoes for the County of York, and not drawn from the Treasury.

Fredericton to  
New Maryland,  
and Bridge near  
Smith's.

To Gershom Bonnell, a meritorious old Soldier of the Revolutionary War, upwards of ninety two years of age, the sum of ten pounds to assist him in his present destitute condition.

Gershom Bonnell.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of ten pounds, in aid of individual subscription, to run a Courier from the City of Saint John through the Caledonia, Hibernia, and Brown Hill Settlements, and to the Tynemouth Road, in the County of Saint John.

Courier from Saint  
John to Tynemouth  
Road.

To Caleb Bennet the sum of five pounds to remunerate him for teaching a School four months in the Parish of Stanley, in the County of York.

Caleb Bennett.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds towards the erection of a Wall round the Provincial Penitentiary.

Wall around  
Provincial Penitentiary.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred and fifty pounds towards payment of the interest on the Debentures due for the Provincial Penitentiary.

Provincial Penitentiary  
Debentures.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of twenty three pounds, being the amount due to A. Goodfellow for reporting upon the site of the Arestook Bridge.

Arestook Bridge,  
A. Goodfellow.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding three hundred and fifty pounds to provide for the expenses of working the Dredging Machine during the present year at the Washademoak, or elsewhere.

Dredging Machine.

To Guy Clinch, of Saint George, the sum of ten pounds to compensate him for the services of his late Wife, Lucretia Clinch, deceased, a licenced Teacher, for teaching a School in the Parish of Saint Stephen, in the County of Charlotte, for the period of six months ending the fourth day of February one thousand eight hundred and forty five.

Guy Clinch.

To William Mahood the sum of ten pounds in full for balance due him for running out the Charlotte County Line.

William Mahood.

To

John C. Allen,  
Rules of Court.

To John C. Allen the sum of fifty pounds towards remunerating him for the expense of printing his Compilation of the Rules of the different Courts in this Province, with the Abridgment of the Acts of the Legislature relating to the Practice of the respective Courts in this Province.

Richard M'Laugh-  
lin.

To Richard M'Laughlin, late Deputy Surveyor and Deputy Commissioner of Crown Lands in the County of Gloucester, the sum of fifty pounds, being balance due him for a Survey made between Tabusintac and Bathurst, for which Survey a Warrant issued in December one thousand eight hundred and thirty five, but not drawn by the said Richard M'Laughlin.

Terence Ferguson.

To Terence Ferguson the sum of forty pounds to remunerate him in part for the serious loss he has sustained in completing a Contract on the Great Marsh Road in the vicinity of Saint John, to be taken from the grant for that service.

Courier, Frederic-  
ton to Bear Island.

To Commissioners to be appointed for the purpose, the sum of twenty five pounds, in aid of individual subscription, towards supporting a weekly Courier between Fredericton and Bear Island, via Keswick Creek, at Estey's Bridge.

Courier, Frederic-  
ton to Saint An-  
drews.

To Commissioners to be appointed for the purpose, the further sum of one hundred pounds towards the support of a Courier twice a week between Fredericton and Saint Andrews.

Destitute Emi-  
grants.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, a sum not exceeding three thousand pounds, the same to be expended by such Commissioner or Commissioners as shall be appointed by His Excellency the Lieutenant Governor, by and with the advice and consent of the Executive Council, towards relieving destitute and diseased Passengers and Emigrants, and in assisting them to reach their several places of destination during the coming season; the expenditure of the same to be accounted for by detailed Accounts, shewing the sums advanced, the sums expended, the names and ages of the persons relieved or assisted, the ships or vessels in which they arrived, with the time of their arrival, the nature of the relief or assistance afforded; such Accounts to be attested before a Magistrate, and laid before the Legislature at the next Session; provided that no relief or assistance shall be afforded under this Resolution to any Emigrant or Passenger for a longer space than twelve calendar months from the time of his or her arrival in the Province; the same to be taken from the Emigrant Fund.

English Mails by  
Express.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds to defray the expense of forwarding the English Mails for this Province from Halifax by express.

Peter M'Kenna,  
to purchase land.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of six pounds five shillings to pay the purchase money for fifty acres of Crown Land to be granted to Peter M'Kenna, late of the Ninth Lancers.

Charles Rainsford,  
to purchase land.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of sixty five pounds to pay the purchase money for five hundred acres of Crown Lands to be granted to Charles Rainsford, Esquire, late of the one hundred and fourth Regiment, in consideration of valuable services rendered by him to a portion of the said Regiment.

Famine in Ireland  
and Scotland.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand five hundred pounds, to be applied towards relieving a portion of our fellow Subjects in Ireland and Scotland suffering the horrors of famine.

Postmaster.

To the Postmaster at Fredericton the sum of five hundred and two pounds eleven shillings and three pence, being the amount of Postages of the Legislature during the present Session.

To

To the Clerk of the House of Assembly the sum of three hundred and sixteen pounds ten shillings, being expenses of fitting up Committee Rooms.

House of Assembly,  
Committee Rooms.

To the Clerk of the House of Assembly the sum of one thousand eight hundred and seventy four pounds sixteen shillings and nine pence, being the Contingencies of the present Session.

Contingencies of  
the Legislature.

II. And be it enacted, That all the before-mentioned sums of money shall be paid by the Treasurer of the Province by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, out of the monies now in the Treasury, or as payments may be made at the same.

Money to be paid  
by Warrant.

### CAP. L.

An Act to provide for opening and repairing Roads and erecting Bridges throughout the Province.

*Passed 14th April 1847.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the Treasury of the Province to such persons as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, shall appoint, in addition to the sums already granted, the following for the purposes hereinafter mentioned, that is to say :

Money granted  
for Roads and  
Bridges :

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the Great and other Roads throughout the Province, for building and repairing Bridges, and opening and improving Roads to and in new Settlements, viz :—

One thousand eight hundred pounds for the Road from Saint John to the Nova Scotia Line; two hundred pounds of which, or thereabouts, to be laid out for the improvement of the Great Marsh in the vicinity of Saint John; six pounds ten shillings to remunerate John Hennessy for repairing the Bridge near the Aboideau, Saint John; one hundred pounds to be expended in making the Road as recently altered, on the old Westmorland Road, to avoid several heavy hills; forty pounds to be expended between Snow's and Monmouth Fowler's, on the last mentioned Road; six hundred and twenty eight pounds ten shillings to improve that part of the Road leading from the Great Marsh, Saint John, to Hayward's Mills, and for the Bridges thereon; three hundred pounds towards the erection of the Memramcook Bridge; and the remainder, five hundred and twenty five pounds, for the Road and Bridges from Hayward's Mills to the Nova Scotia Line; so much of the latter sum to be expended on the Great Marsh Road in Sackville, as may be necessary to keep it in repair.

Great Road, Saint  
John to the Nova  
Scotia Line.

Six hundred and thirty pounds for the improvement of the Great Road from Saint John to Saint Andrews; out of which the amount due for building the Bocabec Bridge to be applied by the Supervisor, and one hundred pounds to be expended between Magaguadavic and Saint Andrews :

Saint John to  
Saint Andrews.

Nine hundred pounds for the Road from Fredericton to Saint John, via Nerepis; such sum as may be necessary from the two last mentioned grants to be applied in replacing and repairing the approaches to the Steam Boat Landing in Carleton; five pounds thirteen shillings and seven pence of this sum to be paid A. Goodfellow, late Supervisor, balance due him.

Fredericton to  
Saint John, via  
Nerepis.

One hundred and sixty pounds for the Road from Nerepis to Gagetown, and for Bridges on that Road.

Nerepis to Gage-  
town.

- Dorchester to Shediac. Two hundred pounds for the Road from Dorchester to Shediac; twenty pounds of which on the new Road from the Steam Mill to Bateman's.
- Shediac to the Bend of Petitcodiac. Seventy five pounds for the Road from Shediac to the Bend of Petitcodiac.
- Richibucto to Chatham. Five hundred and eighty pounds for the Road from Richibucto to Chatham.
- Newcastle to Bathurst. Two hundred and seventy pounds for the Road from Newcastle to Bathurst; thirty pounds of which to be expended in the improvement of the Ferry Landing on the west bank of the Big River Nepisiguit.
- Bathurst to Campbellton. Nine hundred pounds for the Road from Bathurst to Campbellton.
- Fredericton to Woodstock. One thousand three hundred and fifty pounds for the Road from Fredericton to Woodstock; a sum not exceeding eighty pounds of which to be laid out on the north side of the River Saint John, and to repair the Ferry Landing; and twenty pounds for a Bridge over Upham's Creek.
- Woodstock to the Arestook. Five hundred and forty pounds for the Road from Woodstock to the Arestook.
- Arestook to the Grand Falls. Six hundred and thirty pounds for the Road from Arestook to the Grand Falls.
- Fredericton to the Finger Board. Four hundred pounds for the Road from Fredericton to the Finger Board; such sum as may be considered properly due and owing to William Colwell to be paid him out of this grant, for improved lands taken to alter the Road.
- Bellisle to Saint John. One hundred and thirty five pounds for the Road from Bellisle to Saint John.
- Fredericton to Newcastle. One thousand pounds for the Road from Fredericton to Newcastle; out of which sum twenty five pounds to be paid to John Wilson for a Team Ferry Boat across the North and South West Branches of the Miramichi River in the year one thousand eight hundred and forty six, upon its being certified by A. M'Laggan and T. N. Underhill, Esquires, that this duty has been faithfully performed.
- Fredericton to Saint Andrews. Seven hundred and forty pounds for the Road from Fredericton to Saint Andrews; four hundred and fifty pounds of which to be expended between Trout Brook and Saint Andrews, to repair the Bridges and Road; and the remainder, two hundred and ninety pounds, to be expended between Fredericton and Magaguadavic.
- Salisbury to Harvey. Four hundred and fifty pounds for the Road from Salisbury to Harvey, in the County of Albert; one half of which to be expended between Salisbury and Dawson Steeves', in Hillsborough, and the remaining half to be expended between said Dawson Steeves' and Harvey.
- Shediac to Richibucto. Five hundred pounds for the Road from Shediac to Richibucto.
- Waweig to Saint Stephen. Two hundred and twenty five pounds for the Road from Waweig to Saint Stephen.
- Woodstock to Houlton. Twenty five pounds for the Road from Woodstock to Houlton.
- Oromocto to Gagetown. Forty five pounds for the Road from the Oromocto to Gagetown.
- Oak Bay to Eel River. Six hundred pounds for the Road from Oak Bay to Eel River; one half of which sum to be expended north of the Baillie Settlement, including fifty pounds from the head of Oak Bay to the Baillie Settlement, and the remainder between Eel River and Little Digdeguash.
- Grand Falls to the Canada Line. One thousand one hundred pounds for the Road from the Grand Falls to the Canada Line; two hundred pounds of which to be laid out between Michael Tighe's and Lewis Neddoe's.

Three hundred and sixty pounds for the Road from Bathurst to Miramichi, via Pokemouche; one half of which to be expended in Northumberland, and the remainder in Gloucester.	Bathurst to Miramichi.
Two hundred and fifty pounds for the Road from Saint John to Quaco.	Saint John to Quaco.
One hundred and thirty five pounds for the Road from Hampton to Bellisle.	Hampton to Bellisle.
One hundred pounds for the Road from the lower Landing at the Grand Falls to the American Boundary.	Grand Falls to American Boundary.
Two hundred pounds for the Road from Cole's Island to Cape Tormentine.	Cole's Island to Cape Tormentine.
One hundred pounds for the Road from Pickard's Store to the American Boundary.	Pickard's Store to American Boundary.
Six hundred pounds for the Road from Fredericton to the Bend of Petitcodiac.	Fredericton to Bend of Petitcodiac.
Eight hundred pounds towards building a Bridge over the Richibucto River.	Bridge over Richibucto River.
Nine hundred pounds towards building a Bridge over the Arestook River.	Bridge over the Arestook.
Three hundred pounds additional for completing a Bridge over the Memramcook River, on the Great Road leading from Saint John to the Nova Scotia Line.	Bridge over the Memramcook.
One hundred and fifty pounds to and through the Mechanics' Settlement, in King's County and the County of Albert; to be laid out in the most judicious manner for opening, improving and extending the Road on which the Public Monies have hitherto been applied; ten pounds of which to explore the Road from Ferry Point to the Settlement.	Roads through Mechanics' Settlement in Kings' County. Exploration.
One hundred pounds for the Road from Hammond River to Hopewell; five pounds of which to be paid Michael M'Manus for removing wind falls.	Hammond River to Hopewell.
One hundred and fifty pounds for the Road from Loch Lomond to Sussex Vale.	Loch Lomond to Sussex Vale.
One hundred pounds for a Bridge near Smith's, at Hammond River.	Bridge at Hammond River.
Two hundred and thirty pounds from the Road from Campbelton to Upsalquitch.	Campbelton to Upsalquitch.
One hundred and fifty pounds for the Road from the River to and through the Victoria Settlement, to Gillan's.	River to Gillan's, through Victoria Settlement.
One hundred and fifty pounds for the Road from the Nerepis Road to and through the Douglas Valley Road, and towards Hartt's Mills.	Nerepis Road to Hartt's Mill.
One hundred and fifty pounds for the Road from Brockway's to Saint Stephen.	Brockway's to Saint Stephen.
Fifty pounds for the Road from Chamcook to Pleasant Ridge.	Chamcook to Pleasant Ridge.
Fifty pounds for the Road from Waweig to Roix'.	Waweig to Roix'.
Twenty five pounds for the Road from Salmon River to Richibucto.	Salmon River to Richibucto.
Fifty pounds for the Road from Cole's Island to New Canaan.	Cole's Island to New Canaan.
Seventy pounds for Trout Creek Bridge.	Trout Creek Bridge.
One hundred pounds for the road from the Bend of Petitcodiac to Richibucto, via Irishtown.	Bend of Petitcodiac to Richibucto.
Sixty pounds for the Road from the Bend of Petitcodiac to the Mountain Settlement.	Bend of Petitcodiac to Mountain Settlement.
One hundred and fifty pounds for the Road from Pokemouche to Shippegan, via the Plains.	Pokemouche to Shippegan.

- Big Nepisiguit towards Northumberland. One hundred pounds for the Road up the Big Nepisiguit River, towards Northumberland.
- Blakslee's Farm to Loch Lomond. Four hundred pounds for the Road from Blakslee's Farm to Loch Lomond; one hundred pounds of which to be applied by the Justices of the Peace of the City and County of Saint John, towards the payment of assessed damages for improved lands taken for said Road.
- Theobald Settlement. Thirty pounds for the Road to and through the Theobald Settlement.
- Quaco to Albert. Two hundred and fifty pounds for the Road from Quaco to Albert County.
- Nackawick Bridge. Two hundred and twenty five pounds for the Nackawick Bridge, in York County, and approaches.
- Keswick Bridge. Two hundred pounds for a Bridge over Keswick River.
- Earle Creek Bridge. Seventy five pounds for the Earle Creek Bridge, in York County.
- Stony Creek to Stone's, Albert. One hundred pounds for the Road and Bridges from Stony Creek to Stone's, in Coverdale, County of Albert.
- Gallagher's to Point Wolfe. One hundred pounds for the Road from Denis Gallagher's to Point Wolfe, in Harvey.
- German Town Road to County Line. One hundred pounds for the Road from Germantown Road to the County Line, through the new Ireland Settlement.
- Newcastle Bridge to Gaspereaux. One hundred and fifty pounds from Newcastle Bridge to the Gaspereaux, through the Hardwood Ridge.
- Bridge at Tabusintac. One hundred pounds for a Bridge at Tabusintac, near Forein's.
- Ferry Blocks, Caraquet River. Fifty pounds to extend the Ferry Blocks on the South West Branch of Caraquet River.
- Saint Andrews Road to Dipper Harbour. One hundred pounds for the Road from the Saint Andrews Road to Dipper Harbour.
- Scoudac Bridge. Two hundred pounds for a Bridge over the Scoudac, in Westmorland.
- Kouchibouguasis Bridge. One hundred pounds for a Bridge over the Kouchibouguasis, in the County of Westmorland.
- Thomas Davis, Bridge. One hundred and twenty pounds to remunerate Thomas Davis for building a Bridge at the second Falls, Magaguadavic, carried away by the Ice Freshet.
- Gunnison & Pratt, Bridge. Thirty pounds to reimburse George Gunnison and Joseph Pratt for repairing a Bridge near Flaherty's, Magaguadavic, injured by the Ice Freshet.
- Milliken Bridge, Magaguadavic. One hundred pounds towards rebuilding the Milliken Bridge, over the mouth of the Magaguadavic.
- Gagetown to Ocnabog. Fifty pounds for the new Road leading from Gagetown to Ocnabog.
- Bridge near House of Correction, Saint John. Seventy five pounds for a new Bridge near the House of Correction, Saint John, on the Road leading past the Alms House and Work House.
- Darling's Island Bridge. Fifty pounds towards completing the Bridge at Darling's Island, King's County.
- South Stream to Kilpatrick's. Thirty pounds for the Road from South Stream Bridge to Kilpatrick's Mills.
- Pabineau Falls to Chaplin Island. Two hundred pounds for improving and laying out a Road from the Pabineau Falls to the Chaplin Island Road, including balance due for over-expenditure.
- Miramichi to Tracadie. One hundred and twenty five pounds for the Road from Miramichi to Tracadie, including Bartibog Bridge.

Sixty pounds for the Bridge across O' Bear's Creek, on the Road from Chatham to Escuminac. O' Bear's Creek Bridge.

Twenty five pounds for exploring and opening the Road from Dixon's Ferry to Corry's, Bartibog. Dixon's Ferry to Corry's.

Forty five pounds for the Road from the River Miramichi to the mouth of the Bathurst Road. Miramichi River to Bathurst Road.

One hundred and fifty pounds for the Road from the mouth of the Tobique to the head of the Settlement on the same; ten pounds of this sum to be expended on the Road leading from O'Connor's to M'Elroy's, in a back Settlement; fifteen pounds to be applied in improving the Road leading to the Holme's Settlement, near to Monquart. Tobique to head of Settlements;

One hundred and fifty pounds for a Bridge across the Kennebecasis at Sidney S. Baxter's. Kennebecasis Bridge.

Seventy five pounds for the Road from Rushagonis to the Saint Andrews Road. Rushagonis to Saint Andrews Road.

Not exceeding eight hundred pounds to complete the Bridge over Richibucto River, payable in the year one thousand eight hundred and forty eight, and not to be drawn from the Treasury until it shall be satisfactorily certified to His Excellency in Council that the sum of six hundred pounds has been raised by individual subscription, and paid to the Contractor for building the said Bridge on account of his contract. Richibucto River Bridge.

To His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the following sums for the improvement of Bye Roads:

#### RESTIGOUCHE BYE ROADS.

*Bye Roads in Restigouche.*

Fifty pounds for the road leading from the Flat Lands to Mrs. Keddel's, at the mouth of the Matapediac.

Thirty pounds for the road leading to the Settlement in rear of James Christopher's.

Thirty pounds to open a road to the Settlement in rear of the Flat Lands, on the line between P. Ryan and Thomas Connors'.

Thirty pounds for the road to the Sugar Loaf Mountain Settlement.

Forty pounds for the road to Lily Lake.

Twenty pounds for the road to the Colebrooke Settlement.

Twenty pounds for the road from Miller's Hill towards the Forks of Eel River.

Forty pounds for the road leading to the Settlement at Marl Lake.

Twenty pounds for the Breast Road, leading from Donald Fraser's, past Gaudin's.

Fifty pounds for the road leading from the new Bridge, on the North Branch of River Charlo, to the Settlement in rear.

Forty pounds for the road leading in at Alexander M'Pherson's to the Settlement on the second Concession.

Twenty pounds to open a road on the west side of Benjamin River to the Shore.

Fifteen pounds for the road on the east side of said River to the Shore, on the line between Ferguson and Cook.

Twenty five pounds to open a road from the Great Road to the Bay Shore, on the line between Charles and Ronald M'Alister's.

Twenty pounds for the road leading to the Settlement on Nash's Creek, in rear of Hervie's.

Thirty

Restigouche  
Bye Roads,  
Continued.

Thirty pounds for the road to the Doyle Settlement.

Twenty pounds for the road to the Settlement in rear of Black and Archibald's.

Twenty pounds to open a road to the Shore from the Great Road leading on the line between Black's and John Bishop's, as laid off by the Commissioners.

Twelve pounds to finish the road leading from the Great Road to the Shore on the west side of M'Nair's Mill Stream.

Thirty pounds to open a road to the second Concession, on the line between Farnham's and Richard Doyle's.

Fourteen pounds for the Bridge over Louison's Brook, and towards the Breast Road in the second Concession, at the Doyle Settlement.

Five pounds for the road leading to the Shore in the Eel River Settlement, near James M'Pherson's.

Sixty pounds for the road from the Forks of Eel River towards the Colebrooke Settlement.

Thirty pounds for the road leading to the second Concession, on the line between Davis' and Serrell's.

Fifty pounds from Christopher's Brook towards Pollock's Hill.

Fifty pounds towards the road round Pollock's Hill.

Bye Roads in  
Albert.

#### ALBERT BYE ROADS.

Thirty pounds for the road from the Great Road in Coverdale, up Little River, to Parkin's.

Fifteen pounds from Gideon Bray's to Coverdale River.

Twenty five pounds from King's County Line, by George Jonah's, to Hiram Stevens', thence to Pollett River.

Twenty pounds from David Wallace's, up Turtle Creek, to the Great Road.

Twenty pounds from the Great Road, up Turtle Creek, to Henry Milton's.

Fifteen pounds from M'Latchy's Bridge to Stoney Creek.

Thirty pounds from Henry Steves' to Irving's, thence to Caledonia Mountain.

Ten pounds from Abraham Steves' to Benjamin Jonah's.

Ten pounds from Henry Steves' to Round Hill, thence to Duffy's.

Twenty five pounds from Hayward's to William Warnuck's.

Twenty five pounds from Hayward's to the Great Road in Hopewell.

Fifteen pounds from James Rodgers', through the Haley Settlement.

Forty pounds for the Road and Bridge to the Memel Settlement.

Ten pounds from L. Regan's to Wilber's, thence to the Caledonia Road.

Forty five pounds from the Great Road in Hopewell through the Caledonia Settlement.

Five pounds from Reuben Stiles' to Gideon Hunt's.

Fifty pounds from Crooked Creek to D. Gallagher's.

Ten pounds for the road up Beaver Brook to Edgett's.

Ten pounds for the road over Germain Town Marsh.

Ten pounds from William Tingley's to the Lake Road.

Ten pounds from T. Edgett's to Fullerton's.

Five pounds from George Dany's to Robinson's.

Sixteen pounds from Forsyth's to Gallagher's.

Ten pounds from Fillamore's to D. Copp's.

Twenty five pounds from New Ireland to Salmon River.

Fifteen pounds for the road up Pine Brook to Bennett's Lake.

Ten pounds from Stony Creek to Thomas Rodgers', thence to Lannan's.

Ten pounds from Coverdale Road to the Niagara Settlement.

- Ten pounds from George Colpitt's Mill to Bannister's.  
 Ten pounds from the Great Road to Coverdale River, by Nixon's.  
 Fifteen pounds from the Great Road near Dawson's to Turtle Creek, thence to the Irving Road. ~  
 Ten pounds from the Great Road to Peter Jonah's.  
 Twenty five pounds from Irving's Road to the West Branch of the Turtle Creek, thence to Little River.  
 Ten pounds from the Prestly Hill to Robert Steves'.  
 Ten pounds from the Memel Road to James Peck's.  
 Ten pounds from William Parkins' to the Westmorland Line.  
 Fifteen pounds from Parkins' Road to Robert Colpitt's, Junior, thence to E. Mullin's.  
 Fifteen pounds from W. Parkins' to Cain's, thence to Golden Mountain.  
 Twenty pounds from R. Colpitt's, up Pollett River, to M'Norton's, thence to Mechanics' Settlement.  
 Twenty five pounds from Pollett River to Isaac Horseman's, through Smith Settlement, thence to Little River.  
 Ten pounds from Binney's Mills to Golden Mountain.  
 Ten pounds from Point Wolfe Road to Herring Cove.  
 Five pounds from H. Coil's to M'Laughlan's, in Harvey.  
 Five pounds from New Ireland Road to Hanson's.  
 Ten pounds from New Ireland Road, by Rayburn's, to M'Kinley's or Dailey's.  
 Five pounds from Haux's to William Doherty's, in Hopewell.  
 Ten pounds from Creek Road to Jamieson's, in Hopewell.  
 Ten pounds from Goshen Settlement to King's County Line.  
 Ten pounds from Robert Colpitt's, on Pollett River, to Ketchum's.

Albert  
Bye Roads,  
Continued.

#### CHARLOTTE BYE ROADS.

Bye Roads in  
Charlotte.

- Sixty pounds to build a Bridge over the M'Nabb Brook, and make the road from the south line of the M'Gee Manor to the old Saint Andrews Road, near Hanson's, Saint George.  
 Ten pounds from the Upper Mills to the Red Rock, Saint George.  
 Thirty pounds from the Upper Mills to the Flume, Saint George.  
 Ten pounds from the Upper Mills to Thorn's farm, Saint George.  
 Ten pounds from Thomas Ferguson's to the Scotch Settlement, by the King's Watering Place, Saint George.  
 Seven pounds ten shillings from the Pound to the Lime Kilns, Saint George.  
 Seven pounds ten shillings from the Mascareene Road, near the Kirk, to the Landing on the Magaguadavic River, between M'Kenzie's and Roix' farms, Saint George.  
 Ten pounds from Kent's Mill to the Upper Falls Road, Saint George.  
 Fifteen pounds from Milliken's Bridge, by Irish Town, to the Parish Line, Saint George.  
 Ten pounds from M'Callum's corner to M'Nabb's Hill, Saint George.  
 Thirty pounds for building the Bridge over Clinch's Brook, Saint George.  
 Seventeen pounds ten shillings to Messieurs H. Flaherty and Daniel Gillmour to enable them to pay Mr. Monroe the balance due him for repairs on the Portage Landing, Saint George.  
 Five pounds from Pomeroy's Bridge towards Smart's, in the Parish of Saint George.  
 Five pounds from Pomeroy's Bridge towards Patterson's, Saint George.

Five

Charlotte  
Bye Roads,  
*Continued.*

Five pounds from the Magaguadavic to the S. Hill, Saint George.

Five pounds for making repairs on the Red Store Landing, Saint George.

Twenty pounds from Messenett's Mill to the Saint John Road, Saint George.

Fifteen pounds for repairing the road through Maces Bay, Pennfield.

Ten pounds from Shaw's farm to the Saint John Road, Pennfield.

Thirty pounds from Dowd's Cove to New River Bridge, Pennfield.

Seven pounds ten shillings from New River Bridge to the Company Mills, Pennfield.

Fifteen pounds from Boyd's corner to Crow Harbour, Pennfield.

Seven pounds ten shillings from Crow Harbour to Popologan, Pennfield.

Five pounds from Arnold's to the head of Black's Harbour, Pennfield.

Five pounds from Black's Harbour to Crickett's farm, Pennfield.

Seven pounds to improve the road and landing near Justison's on the River L'Etang, Pennfield.

Five pounds from Goodwin's to O'Reiridon's farm, Pennfield.

Ten pounds for the road leading to the Rolling Dam to Henry Simpson's, Junior, in the Parish of Saint Andrews.

Five pounds for the road leading from the Fredericton Road to John Cumming's, in the Parish of Saint Andrews.

Ten pounds for the road leading from the Chamcook Lake to the Frye Road, in the Parish of Saint Andrews.

Five pounds for the road leading to Chamcook, by Clark's, in the Parish of Saint Andrews.

Forty pounds for the Frye Road, to be expended at the discretion of the Commissioner, in the Parish of Saint Andrews.

Five pounds for the road leading from the Pottery to Parkinson's barn, in the Parish of Saint Andrews.

Twenty five pounds, in aid of individual subscription, to rebuild the Bridge at the head of the Waweig, near the Widow Connick's.

Seven pounds ten shillings for the road leading from Chamcook Lake Road to Marshall's, in the Parish of Saint Andrews.

Twelve pounds ten shillings for the road from the Frye Road, by Bartlett's, to Stephen Lawrence's, in the Parish of Saint Andrews.

Ten pounds for the road leading to the Minister Bar, and road on Minister Island; one half of the sum to be expended on each road, in the Parish of Saint Andrews.

Ten pounds for repairing and gravelling the road round Indian Point, in the Parish of Saint Andrews.

Five pounds for the road leading to Joe's Point, in the Parish of Saint Andrews.

Seven pounds ten shillings for repairing and gravelling the road across the Commons, by Maxwell's, in the Parish of Saint Andrews.

Eight pounds four shillings for repairing the Road and Bridges on the Walton Road, leading to Chamcook.

Twenty pounds for the road from the Pond Hole to Joseph Gardner's, in the Parish of West Isles.

Twenty pounds for the road from the Randal farm to Red Beach, in the Parish of West Isles.

One hundred pounds for opening and improving the road to Dark Harbour, in the Parish of Grand Manan.

Forty pounds for the roads in the Parish of Campo Bello.

Twelve pounds ten shillings for the road leading from William Creary's to the Glenelg Road, in the Parish of Saint Patrick.

Charlotte  
Bye Roads,  
Continued.

Seventy five pounds for the Glenelg Road, between M'Guire's and James Linton's, in the Parish of Saint Patrick ; four pounds sixteen shillings of which to be paid to John M'Curdy, for over-expenditure in one thousand eight hundred and forty six.

Fifteen pounds for the road from Allanshaw's Mills to Peter Morrison's, in the Parish of Saint Patrick.

Seventeen pounds ten shillings for the road leading from Allanshaw's Mills to Robert Cockburn's, in the Parish of Saint Patrick.

Fifteen pounds for the road from Whittier's Ridge to William Wilson's, in the Parish of Saint Patrick.

Seven pounds ten shillings for the road from William Wilson's to John Smart's, in the Parish of Saint Patrick.

Fifty pounds from Matthew Stevenson's to beyond Woodin's, on the Glenelg Road, and to straighten the same near James Simpson's, in the Parish of Saint Patrick.

Twenty seven pounds ten shillings to Archibald M'Callum and others, in part for rebuilding the Still Water Bridge, in the Parish of Saint Patrick.

Twelve pounds ten shillings for the road leading from John Linton's to Andrew Quade's, in the Parish of Saint Patrick.

Fifteen pounds for the road leading from Angus M'Kaskill's to the Presbyterian Church on Whittier's Ridge, in the Parish of Saint Patrick.

Five pounds for the road leading to Blakely's, by Kill Cat Lake, in the Parish of Saint Patrick.

Ten pounds for the road leading from the Saint John Road to the Saint George Line, near M'Dougal's, in the Parish of Saint Patrick.

Fifteen pounds for the Bog Road and Bridge, in the Parish of Saint Patrick.

Fifteen pounds for the road from William Thomas' to Cathcart's, in the Parish of Saint Patrick.

Fifteen pounds for the road from Oak Bay, past John Cotterell's, to Devoy's corner, in Saint David.

Fifteen pounds from Devoy's corner, in Saint David, to Simmond's, in Saint James.

Eight pounds from the Woodstock Road to Whitmore's corner, in Saint David.

Ten pounds from the Fredericton Road to M'Cann's, in Saint David.

Ten pounds from the Saint Andrew's Road, by Jacob Ried's, to John Ragan's corner, in Saint David.

Ten pounds for the road to Dickey's Saw Mill, in Saint David.

Ten pounds for the road from William Hitching's, past Love's, to the Saint Stephen Road, in Saint David.

Five pounds ten shillings from John Wilson's to the Main Road, in Saint David.

Ten pounds from Benson's corner to the Ledge, in Saint David.

Ten pounds from Tower's corner to Patrick Devilen's, in Saint David.

Five pounds eighteen shillings and eleven pence for the Bridge near Michael Young's, in Saint David, to pay for repairs in one thousand eight hundred and forty six.

Ten pounds for the improvement of the road on Thompson's Hill, in Saint David.

Seven pounds seventeen shillings and one penny for the road between Pollard's and the foot of Tower Hill, in Saint David.

Charlotte  
Bye Roads,  
Continued.

Five pounds for the road towards Robert Moss', and to repair the Bridge on the same.

Twelve pounds ten shillings from James Simmons' to the Baxter Road, Saint Stephen.

Twelve pounds ten shillings from Baxter Road to Parish line, Saint Stephen.

Twenty pounds for erecting a Bridge across Mohannes Stream, on Baxter Road.

Seven pounds ten shillings from the Parish line of Saint James to Chandler's east line.

Fifteen pounds on the road leading to Simon Trimball's from Saint Stephen line.

Ten pounds from Sprague's Falls to Little Ridge, called Chandler's Road.

Seven pounds ten shillings from James Simmons' to Jackson Hill.

Seventy five pounds for improving Potter's Hill, Saint James.

Seven pounds ten shillings from Joel Hill's to Upper Mills, Saint Stephen.

Twelve pounds ten shillings for repairing Mohannes Bridge, leading to Upper Mills.

Five pounds for the Bridge at foot of Hill's Meadow to Chandler's Road, Saint Stephen.

Ten pounds for the road near Daniel Ryan's, in Mohannes Settlement, through to Choat's land, to the Chandler Road, Saint Stephen.

Seven pounds ten shillings for the road through the Baillie Settlement, to Wallace's clearing, Saint James.

Fifteen pounds from the Main Road to Colin Campbell's, and from thence to Albee's Mill, Saint James.

Thirty pounds from William P. Libbey's to the Basswood Ridge, Saint James.

Five pounds from Joseph Tourtelort's to Basswood Ridge Road.

Five pounds from Basswood Ridge Road to Daniel Spillan's, Saint Stephen.

Ten pounds from the Kirk to Gleason's, Saint James.

Seven pounds ten shillings from John Pomeroy's to Little Ridge, Saint James.

Ten pounds for improving the Hill between James Maxwell's and the English Church, in Saint James.

Seven pounds ten shillings from Mathewson's corner to Blakeney's.

Ten pounds from Hitching's Mill to Little River, Saint James.

Five pounds from Burnt Land Road to the Bowery Settlement, Saint James.

Five pounds from Peak's to the Baillie Settlement.

Six pounds to improve Peak's Hill.

Seven pounds ten shillings from Woodstock Road to Thomas Cain's, Saint James.

Five pounds for railing the Bridge over Mohannes, leading to the Scotch Kirk, in Saint James.

Ten pounds from John Arbuckle's to the Woodstock Road.

Ten pounds from Porter's Mill to Oak Point, Saint Stephen.

Seven pounds ten shillings from the Baillie Settlement to Lynnfield Settlement, Saint James.

Seven pounds ten shillings for the road from the Baillie Settlement to J. Robinson's corner to the Lynnfield Settlement, Saint James.

Five pounds for the road from Baillie Settlement to Anderson's Settlement, Saint James.

Seven pounds ten shillings for the road from the Thompson Settlement to Lynnfield Settlement.

## SUNBURY BYE ROADS.

Bye Roads in  
Sunbury.

Seventy two pounds for the road from Tracey's Mills, past Joshua Thomas', towards the Beaver Dam.

Seventy five pounds from the Methodist Chapel at Oak Point to Moses Coburn's at Little River.

Twenty five pounds from Moses Coburn's to Little River Mills.

Twenty seven pounds ten shillings from Burpe's Mills to the Petitcodiac Road.

Fifteen pounds from the Hardwood Ridge Road, past James Miller's, to Whitney's, on Newcastle Stream.

Thirty pounds towards erecting a Bridge over Newcastle Stream, near Daniel Rees'.

Twenty five pounds from the Petitcodiac Road to the Highway in Maugerville, on the line between Sunbury and York.

Ten pounds from the South Branch Road to George Morrow's.

Ten pounds from the Gary Road, past S. Boon's, to Morrow's Store.

Thirty eight pounds from John Smith's, past Charles Johnston's, to Duncan's, on the South Stream Rushagonis.

Sixty eight pounds ten shillings to George Hayward, Esquire, to enable him to pay James Sutherland the balance due him for building two Bridges, the one over Back Creek, and the other over the Rushagonis; and a further sum of three pounds two shillings to enable him to pay Michael Hogan for work done on the road last year.

Ten pounds from the Little River Mills to a new Settlement above said Mills.

Twenty five pounds to James Burpe to enable him to pay a balance due Charles Burpe for a Floating Bridge over the Thoroughfare in Sheffield; and a further sum of twelve pounds to pay Fulton for a Bridge at French Lake.

Fifteen pounds from John Kirkpatrick's to William Anderson's.

Seven pounds ten shillings from Joseph Eastwood's to Owen Foley's.

Seven pounds from Walter Patterson's to William Parson's.

Fifteen pounds from Scoullar's Mills to Charles Dewitt's.

Seven pounds eight shillings from Scoullar's Mills to Solomon Buckingham's.

Ten pounds towards completing the Bridge across the Back Creek in Blissville.

Five pounds from the South Branch Road to Benjamin Smith's.

Twelve pounds ten shillings from Tilley's to the Draw Bridge at the Thoroughfare.

Twenty pounds from Alexander Carr's to Thomas Gillespie's.

Forty five pounds from Thomas Hartt's Mills to George Tracey's, on the east side of North Branch.

Seven pounds ten shillings from the Rushagonis Road, past Mott's Mills, to the Oromocto River.

Ten pounds from John Grass' to John Nason's.

Seven pounds ten shillings from Patrick M'Lauchlin's Road, past John M'Lean's, to George Morrow's Road.

Five pounds from John Conley's to John Nason's.

Ten pounds from the Gary Road, past W. A. Carr's, to the County Line.

Ten pounds from W. Thompson's to William Gordon's.

Twenty pounds to repair the Bridge near Abner Mersereau's.

Ten pounds for the road from S. Hoyt's to C. Duplissa's.

Twenty pounds from Charles Alexander's to Thomas Mersereau's.

Twenty five pounds towards building a Bridge over Swan Creek.

Eighteen pounds towards repairing the Wharf at B. Taylor's.

Sunbury  
Bye Roads,  
Continued.

Thirty pounds from the County Line through the Settlement on the North Forks of Salmon Creek.

Seven pounds ten shillings for the road from Solomon Smith's farm to Brison's.

Bye Roads in  
Carleton.

CARLETON BYE ROADS,

*North of the Rivers DeChute and Monquart.*

Thirty pounds to improve the road from Monquart to Tobique.

Forty pounds to improve the road from Tobique to Salmon River.

Thirty pounds to improve the road leading to the Green River Settlement, in Madawaska.

Forty pounds to improve and open the road from the Bridge on Little Madawaska to the Seignory line, on the south side of the said River.

Ten pounds to improve the road leading to the Tomlison Settlement, in Andover.

Twenty pounds to improve the road leading to a back Settlement in rear of Henry Baird's.

Thirty five pounds to be applied towards building a Bridge over Little River, near the Saw Mill.

Forty five pounds to improve the old Portage Road at the Grand Falls.

Twenty pounds to improve the Portage Road at the Little Falls.

Fifteen pounds to improve the Landing at the west side of the River Saint John, near Stevenson's, and to repair the road leading from the same to the Great Road.

Sixty pounds to open and repair the road leading from Little River Mills, near the mouth of the Arestook, to the Boundary Line, on the north side of the same.

Fifteen pounds to repair the road leading from the mouth of the Arestook River to the head of the Falls.

Ten pounds to improve and open the road leading from the Arestook Road, on the base line of the third tier of Lots, through the Settlement, to Tapley's.

Two hundred pounds to improve the road from the Little Madawaska to the Saint Francis.

*South of the Rivers DeChute and Monquart.*

Five pounds to improve the road from Scotch Corner to Maduxnikik.

Seven pounds ten shillings to improve the road from M'Intyre's south line to the road from Scotch Corner.

Ten pounds to improve the road from the Houlton Road, passing William Bull's, to Hodgden Road.

Twenty pounds to improve the road from Scotch Corner, past M'Kenzie's, to Eel River.

Fifteen pounds to improve the road from George Hillman's, past Faulkner's, to Maduxnikik.

Ten pounds to improve the road leading to Eel River through the Gesner Settlement.

Seven pounds ten shillings to improve the road from DeBeck's Mill, past Kent, to intersect the Eel River Road.

Ten pounds to improve the road from Green's Mill to the Monument Settlement.

Seven pounds ten shillings to improve the road from James Rush's, through the Swamp, to the School House.

Fifteen pounds to improve the road from H. E. Dibblee's to the Boundary Line.

Fifteen

Fifteen pounds to improve the road from Hodgden Road, past Marshall's, to Green's Mill, and then to the Eel River Road.

Carleton  
Bye Roads,  
Continued.

Five pounds to improve the road from John D. Beardsley's to Joseph Bedell's.

Ten pounds to improve the road from Robert Clark's to the O'Donnell Settlement.

Ten pounds to improve the road from the School House in the O'Donnell Settlement, extending down towards Eel River, through the Mountain Settlement.

Five pounds to improve the road from Main Post Road to Eel River Falls.

Ten pounds to improve the road from M'Indoe's corner, past Wilson's, to Peabody's Mill.

Seven pounds ten shillings to improve the road leading to the South Branch of the Maduxnikik, passing Coffe's, to J. M'Lellan's.

Seven pounds ten shillings to improve the road from M'Bride's to Jackson's Falls.

Five pounds to improve the road from George Gartley's, past David Smith's, to a new Settlement.

Ten pounds to improve the road from Scotch Corner Road, past DeBeck's Mill, to Ivey's.

Five pounds to improve the road from John Curry's to the Hodgden Road.

Five pounds to improve the road from Ivey's to White Land Lake.

Five pounds to improve the road from E. A. Cunliffe's to Raymond's.

Five pounds to improve the road from Liley's to M'Grotty's.

Fifteen pounds to improve the road from Elisha Baker's to George Campbell's.

Fifteen pounds to improve the road from George Campbell's to Briggs' corner.

Seven pounds ten shillings to improve the road from Briggs' corner to the Maduxnikik.

Five pounds to improve the road from Alexander Lindsey's, passing Sweet's, to the Bisby farm.

Twenty five pounds to improve the road from Alexander Lindsey's, through New Ireland Settlement.

Five pounds to improve the road from G. Chapman's, passing Stochoe's, to the Main Road.

Ten pounds to improve the road from M'Lauchlan's to Tracey's Mills.

Ten pounds to improve the road from Henry Sharp's to Wilson's.

Ten pounds to improve the road from Wilson's to the North Branch of the Maduxnikik.

Five pounds to improve the road from Briggs', past Coldwell's, to the Williamston Road.

Five pounds to improve the road from Payson's Mill to Coldwell's.

Five pounds to improve the road from M'Graw's to Chapman's.

Ten pounds to improve the road passing Edgar's to the Main Road near James Phillips'.

Five pounds to improve the road from the Main Road near Henry Sharp's, easterly, through the Needham Grant.

Five pounds to improve the road from Jones' to M'Cafferty Settlement.

Five pounds to improve the road from Flanagan's to a back Settlement.

Ten pounds to improve the road from Burpee's Mill, passing Palmer's, to the M'Cafferty Settlement.

Twenty pounds to build a Bridge at Burpee's Mill, over the little Presqu'ile.

Five pounds to improve the road from Simonson's to Edgar's.

Five pounds to improve the road from George Good's to the road leading to Williamston.

Carlton  
Bye Roads,  
Continued.

Thirty pounds to improve the road from David Alexander's to Corbett's.

Fifteen pounds to improve the road from Corbett's to the Big Presqu'ile.

Ten pounds to improve the road from the Big Presqu'ile Bridge to the road leading to the Boundary Line.

Fifteen pounds to improve the road from Bridges', through the Good Settlement, to the Big Presqu'ile.

Twenty five pounds, in aid of individual subscription, to build a Bridge at Tracey's Mill, on the Big Presqu'ile.

Five pounds to improve the road from the Main Williamston Road, near Fewer's, towards Little Presqu'ile.

Five pounds to improve the road from the Williamston Road to White's.

Five pounds to improve the road from the Williamston Road to Mean's.

Five pounds to improve a road from the Big Presqu'ile, south side, extending towards the Main River.

Five pounds to improve the road from the Williamston Road, westerly, passing Alexander's.

Ten pounds to improve the road from Boyer's Mill to the Boundary Line.

Ten pounds to improve the road from Andrew Kinney's to Tracey's Mills.

Seven pounds ten shillings to improve the road from Tracey's Mills to the Cronk Settlement.

Fifteen pounds to improve the road from Ghee's, in a southerly direction, to the road leading to Kerr's.

Seven pounds ten shillings to improve the road from Buchanan's to the Kerr Road.

Five pounds to improve the road from Johnston's, passing Lloyd's, to Oliver's.

Five pounds to improve the road from Buchanan's to the Big Presqu'ile.

Thirty pounds to improve the road from the Monquart to the Becaguimec.

Five pounds to improve the road from the mouth of Monquart to back Settlement.

Five pounds to improve the road from Andrew Kinney's to back Settlement.

Five pounds to improve the road from M'Isaac's to M'Ginley's.

Five pounds to improve the road from Dyer's to a back Settlement.

Ten pounds to improve the road from Lloyd's to the Cold Stream.

Seven pounds ten shillings to improve the road from Hamilton's to the Woodford Grant, Cold Stream.

Seven pounds ten shillings to improve the road from Kelly's to Stephenson's, west side Cold Stream.

Ten pounds to improve the road from mouth of Cold Stream to Stockford's.

Seven pounds ten shillings to improve the road from the mouth of Becaguimec, on the north side, extending up said Stream.

Five pounds to improve the road from the mouth of Becaguimec, on the south side, up said Stream.

Five pounds to improve the road from Clark's to the Victoria Settlement.

Ten pounds to improve the road from Samuel Hayden's lower line, passing Rujan's, to the back Settlement.

Twenty five pounds to improve the road from Becaguimec to Daniel Shaw's.

Twenty pounds to improve the road from Daniel Shaw's to the County Line.

Seven pounds ten shillings to improve the road from Gibson's Mill to the Kilmarnock Settlement.

Twenty pounds to improve the road from John Shea's to the Newberry Settlement.

Ten pounds to improve the road from Carrol's, passing M'Elroy's, to the end of a Settlement. Carleton  
Bye Roads,  
Continued.

Five pounds to improve the road from M'Kenney's to the end of the Settlement.

Five pounds to improve the road from Main River to M'Kenney's, passing James Dickenson's.

Ten pounds to improve the road at the Hayden Ferry Landing.

Twenty pounds to H. M. Garden for a valuable Plan of Bye Roads, County of Carleton.

#### KING'S COUNTY BYE ROADS.

Bye Roads in  
King's County.

Fifteen pounds for the Shore Road from the late Captain Perry's, in Kingston, to James Ketchum's.

Five pounds for the road from near Perry's to R. Purvis' on the Hill.

Ten pounds to cut down and improve the Hill between John Brittain's, Esquire, and the Court House.

Ten pounds for the road from the Long Reach, near Suggett's, to the Mills, late Bates'.

Fifteen pounds for the Midland Road from the Mill, late Bates', by Coffey's, towards the Neck Road; five pounds thereof to be expended between the upper part of Lowel's Lake on the old road to William Darragh's.

Twenty five pounds for the new road by the point of the Mountain near David Puddington's.

Fifteen pounds for the road from William Williams', Long Reach, to Wetmore's Mill Pond, Kennebecasis; ten pounds of which to be expended between the Cross Roads in the Midland and Williams'.

Ten pounds for the road from Richard Nichol's to Anthony Logue's old place.

Fifteen pounds for the road from White's Mill, by Neil M'Carron's, to Henry Williams', Long Reach; one half to be expended between White's and M'Carron's.

Ten pounds for the Neck Road from James White's, Kennebecasis, to Seely's Point, Long Reach.

Ten pounds for the road from Peter Hamilton's to Sea Dog Cove, Milkish.

Fifteen pounds for the new Winter Road from Burnt Cove, near Seely's Point, Long Reach, through to the Milkish.

Five pounds for the road leading from the Ketchum Road to Robert Nutter's, and thence on towards the Perry Brook.

Ten pounds for the Ketchum Road from Pickett's Mills to the Kennebecasis.

Fifteen pounds for the road from Erb's Landing to James Peters'.

Ten pounds for the road leading from the Great Road, near Kinney's, by Abraham M. Pickett's Mill, to the Bellisle.

Ten pounds for the road from Robert Smith's to the Pickwacket Road.

Ten pounds for the road leading from the Post Road, Grand Bay, to the Fowler Settlement and its branches.

Five pounds for the road from Crawford's to the Findlay Settlement.

Five pounds for the road from the Post Road to the Settlement of R. and D. Work.

Ten pounds for the Eastern Nerepis Road; a sufficient sum thereof to be employed in repairing or rebuilding the Bridge on said road over Brittain's Mill Stream.

Five pounds to improve the road from Mr. Hazen's gate to Joseph Bulyea's.

Ten pounds for the road from the Long Reach to the Cheyne Settlement, and thence to the third tier of Lots; one half thereof to be expended from Heightle's corner, back.

King's  
Bye Roads,  
Continued.

Ten pounds for the Wallis Road, from Greenwich Parish Line, through the second tier of Lots, and Cheyne Settlement, to the Eastern Nerepis Road.

Ten pounds for the road from the Wallis Road to Stephen Cronk's, and for the branch thereof leading north easterly to Lands granted to Harrington and others, in the third tier; one half to be expended on said branch.

Ten pounds to improve the worst parts of the road between London's and the Greenwich Creek Bridge.

Ten pounds for the road from the Land's End to Thomas Fenwick's south west line.

Ten pounds for the road from Souther's point to the Kingston Parish line.

Ten pounds for the road from John Keefe's to Richard Wells', Kennebecasis Island.

Ten pounds for the road from Thomas Fenwick's south west line to the head of the Milkish.

Fifteen pounds for the road from James B. Lyons', Long Reach, to the Milkish.

Fifteen pounds to build a Bridge over Brown's Brook, and for the improvement of the road leading from the Lyons' Road, round the head of the Milkish, to join the Harrison Road.

Twenty five pounds to complete the alteration of the road at Greenwich Hill.

Five pounds for an alteration near John Crabb's, Senior, on the road from Greenwich Creek to the back Settlement.

Ten pounds for the road through the second tier of Lots, from Westfield Parish line to Wallis', to be principally expended from the Westfield line upwards.

Ten pounds for the road between Archelaus Carpenter's lower line and the School House near Gorum's.

Fifteen pounds for the road leading from the Yorkshire Road, near Coughlan's, to the Cross Roads, and thence to Andrew Hamilton's, round the Mountain; five pounds thereof to be expended between Coughlan's and the Cross Roads.

Ten pounds for the road from Andrew Hamilton's to the County Line, near Moore's.

Five pounds for the road from William Bogle's to the Yorkshire Road.

Ten pounds to improve the worst parts of the road leading from the Yorkshire Road to Menzie's, and on the Wayland place.

Five pounds to improve the Public Landing near the Widow Flewelling's, and the road leading thence towards Thomas B. Flewelling's.

Ten pounds for the road from John Jones', near the County Line, to William Vanwart's.

Ten pounds for the road at the rear of the Bellisle Lots, from Jenkins' Brook down to the Pigeon Settlement.

Ten pounds for the road from Umphries', across the Neck, to Thomas Barter's.

Ten pounds for the road from Charles Gailey's to Jesse Alward's.

Fifteen pounds for the road from Smith's Creek to Butternut Ridge.

Seven pounds for the road from Isaac Price's to Corn Hill.

Ten pounds for the road from Smith's Creek Road, near Witham Stockton's, to the Brook near John Rous'.

Ten pounds for the road from the Main Road to Gosling's, by way of Snider's. Seven pounds for the road near Snider's to John M'Arthur's farm.

Seven pounds for the road from near Nathaniel Sharp's to Simon Wilcox' farm.

Five pounds for the road from Ephraim Darling's to Thomas Keirstead's.

Ten pounds for the road from Hay's to Patrick Healey's.

Seven pounds for the road from Chapman's Mills to Queen's County Line.

Seven

- Seven pounds for the road from Wright's to Leeper's.  
 Seven pounds for the road from Richard Smith's to Paul Kingston's.  
 Eight pounds for the road from Butternut Ridge to New Canaan.  
 Eight pounds for the road from John Dobson's to the Lumbert Settlement.  
 Ten pounds for the road from W. D. Coate's to Corn Hill.  
 Seven pounds for the road from the Smith's Creek Road to Jordan Mountain.  
 Eight pounds for the road from the Mountain Road, near John Keirstead's, to the Mill Stream Road, by Morris Frazee's.  
 Thirty pounds for the Hill and Bridge near Carmichael's, English Settlement.  
 Five pounds for the road from Seth Foster's to David Keirstead's Mill.  
 Seven pounds for the road from Mill Stream to Bellisle, by David Sharp's.  
 Seven pounds for the road from the School House to Christopher Wilson's corner, on the Mill Stream Mountain.  
 Seven pounds for the road from Gershom Keirstead's to William M'Knight's.  
 Ten pounds for the road from Timothy Leary's to the Shepody Road, near M'Manus'.  
 Nine pounds for the road from William Kyle's to Robert Baskin's.  
 Seven pounds for the road from Frederick Mire's to Gordon's Mill.  
 Fifteen pounds for the road from Walton's Mill to the Shepody Road, by Patrick Walsh's.  
 Ten pounds for the road from John Parlee's Bridge to William M'Ewing's.  
 Eight pounds for the road from Hugh Patterson's to the new line of road leading from Sussex Vale to Loch Lomond.  
 Seven pounds for the road from James Norris' to William Townsend's.  
 Ten pounds for the road leading from the road from Sussex Vale to Loch Lomond to the Shepody Road, by the way of William Storey and others.  
 Ten pounds for the road from Patrick Gallagher's east line to the Campbell Settlement.  
 Eight pounds for the road from Edward Kirk's to Roger M'Manaman's.  
 Ten pounds for the road from William Burns' to John Friar's, by Peter Dean's.  
 Ten pounds for the Ward's Creek Road from Peter Fryer's upwards.  
 Fifteen pounds for the Bridge near A. C. Evanson's.  
 Eight pounds for the Negro Brook Road.  
 Five pounds for the road from Moore's Bridge, running southerly to the Lake.  
 Ten pounds for the road from the Main Post Road to Albert County Line, by way of Ketchum's.  
 Ten pounds for the road from the Main Road, near Daniel Godard's, to Goshen.  
 Seven pounds for the road from M'Anaspee's to Michael Martin's and Thomas Long's.  
 Five pounds for the road leading from Samuel Freeze's south east corner to Pollet River Lake.  
 Eight pounds for the road from John Carroll's to the road leading to Sidney Baxter's.  
 Seven pounds for the road from the north end of Sediquet Lake to M'Laren's Brook.  
 Five pounds to complete the Bridge near Thomas Taylor's.  
 Eight pounds for the road from Deforest's Lake to Campbelton.  
 Seven pounds for the road from John Patten's to Carson's.  
 Eight pounds for the road from Drummond's to Joloff's Mill.  
 Fifteen pounds to improve the road and repair the Bridges between Alexander Kilpatrick's and Daniel Sweeney's.

King's  
Bye Roads,  
Continued.

Ten pounds to improve the road from Daniel Sweeney's to Palmer's field, on the Post Road.

Ten pounds to improve the road leading from the School House, Lakefield, by John Wright's, to the Church at Gondolo Point.

Ten pounds for the road from Colonel Wetmore's to the road near John Wright's.

Ten pounds to improve the road leading from the Settlement of James Hill and others to the old Cumberland Road.

Ten pounds to improve the road from William Dixon's to the Kirk; half of this to assist in improving the road from George Prince's.

Ten pounds to improve the road leading from Longstraff's towards Loch Lomond.

Ten pounds for the road leading from Smith's Mill to the County Line, towards Loch Lomond.

Seven pounds ten shillings for the road from Benjamin Smith's to Jasper Beattie's, and from thence towards the County Line.

Seven pounds ten shillings for the road leading from the Salt Spring Road, by J. C. Robertson's, to James Chinnick's.

Twenty five pounds from Groom's Bridge to Patecake Road.

Seven pounds ten shillings from Hammond River to Dolan's.

Seven pounds ten shillings from Thornbush Hill to Darling's, by John Hill's.

Ten pounds to repair the Bridge near Floyd's Mill.

Five pounds for the road from Joseph Tomlinson's to the west line of the Glebe Lot.

Ten pounds for the road from the Salt Spring Road to Patecake.

Ten pounds for the road from the Widow Conner's to James Innis' farm.

Ten pounds from Lott Mercer's to Duncan Keer's, by George Coates'.

Ten pounds for the road from Patecake to William Yeoman's; one half to be expended between M'Vey's grant and Stevenson's, and the other half between Stevenson's and Yeoman's.

Ten pounds for the road from William Ross', to Michael Denarey's.

Ten pounds for the road from the Campbelton Road, by Patrick Forestal's, to Daniel M'Neal's and others.

Ten pounds to repair the Bridge at Rose's Mill.

Ten pounds to improve the Guthrie Road.

Seven pounds ten shillings from the Island of Woods to the Post Road.

Ten pounds from James How's to Peter Parlee's.

Fifteen pounds to John Barnes to enable him to pay the balance due on South Stream Bridge.

Eight pounds for the road from South Stream Bridge to the County Line, near Cother's.

Eight pounds for the road from M'Garrity's to James Upham's.

Ten pounds for the road from the Salt Spring Road to Upham Church.

Ten pounds for the road leading from Chambers' to the Lake Road, by Dunn's.

Fifteen pounds to complete the alteration in the Salt Spring Road between James Campbell's and Samuel Handlin's.

Ten pounds from the Salt Spring Road to Campbelton.

Seven pounds ten shillings for the road from M'Makin's to the Meeting House.

Seven pounds ten shillings for repairing the Bridge over the Salmon Hole, near Ganter's.

Ten pounds for the road from Hammond River to the County Line, by Brandus'.

Ten

Ten pounds for the road from Ammon Fowler's to Evanson's Manor.

Seven pounds ten shillings for the road from Gregory's to the County Line.

Ten pounds from Drummond's to William Scott's, by Hamilton's.

Ten pounds from Aaron Scott's to Michael M'Makin's.

Ten pounds from the Widow Patten's, on the Shepody Road, to the Anderson Settlement.

Fifteen pounds for the road from the School House, near Walter Scovil's, to William Fowler's.

Ten pounds to assist the inhabitants to repair the Bridge across Noble's Brook.

Fifteen pounds for the road from Isaac Crawford's Brook to Mill Stream, and to repair the Bridge near James Scovil's.

Ten pounds for the road from Weeden Wetmore's to Walter Davis', Backfield.

Fifteen pounds from John Ricker's to B. Kierstead's, on the base line, to William Wetmore's.

Eight pounds from Bellisle Bay to the extremity of the road in the Urquhart Settlement.

Five pounds from Robert Noble's to Uriah Hatfield's.

Five pounds from Jenkins' Cove to Braman's.

Ten pounds to repair the Bridge on the road from Bull Moose Hill to Joseph Adams'.

Five pounds for the road from David Muir's to David M'Knight's.

Five pounds for the road from John Anderson's corner to the road leading to Redstone's Mill.

Five pounds for the road from Anderson's to Ingraham's.

Five pounds for the road from Doctor Wilson's to John Foster's.

Ten pounds from the Kirk to the School House near Donald M'Lauchlan's in the East Scotch Settlement.

Ten pounds from the Kirk to the School House in the West Scotch Settlement.

Five pounds from William H. Spragg's to the road near David Spragg's.

Five pounds for the road from Duff's Bridge, by Owen Monahan's, to Joseph Paris'.

Nine pounds from Redstone's Mill to Matthew Smith's.

Five pounds from Francis West's to the forks of the road near Charles Vincent's.

Ten pounds from James Cunningham's to David Muir's.

Five pounds from the Widow Guiou's to Wesley Colpitt's.

#### KENT COUNTY BYE ROADS.

Bye Roads in  
Kent.

Twenty pounds for the road and causeway from the Post Road to Cocagne Cape.

Forty five pounds for the Bridge over M'Graw's Creek, and the road up the Cocagne River, south side.

Fifteen pounds for the road on the north side of Cocagne River.

Fifteen pounds for the road from Cocagne River to the Chapel in the Ohio Settlement.

Ten pounds for the road from Buctouche River to the Chapel in the Ohio Settlement.

Ten pounds for the road from Doherty's Mill to the Great Buctouche River.

Ten pounds for the road on the south side of the Great Buctouche.

Forty pounds for the road on the north side of Big Buctouche River.

Twenty pounds for the road from the road near Beckwith's through the Settlement in rear of the Indian line, to Johnson's Mill.

Twelve pounds for the Bridge on the road round the Bay from Black River to O. Myers'.

Eight

Keut.  
Bye Roads,  
Continued.

Eight pounds for the road at O. Myers' Creek to the Chockpish River.

Thirty pounds for the Bridge at the Chapel, over Black River.

Ten pounds for the road leading up Chockpish River, above the Post Road.

Fifteen pounds for the road from the Bridge over Chockpish to Little Chockpish River.

Ten pounds for the road from the Village Road to M'Gowan's, at the Post Road.

Five pounds for the road from the Village Road to Augustin Richards'.

Ten pounds for the road from the head of Chockpish River to East Branch.

Fifteen pounds for the road from Galloway to the East Branch; five pounds of which to be expended on the road leading to Charles Lawson's.

Ten pounds for the approaches to the Bridge over Atkinson's Mill Stream, and road thereto.

Sixty pounds for the road from the East Branch Bridge, including the Bridge to the Coal Branch.

Ten pounds for the road from James Irvine's to James Cochran's side line.

Five pounds for the road from South Branch School House to Butler's.

Fifteen pounds for the road and Bridge east side of the South Branch Saint Nicholas River.

Ten pounds for the road and Bridge west side of the South Branch.

Ten pounds for the road to the South Branch French Settlement.

Ten pounds for the road to the French Settlement on the West Branch.

Ten pounds for the road on west side of Saint Nicholas River, above Clark's.

Ten pounds from the Main River to the Mill on the West Branch.

Forty pounds for the road on the south side of Richibucto River, from the Chapel up.

Ten pounds for the road on the east side of the Coal Branch.

Ten pounds for the road on the west side of the Coal Branch.

Ten pounds for the road from Trout Brook to Main River.

Five pounds for the road from the Main River, by Anthony Cole's, to strike the road from the Coal Branch to Main River.

Ten pounds for the road on the north side of Trout Brook, above the Mill.

Ten pounds for the road from the Main River Mills to Bass River, on the Harley line.

Ten pounds for the road from Main River, near Powell's, to the Bridge on Bass River.

Twelve pounds for the Bridge and Road between Bass River and Molus River.

Fifty pounds for the road from Molus River to the Mill Creek.

Fifteen pounds for the road from Oak Point to the Molus River Road.

Twenty five pounds for the road leading up the south side of the Aldouane River.

Fifteen pounds for the road leading up the north side of the Aldouane River.

Thirty pounds for the road on the south side of the Kouchibouguasis.

Twenty pounds for the road on the north side of the Kouchibouguasis.

Ten pounds for the Bridge near the Kouchibouguasis Chapel.

Ten pounds for the road from the Post Road, by Germain White's, to the Allan Settlement.

Fifteen pounds for the road from the Post Road to the Little River, via the rear Settlement on the Kouchibouguasis.

Forty pounds for the road from Kelly's, up the south side of the Kouchibouguac, to the Post Road.

Ten pounds for the road from the Post Road up the River, south side.

Ten pounds for the road from the Post Road up the River, north side.

Thirty pounds for the road from Point Edward up to the Ship Yard.

Ten pounds for the road from Kouchibouguac River to Little River.

Twenty pounds for the road from Kouchibouguac to Point Sapine.

Ten pounds for the road from Point Sapine to the rear Settlement.

Ten pounds for the road from Twedie's Bridge to Black River.

Twenty pounds for the repairs of the Ferry Landings on each side of the Richibucto River.

Twenty one pounds for a new road from the Bridge near M'Almon's to the site of the contemplated Bridge over Richibucto River.

Kent  
Bye Roads,  
Continued.

#### SAINT JOHN BYE ROADS.

Bye Roads in  
Saint John.

Fifteen pounds for the road from Little River to Mispic.

Twenty five pounds for the road from Little River to Loch Lomond, near Lower Loch Lomond Road, so called.

Ninety pounds for the road from Little River to Black River, and for improving Hill at Emerson's Creek, west side.

Ten pounds for the road opened by Brown and others, past Brown's Mill.

Fifteen pounds for the road from Black Settlement Road to Emerson's Creek, Mountain Road.

Thirty five pounds for the road from Emerson's Creek to Gardner's Creek, and to repair the Bridge across Gardner's Creek, and to improve the Hill on the eastern side of Emerson's Creek.

Twelve pounds for the road from Quaco Road to the County Line, near Reed's farm.

Ten pounds for the road from Black Settlement Road to the Quaco Road, back road.

Twenty pounds for the road from Quaco Road, through the Ryan Settlement, to the forks of the road towards the late M'Cracken's, and to cut down two Hills on said road.

Twelve pounds ten shillings for the road from the above forks to the old Quaco Road, past John Davidson's.

Thirty five pounds for the road from Quaco to the County Line, near Tabor's, old Quaco Road.

Ten pounds for the road from Quaco Road, Tynemouth, past John Brown's.

Twenty pounds for the road from Quaco Road to the County Line, Mill and Church Road.

Thirty pounds for the road from Cody's, through the Hibernia Settlement, to the forks of the road leading to the Quaco Road.

Fifteen pounds for the road from the above forks to the road opened by Brown and others.

Ten pounds for the road from Mahar's west line to Harding's Mill.

Twenty two pounds for the road from the forks, near Morrison's, to Frazer's Mill, and to repair a Bridge on said road.

Seven pounds for the road from Tynemouth to the above Mill.

Twenty pounds for the road from Tynemouth Road, past Power's farm, to Quaco.

Seventeen pounds ten shillings for the road leading to Sand Point, Howe's Road.

Seven pounds for the road from Four Mile Road to the County Line, towards Smith's Mills.

Saint John  
Bye Roads,  
Continued.

Ten pounds for the road from the Millican Road, past Cain's, to the County Line, or South Stream.

Thirteen pounds for the road from near Ellison's, at Black River, past White's, to intersect the road from Frazer's Mill to Morrison's.

Ten pounds for the road from Nathaniel Floyd's, at the Parish Line, to the Ten Mile Creek, by way of John Howard's.

Fifteen pounds towards building a Bridge across Bean's Creek, Red Head Road.

Three pounds for the road from Mill and Church Road, east, to communicate with the Millican Road, via Currie's.

Fifty five pounds towards building a Bridge across Ten Mile Creek.

Seventeen pounds for the road from Frazer's Mill to James Brown's, Esquire, on the line laid out by Mr. Cunningham, and to continue from thence to the Ten Mile Creek Road, near the Grave Yard.

Five pounds for the road from Black River Road to Evans' Cove, as laid out by Deputy O'Keleher.

Ten pounds for the road through the Churchland Settlement.

Six pounds for the road from Black River Mills to Morrison's Cove, along the shore, west.

Six pounds for the road from Thompson's Cove, Evans' Road, so called.

Ten pounds for the road from the forks, near Harding's Mill, to the County Line, near William R. Sentill's.

Ten pounds for the road from Hibernia Settlement Road to the Quaco Road.

Twenty five pounds for the road from the Westmorland Road through the Golden Grove Settlement.

Ten pounds for the road from West Beach to Black River Road, Dowd's Road, so called.

Fifteen pounds for the road from the Town Plat, at Quaco, to the County Line, near Tabor's.

Twenty pounds for the road commencing at Barry's east line, in Quaco, to the County Line, Brown's Road, so called, and to connect the Salmon River Road.

Seven pounds for the road from M'Neil's to Emerson's Creek, Black River Settlement.

Five pounds for the road from Black River towards Red Head Road, past Patrick M'Ardell's.

Five pounds for the road from Boar's Head to the Kennebeccasis Road, leading from M'Kay's Mill.

Seven pounds ten shillings for the road from Indian Town Road, past M'Kay's Mill, to the Kennebeccasis, opposite the Brothers'.

Twenty pounds to improve the road and Bridges from Great Salmon River to Little Salmon River.

Seven pounds for the road from Golden Grove Road to M'Gregor's Mill, at Loch Lomond.

Ten pounds to open and make a road from the above Mill, in a line as straight as practicable along the shores of first and second Lakes, until it meets the road leading from Loch Lomond to Smith's Mills.

Seven pounds for the road from the Large Lake, by way of Ratcliff's, to the Hibernia Settlement, through the African Settlement.

Eight pounds for the road from the Village Road, by way of M'Namus', to the County Line, near the Kennebeccasis.

Ten pounds for the road from Quaco to Daniel Brown's Mill, and to connect the Greer Settlement.

Forty pounds towards building a Bridge across Vaughan's Creek, for the benefit of the Vaughan Creek Settlement Road.

*Saint John  
Bye Roads,  
Continued.*

Six pounds for the road from Sands' Road, so called, to the road from Tabor's Bridge to the Town Plat in Quaco.

Five pounds to open a road from Harding's Marsh to the Town Plat Road.

Five pounds for the road from the Four Mile Road, by way of Stackhouse's, to the Valley Road.

Five pounds for repairing Bridge across Mispec, near Ball's Mills.

Five pounds to John Johnston and Hugh Ryan, for expenses in exploring the road from the Town Plat in Quaco to Tabor's Bridge.

One pound three shillings balance due James S. Smith, over-expenditure in one thousand eight hundred and forty five.

Twenty pounds for the road from Botsford Mills Settlement to the lower Loch Lomond Road, near Graham's.

Ten pounds from Dipper Harbour to Little Dipper Harbour.

Ten pounds for the road from Dipper Harbour Road, at Belmore's clearing, by the head of Basin, to the County Line, near Little LePreaux.

Twenty five pounds for the road from Dipper Harbour Road to Chance Harbour.

Fifteen pounds for the road from Saint Andrews Road to Hanson's Mill.

Seven pounds for the road from Heavey's Road to Saint Andrews Road.

Five pounds for the road from the Narrows at Musquash, east side, and to repair Bridge.

Ten pounds for the road from Black Beach to Frenchman's Creek.

Twenty five pounds for the road from Frenchman's Creek to the Saint Andrews Road.

Fifteen pounds for the road from the Saint Andrews Road, at Spruce Lake, to Landing at Pisirinco.

Twenty pounds for the road from Black Beach, by the Irish Settlement and Pisirinco, to meet road last mentioned.

Five pounds for the road from the Saint Andrews Road, near Brown's, to meet road leading from Spruce Lake to the Landing at Pisirinco, at Stony Creek Bridge.

Fifteen pounds for the road from the Nerepis Road to M'Namara's farm.

Fifteen pounds for the road from the Saint Andrews Road, by the Settlement in rear of Menzies' Lake, to connect road last mentioned.

Five pounds for the road from Negro Point, along the City Line, to the Saint Andrews Road.

Seven pounds ten shillings for the road from the Bridge on Craft's Mill Stream to the road leading from Spruce Lake to the Landing at Pisirinco, at Stony Creek.

Five pounds for the road from Tower Hill to the City Line.

Ten pounds for the road from Carleton to Sand Cove.

Seven pounds for the Bridge over Canal between South Bay and Mosquito Cove.

Thirty pounds towards building a Bridge over Stanley Creek, and for improving and opening a road from West Beach to Cape Spencer, and thence to Mispec.

Twenty pounds for the road from the western extremity of Quaco to Tynemouth.

#### QUEEN'S COUNTY BYE ROADS.

*Bye Roads in  
Queen's County.*

Eight pounds from S. Grimshaw's line to James Johnston's lot, Salmon Creek.

Seven pounds to finish the road across Lots Nos. 5, 6, and 7, between Morris Corey's and Jesse Cromwell's.

Seven pounds for the road between Lots Nos. 18 and 19, leading from Foster's Settlement to Washademoak.

Eight

Queen's County  
Bye Roads,  
Continued.

- Eight pounds from Ham's to John Cochran's, Western Waterloo.  
 Seven pounds from Maxwell's to King's County Line.  
 Twenty pounds to improve the Hill near County Line, English Settlement.  
 Ten pounds from Isaac Worden's to Picket's Cove.  
 Eight pounds from George Parker's to Cole's Creek.  
 Five pounds to cut down the Hill between Lawrence Watts' and A. D. Starkey's.  
 Five pounds to repair the road from West's to Charles Crookshank's.  
 Eight pounds from John Banks' to Obadiah Starkey's.  
 Five pounds from Alexander Stewart's to English Settlement, by way of W. Somerville's.  
 Seven pounds from Maxwell's to English Settlement Church.  
 Eight pounds from East Waterloo to Wetherall's Mill, Salmon Creek.  
 Seven pounds from James Watson's to the upper line of William Akerley's farm, and from thence to the road to Lewis' Cove.  
 Seven pounds from Murray's Saw Mill through M'Farland's Settlement,  
 Seven pounds from John Johnston's to Murray's Saw Mill.  
 Eight pounds from the Salmon Creek Bridge and road leading to the English Settlement.  
 Eight pounds to improve the road on the alteration between Daniel Paterson's and English Settlement.  
 Seven pounds to widen the road and gravel the swamp from John Thompson's to Washademoak.  
 Seven pounds from King's County Line to A. Stewart's, on the road leading to Waterloo Settlement.  
 Four pounds to cut down the Hill on the said road.  
 Seven pounds from Woodstock corner, Waterloo, to Charles Stuart's.  
 Eight pounds from Thomas Murray's Mill, East Waterloo, to Stake No. 1.  
 Ten pounds to build an approach to the Ferry and improve the road from the Landing to the road at James Starkey's, Long Creek.  
 Seven pounds from Reuben Vantassel's to Waterloo Road.  
 Eight pounds from Waterloo to the Great Road near William Hughs'.  
 Five pounds from Andrew Lepsitt's to James Spence's.  
 Eight pounds from Cox' Point to Cumberland Bay Bridge.  
 Eight pounds from James Spence's to M'Lean's Mill.  
 Ten pounds from Cox' Point to George Burke's.  
 Eight pounds from George Elkin's to Joseph Barton's.  
 Eight pounds from Cumberland Bay Bridge to G. Burke's.  
 Twenty pounds from Dykeman's Bridge to Cox' Mill.  
 Ten pounds from Cox' Mill to the Great Road, by way of Samuel Knight's.  
 Eight pounds for the road through Foster Settlement.  
 Six pounds from the School House to Tab's farm.  
 Seven pounds for the road on Lot No. 6, between Richard Stephen's and John Elsworth's, to the Great Road.  
 Seven pounds from John Roberts' to the back Settlement.  
 Fifteen pounds from Sands' Creek to Washademoak.  
 Fifteen pounds from Wiggins' Mill, through the Settlement, up Young's Cove Stream.  
 Seven pounds to repair the Bridge at Cox' Mill.  
 Five pounds from Wiggins' Carding Mill to Main Road.  
 Seven pounds to repair the Bridge at George Burke's.  
 Twelve pounds from Gaspereaux Bridge through the Settlement west side Gaspereaux.

Ten pounds from the County Line, north forks of Salmon Creek, to Main Road, near Withrow's.

Queen's County  
Eye Roads,  
Continued.

Twenty pounds from Gaspereaux to Salmon Creek, and thence to the County Line.

Eight pounds from Iron-bound Cove to County Line.

Eight pounds from Red Bank to M'Donald's.

Ten pounds from John O'Larey's to Vance's.

Five pounds from Salmon River to Crawford's.

Eight pounds for the Bridge and road near Guy Brown's.

Eight pounds from Robert Dunn's to Red Bank.

Twenty pounds from Coal Creek Ferry to M'Donald's.

Ten pounds from Robert Lackey's to William M'Alister's.

Twelve pounds from Langan's to Kent County Line, north side Salmon River.

Fifteen pounds to build the approach to Red Bank Bridge.

Eight pounds from M'Lean's Mill through the Settlement south side Cumberland Bay Stream.

Fifteen pounds from Brown's Mill to Cain's Point.

Eight pounds from M'Donald's to Red Bank, Salmon River.

Seven pounds from Dickie's Mill to County Line.

Eight pounds for the road between Joseph Vanwart's and M'Creagh's.

Seven pounds from Samuel London's to the County Line.

Five pounds from Shannon Settlement to London Settlement.

Seven pounds from Craft's to the Shaw's Road.

Five pounds from Shaw's Mill to the Shannon Settlement.

Twelve pounds ten shillings from the Meeting House to Charles M'Alpine's.

Eight pounds from Shaw's Mill to the County Line.

Five pounds from the Cove to Shaw's Mill.

Seven pounds from David M'Donald's to the Cross Road to the Shannon Settlement.

Seven pounds for the road at Washademoak Lake, between Lots Nos. 28 and 29, to the Big Cove.

Seven pounds from Somerville's to Thomas Robertson's.

Five pounds from Alexander Clark's Mills to the landing.

Five pounds for the road from James Watson's to William Akerley's, to the road leading from the Great Road to Lewis Cove, and thence to Bellisle Bay.

One hundred pounds from Cole's Island to Canaan Settlement.

Five pounds from Nathan S. Taylor's Mill to Main Road.

Eight pounds from the Forks to Canaan Settlement.

Seven pounds from M'Donald's Mill to Alwood's Brook.

Five pounds from Rider's to Perry's Mill Brook.

Five pounds from the Forks down to Cromwell's, north side of Canaan River.

Seven pounds from Robert Watts' to John Parker's.

Seven pounds from Thomas Miller's to Coal Creek.

Ten pounds from Hardwood Ridge to Bailey's Point.

Eight pounds from Little River Main Road to Sypher's Pond.

Eight pounds from George Clark's to forks of Newcastle Road.

Forty pounds from north side Maquapit Lake to Newcastle.

Five pounds for the road on the line between Samuel and Moses Denton's, Maquapit Lake.

Five pounds from the Great Road to Justus Austin's, west side Newcastle.

Five pounds from Yeaman's Mill to the Upper Mill, Newcastle.

Eight

Queen's County  
Bye Roads,  
Continued.

Eight pounds to open a new piece of road through Mrs. Thorn's farm in Canning.

Seven pounds ten shillings to cut down the Hill at Little River, north side of Grand Lake.

Seven pounds from Gideon D. Bailey's to the water of Salmon Bay.

Five pounds from the Main Road to Mrs. Austin's in Canning.

Ten pounds from George Clark's to the King's County Line.

Ten pounds for the alteration at Dunn's.

Five pounds for the Simpson Road.

Five pounds for the road from Gallagher's to the road at the head of the Ocnabog.

Eight pounds from Matthew's, by Dunham's farm, to the M'Conkey farm.

Ten pounds from Jerusalem Meeting House to the Short Settlement.

Five pounds from the Clark Settlement to near George Slip's.

Ten pounds for the Brown Road.

Fifteen pounds for the road from George Fox' to Kidney's on the Ocnabog Road.

Ten pounds from Ocnabog Bridge to New Ireland Settlement.

Ten pounds from Samuel Dunham's north line to Lawrence Palmer's north line.

Twelve pounds from Ocnabog Bridge to Harkin's and Brown's.

Fifteen pounds for the road from William Jones' upper line to Moan's Lime Kiln; and four pounds two shillings of this sum to pay David Corefield for stumping forty one rods on the line of road leading to Victoria.

Five pounds from Hogshaw's corner to Jerusalem Settlement.

Ten pounds from Butler Settlement to Friendship Hill.

Eight pounds from the road from Patrick M'Lauchlin's to the Lime Kiln.

Ten pounds for the road from Gagetown Road, towards Geary, through the Clown's Settlement.

Fifteen pounds six shillings to remunerate Francis Wood and James Corbit for erecting a Bridge over the Nerepis, near James Graham's.

Ten pounds from Nerepis Church to Darby Gillan's.

Ten pounds from Inches' corner to King's County Line.

Ten pounds for the George H. Lyon Road.

Ten pounds from Polley's corner to the Church.

Ten pounds from Quinn's to the Lime Kiln.

Eight pounds from the Butler Road, leading from the Main Nerepis Road.

Ten pounds for the Enniskillen Road, leading towards Hartt's Mills.

Ten pounds for the William H. Lyon Road.

Fifteen pounds from Merritt's farm, past John Armstrong's, to the Lime Kiln.

Ten pounds from Wallace's corner to the Yorkshire Road.

Ten pounds from Archibald Crawford's to George H. Lyon's Saw Mill.

Fifteen pounds from the Nerepis Road, through Samuel Babbit's land, to the Ocnabog Road, called the Gammel Road.

Ten pounds from David Nichols', through Clark's farm, to the Ocnabog.

Ten pounds to repair the Wharf at Gagetown.

Eight pounds for the road from Dennis Corrigan's to Gagetown Road, past J. Simpson's.

Thirteen pounds four shillings for the road from Gagetown Road, between James and Luke Appleby's, to the road on the north side of Spry Grant, called the Carney Road.

Fifteen pounds from Vail's Ferry to the Nerepis Road.

Fifteen pounds from the west corner of the Grant to the late Valentine H. Peters, on the Nerepis Road, to the forks of the road near John Gaunce's.

Ten pounds from Lounsbury's Ferry to Currie's Mill, and to build a Bridge over the stream.

Queen's County  
Bye Roads,  
Continued.

#### WESTMORLAND BYE ROADS.

Bye Roads in  
Westmorland.

Twenty pounds for the road from Dobson's to H. Ward's.

Twenty pounds for the road from E. Raworth's to Cape Spear.

Ten pounds for the road from Cape Spear to and by R. Dobson's.

Forty pounds for the road from the Gaspereaux to Great Shemogue.

Ten pounds for the road from Thomas Oulton's to the Emigrant Road.

Ten pounds for the road from Joseph Murray's to Thomas Oulton's.

Seven pounds ten shillings for the road from Adam Scott's to William Fillimore's.

Ten pounds for the road from the Great Shemogue to the Little Shemogue, at Bonvie's.

Fifteen pounds for the road from the late John Anderson's, on the Little Shemogue, to Cadman's.

Twenty five pounds towards erecting an Aboideau over the Little Shemogue, on the main road near the late John Anderson's.

Ten pounds for the new road leading from the Emigrant Road to John Allan's near the Bay Shore.

Ten pounds for the road from the Great Shemogue Road to the Little Cape.

Ten pounds for the road from the Great Shemogue to Tedish.

Seven pounds ten shillings for the road from near Gasperèaux Bridge to Otter Creek.

Ten pounds for the road from E. Chappel's to and past Goodwin's.

Five pounds for the road from the Shemogue Road to Fort Moncton.

Five pounds for the road from Bay Verte to Tignish.

Ten pounds from Jolicure Lake to Point Migic.

Fifteen pounds for the new road from Amos Fowler's to Point De Bute.

Ten pounds from Great Shemogue to John Wells'.

Twelve pounds ten shillings for the road from Alexander Anderson's to D. Fillmore's.

Twelve pounds ten shillings for the road from John Wells' to Alexander Anderson's.

Ten pounds for the road from second Westcock Hill to Grand Aunce.

Ten pounds for the road from Cook's to second Westcock Hill.

Ten pounds from Snell's Mills, by R. Lowerson's, to the Westcock Aboideau, towards repairing the Bridges on that road.

Twenty pounds for the road from Wood Point to Cape Maranguin.

Fifteen pounds from near Charles Smith's, on the Beech Hill Road, to Dickey's.

Fifty five pounds on the road from Thomas Ayer's to the Great Road in Dorchester; ten pounds of which to be expended between the Bon Homme Settlement and Charters'.

Twenty five pounds from Towse's to Saint Andrews Settlement.

Ten pounds for the road from W. O'Brien's to D. Sears', across the Bog at the North Lake.

Ten pounds for the road from William Kinnear's to Beech Hill.

Seventy pounds from Towse's to Courtney Kinnear's, Aboushagan Road.

Forty pounds from Sackville Great Marsh Road to Point Migic Settlement.

Fifteen pounds for the new road from Eliphalet Read's to the Town Line.

Westmorland  
Bye Roads,  
Continued.

Ten pounds for the road from the Great Road in Dorchester to Fairfield.

Fifty five pounds for the road from Joseph Weldon's to the Great Road leading through the North Joggins; ten pounds of which to be expended on the hill and road at Palmer's Creek.

Fifteen pounds for the road leading from Grand Aunce, through the Hard Ledge, to the Cape.

Five pounds for the road from Dorchester Island to Cole's Point.

Five pounds for exploring a road from near Dorchester and Sackville Line, from Cook's to the Great Road.

Ten pounds for the road from the Chapel in Dorchester round the Cormea Marsh.

Fifteen pounds for the road from Bellevous Village, through Dover, to the Great Road.

Thirty five pounds for the road from Dover to the Great Road, via Ralph Carter's.

Ten pounds for the road from De Lesdernier Village to and through the Ayers' Mill Settlement.

Five pounds from Charles Thibedeaux to the Mill Settlement.

Five pounds from William Mittens' to John Mittens', at Fairfield.

Five pounds from Layton Card's to the Great Road, Dorchester.

Ten pounds from the Great Road, via Charles White's, through the John Gould Settlement.

Five pounds from the Great Road to Joseph Bellevous' Mill.

Fifteen pounds for the road from the Great Road in Dorchester to the Sackville Line, via Cook Smith's.

Five pounds from the Great Road in Dorchester to Landry's, via the Lake.

Five pounds for the road from the Great Road through the Guyton Settlement, on the east side of the Memramcook River.

Five pounds from the Chapel Road to Lorang Legere.

Five pounds from the Chapel Road to Tusang Goodie's Mill.

Twenty pounds from David Budrot's, through Indian Town to Fort Folly, and thence to James D. Weldon's Mill.

Five pounds from David Budrot's to Bellevous Village.

Fifteen pounds for the road from Legere's to Barrichoi.

Ten pounds for the road from Morang Tario's to Joseph Galong's, on the Kouchibouguac.

Nine pounds ten shillings for building a Bridge over Joseph Arseneau's Creek, being over-expenditure.

Seven pounds ten shillings for the road from the south east branch of Abou-shagan River to the Sackville Road.

Seven pounds ten shillings for the road from Morang Tario's to Simon Legere's Mills.

Eight pounds for the road from Placide Cormea's to Thomas Arseneau's.

Ten pounds from the Shediac Road to the French Settlement.

Twenty pounds from the Shediac Road to and through the Manudie Settlement.

Five pounds for the road from Budrot's, in Barrichoi, to the Ohio Settlement.

Ten pounds for the road from Courtney Kinnear's to Cormea's Meadows.

Ten pounds from the Chapel in Barrichoi to Courtney Kinnear's.

Twenty pounds from Barter's Cove, north side of the Shediac River, to John M'Dougal's.

Twenty five pounds from the road from John M'Dougal's to the Irish Town Road.

Ten

Ten pounds for the road from Peter Babinot's, north side of Shediac River, to Newman's Mills. Westmorland  
Bye Roads,  
Continued.

Ten pounds for the road from the Shediac Road to Harris' Mills.

Five pounds for the road from the Shediac Road to Jerry O'Neil's.

Ten pounds for the road from the Irish Town Road to J. C. Wood's, through the Communication Road.

Ten pounds for the road from Hall's Creek to and by Michael M'Farlane's.

Twenty pounds from Lutz Mountain to the Steves Mountain.

Ten pounds for the road from the Great Road to the Steves Mountain Settlement.

Ten pounds for the road from Steves Mountain to the Fredericton Road, by Killam Mills.

Ten pounds for the road from the M'Laughlan Road to Indian Mountain.

Twenty pounds for the road from James M'Fee's to Daniel Wheaton's, up the south side of the north River.

Ten pounds for the road from the Butternut Ridge Road to Corn Hill.

Ten pounds for the road from King's, on the Butternut Ridge, along the line dividing the Arnold grants.

Seven pounds ten shillings for the road from Butternut Ridge Road to Jonathan Hick's.

Ten pounds for the road from Alexander Kinnear's to Joseph Chapman's.

Twenty pounds for the road from the Great Road to Butternut Ridge.

Fifteen pounds for the road from James Blakeney's to Corn Hill, via North River.

Ten pounds for the road from the Great Road to the Line of Albert County leading to Robert Stiles'.

Ten pounds to Jonathan T. Colpitt, being the balance due him for building a Bridge over the Pollett River.

Ten pounds for the road and Bridge from Charles Blakeney's to Thomas Fawcett's.

Fifteen pounds for the road from the main road, at Scott's, to the Fredericton Road, via North River.

Twenty pounds for the road from the Petitcodiac River, up the east side of the Pollett River, to the County Line.

Five pounds for the road from the Great Road to Bell's farm.

Five pounds for the road from the River at Uz Blakeney's to John Laller's.

Five pounds for the road from Bannister's to Alexander Cain's.

Five pounds for the road from the Great Road, Shediac, to Gilbert's Mill Settlement.

#### YORK COUNTY BYE ROADS.

Bye Roads in  
York County.

Thirty pounds for the lower road leading to the Howard Settlement.

Fifteen pounds for the road leading to Skiff Lake.

Thirty pounds for the road to the Howard Settlement, as laid out by Mr. Goodfellow.

Thirty pounds for the road leading to the new Settlement on Eel River, out of which Oliver Miller to be paid his damages.

Five pounds to open a road from the old road to the River Saint John, near John Dickenson's.

Eight pounds for the road to the Rosborough Settlement; two pounds of which towards Joseph Love's, if necessary.

Thirty

York  
Bye Roads,  
Continued.

Thirty pounds for the road to the Magundy, through the Poquiock Settlement.

Eight pounds for the road from Carson's to the Mill, a small part of which to be expended towards Widow Shea's.

Forty pounds for the road leading to the Lake George and Magundy Settlements, including Waterloo Bridge.

Five pounds for the road leading to the Lake, past Trainer's and Irvine's.

Thirty five pounds for the road leading to Hamilton's, near the Dam beyond the Magaguadavic Settlement; three pounds of which towards Brown's; two pounds towards Fisher's, and a like sum towards Jamieson's and R. Henry's.

Ten pounds for the road leading to the Saint Andrews Road, through the Smithfield Settlement, past Mrs. Hunter's.

Twenty two pounds for the road to the rear of the Garden Creek Settlement.

Thirty five pounds for the road from Essensa's, past Ross' Mill, to the Saint Andrews Road.

Fifteen pounds for the road from the Teetotal Settlement to the Sunbury County Line.

Ten pounds for the road to and through the Acton Settlement.

Eight pounds for the road from Harvey Settlement to Frog Lake, and also to Hay and Gill's.

Four pounds for the road to William Robertson's, Harvey Settlement.

Six pounds for the road from Wilson's to Patterson's, in Harvey Settlement.

Eight pounds for the road from Pierott's to the Little Settlement, in rear of Harvey.

Ten pounds for the road from Wynne's to the Teetotal Settlement, to and through the Roach Settlement.

Ten pounds for the road from the Hanwell to the Settlement of Dennis Croly and others, towards Little's; three pounds of which to be expended towards Sweeny's.

Fifteen pounds for the road from the Alms House to the New Maryland Road.

Fifteen pounds for the road from the New Maryland Road downwards.

Fifteen pounds for the road leading to the Glebe.

Seven pounds for the Reserve Road.

Seven pounds for the road from Colonel Maclauchlan's farm to Hanwell.

Thirty pounds for the road from Fredericton to New Maryland.

Thirty pounds towards erecting a Bridge on the Rushagonis.

Thirty pounds for the road leading from Morgan's to the Beaver Dam, and to the County Line.

Twenty pounds for the road from the Rushagonis towards the Saint Andrews Road, through the Little Settlement; four pounds of which, if necessary, for the road leading from Putnam Nason's, past David Nason's, to Little's.

Fifteen pounds from the New Maryland Road to and through the several cross roads intersecting it.

Seven pounds ten shillings for the old road leading to Springhill.

Thirty pounds for the road from the Campbell Settlement to the Nackawickak, at Trout Brook.

Twelve pounds for the upper road to the Campbell Settlement.

Thirty five pounds for the road to and through the Upper Caverhill Settlement, to meet the road from the Springhill Settlement through the lower Caverhill Settlement; five pounds of which to be expended between Doctor Caverhill's corner and the School House, if necessary.

Seven pounds ten shillings for the road near Morehouse's to the Springfield Settlement.

Twenty

Twenty seven pounds to build a Bridge over Currie's Creek, when the site of the road is agreed upon and settled.

York  
Bye Roads,  
Continued.

Thirty three pounds to pay balance due the Commissioner for erecting a Bridge over the Mactaquack.

Fifty pounds for the road from the Mactaquack Settlement to the Springfield Settlement.

Five pounds for the road to the King Settlement.

Five pounds for the road from Stewart's to Bryant's, past Burke's.

Ten pounds for the road from the Mactaquack, past the Scotch Lake, to the River Saint John.

Ten pounds for the road from Moore's to the Mactaquack.

Fifteen pounds to pay Richard Dunn in full for building the Market Wharf.

Fifteen pounds for the road to the Tripp Settlement, from M'Keen's, towards the Keswick Creek, and towards Harris', if required.

Twenty pounds for the road to the new Settlement on the upper part of the Keswick, to be appropriated between the several roads at the discretion of the Commissioner, and a small sum towards Crouse or Esty's, if required.

Five pounds for the road from Jeremiah Christy's to the Brook below the Gully, and on the flat land, if more required.

Ten pounds for the road from the Keswick to the Cardigan, passing the Bird Settlement; out of which John Jones to be paid two pounds five shillings for Plank furnished the Keswick Bridge.

Six pounds for the road on the north line to Robert Bird's, including the Bridge thereon.

Ten pounds for the road from the Keswick to the Bird Settlement, through the Boon Settlement, passing Harris'.

Fifteen pounds for the road to Mount Hope.

Five pounds for the road from the Penniack Mills to Goodspeed's.

Forty pounds for the road on the eastern side of the Nashwaak, some part of which to be expended in extending the road upwards.

Ten pounds for the road from M'Laggan's to Stanley's.

Twenty pounds for an embankment on the River Saint John.

Nine pounds eighteen shillings towards the Ferry at Crock's Point.

Sixteen pounds ten shillings to pay William Dayton, the Commissioner, the balance due him for erecting a Bridge in Douglas.

Eight pounds for the road to the M'Leod Hill Settlement.

Four pounds twelve shillings to pay John Burpe balance due him for erecting a Bridge over the Nashwaaksis.

Thirty pounds for the Royal Road and the Bridges thereon, a part to be expended between Cardigan, towards Johnston's, in the discretion of the Commissioner.

Fifteen pounds for the road from Boyd's to Stanley Point Mill, past Mick's.

Ten pounds for the road from the Tay Creek Settlement to the Lime Kiln Road.

Five pounds for the road to the Hurlet Settlement.

Fifteen pounds for the road to Stanley, passing Doctor Jacob's farm.

Ten pounds for the road to the Fredericksburgh Settlement; five pounds of which to be expended on the road beyond Delucry's to the Temple Settlement.

Ten pounds for the road from Sanson's, in the Cardigan, to the Bird Settlement; three pounds of which for the road leading to Lane's.

Sixteen pounds for the road to and through the Humphrey's Settlement to the Bird Settlement.

York  
Bye Roads,  
*Continued.*

Fifteen pounds for the road from the Nashwaak to and through the New Durham Settlement.

Fifty pounds for the road from the Miramichi Road to the Nashwaak.

Ten pounds for the road from Hanson's to the Church on the Nashwaak.

Fifteen pounds for the road leading to the Petitcodiac Road on the County Line.

Twenty pounds for the road leading to the Keswick, and to repair the Bridges thereon.

Fifteen pounds for the road from Hughes' to the Taxes River, and to the County Line.

Five pounds for the road from Patrick Campbell's to the Stanley Road.

Ten pounds for the road leading from Stanley, on the east side of the Nashwaak, to Stewart and Stinson's, and to Neil Campbell's.

Ten pounds for the road leading to M'Kay's on the Hill.

Ten pounds for the road leading to Corbett's.

Five pounds for the road from the Hanwell to the old road leading to Springhill near the intersection of the said road with the Great Road from Fredericton to Woodstock.

Forty pounds for the improvement of Regent Street Wharf.

Fifteen pounds to pay John Davidson for exploring and laying out the road to Eel River.

Thirty five pounds for the road from the River Saint John to the Nashwaak, passing Blake's Mill, towards David Brown's.

#### NORTHUMBERLAND BYE ROADS.

Bye Roads in  
Northumberland.

Twenty five pounds for the Bridge at Roderick M'Leod's Mill Dam, in the Parish of Alnwick.

Fifteen pounds for the road on the east side of Bartibogue from Moodie's Point to James Ryan's; four pounds sixteen shillings of which to be paid to John Porter.

Five pounds for the road from Patrick Hall's to Bartibogue.

Twelve pounds ten shillings for the road from the angle between 3 and 4, Burnt Church, to the Point, thence to the Great Road near Indian Brook.

Twelve pounds ten shillings for the road from Simpson's to Peter Davidson's, on the north side of Burnt Church.

Seventeen pounds ten shillings for the road from Upper Neguac to the Settlement in rear thereof.

Ten pounds for the road from Lower Neguac to Stymist's Mill.

Ten pounds for the road from the Great Road, north side of Tabusintac, down to the Church.

Twenty five pounds for the road from the Great Road to Gaspereau, by M'Leod's Mill.

Five pounds for the road from M'Leod's Mill to Stymist's Mill.

Ten pounds for the road from the southerly angle of Lot No. 11, granted to Jerome Savoy, to the back Settlement on the line between Lots occupied by Edward O'Brien and William Blake.

Ten pounds for the road from the Emigrant Settlement, south side Tabusintac, to the road leading from M'Leod's Mill to Stymist's Mill.

Fifteen pounds for the Bridge across Red Pine Island Brook.

Ten pounds for the road from the Highway to M'Leod's Saw Mill, and Bridge over the North Branch Cowassagets.

Ten pounds for the road on the western side of French Cove from the Great Road to the mouth of Tabusintac River.

Twelve

Twelve pounds ten shillings for the road on the north side of Tabusintac River, from the Great Road to the Public Landing at the mouth of said River.

Northumberland  
Bye Roads,  
Continued.

Five pounds for the road on the north side of Burnt Church River from the Great Road up to James Wasson's farm.

Five pounds for the road from the Great Road near the Bridge over French Cove towards the Blake and Grattan Settlement.

Ten pounds for the road from Curry and Blake's farm on the northerly side of the Bartibogue River.

Five pounds for the road from the west side of Frenchfort Cove back a distance of about two miles.

Twenty five pounds for the road from the Settlement in rear of Moorfield's to the Bathurst Road near Russell's Mill.

Fifteen pounds for the road from the westerly end of Bartibogue Bridge to the Bathurst Road near Russell's Mill.

Five pounds for the road from Corry's to M'Mahon's on the southerly side of Bartibogue River.

Ten pounds for a Slip at Moorfield's.

Five pounds towards completing a Bridge on Green Brook between Dennis M'Mahon's and the Highway.

Seven pounds ten shillings for the road from Casey's lower line, Escuminac, to Portage River.

Five pounds for the road leading from the Highway to the sea side, near Hamilton School House, and to improve the road leading from there through Thomas Lewis' Marsh.

Five pounds for the road from Lewis Sipplai's, on the west side of Portage River, towards the mouth of the River, till it strikes the road laid out by Deputy Peters.

Twenty pounds for the road from Bay Du Vin River to John M'Kay's, on the Richibucto Road.

Fifteen pounds for the road from Horton's Creek to the residence of John M'Donald, Esquire, thence to Kingston's, and thence to the Mills on the Bay Du Vin River.

Fifteen pounds for the road from the Mills on Bay Du Vin River to the Richibucto Road near Dickens' place.

Eight pounds for the road from the Richibucto Road to the Power and M'Grath Settlements, near the City landing, on the Bay Du Vin River.

Five pounds for the road on the north side of Black River, from Campbell's farm to the mouth of the River.

Five pounds for the road on the north side of Black River, from the Bridge to the residence of F. M'Rae.

Five pounds for the road from Point Aux Car to Black River, opposite Saint Stephen's Church.

Seventy pounds for a Bridge across Taylor's Creek, in Napan.

Five pounds for the road from the Richibucto Road to where the side road on the southerly side of Napan River meets the road leading to the Wellfield Settlement, and from thence to said Settlement.

Five pounds for the road from the Richibucto Road to the upper Settler on the north side of Black River.

Five pounds for the road leading to the upper Settlement on the little Black River.

Five pounds for the road leading from the road to Escuminac to the upper Settlement on the westerly side of Eel River.

Twenty

Northumberland  
By: Roads,  
*Continued.*

Twenty five pounds for the road from the rear of Hanney's clearance to the Wellfield Settlement; seven pounds ten shillings of which sum to be expended on the branch leading to the residence of Martin Glynn and Denis Brady; and seven pounds ten shillings for the branch leading to the residence of John Morrison and others; and three shillings and four pence to be paid to George Johnston, balance due to him as Commissioner for one thousand eight hundred and forty six.

Eighty pounds towards the erection of a Bridge across O'Bear's Creek, and towards improving the road from Bay Du Vin River to Eel River.

Ten pounds to open and improve the road from M'Innis Creek towards the Gardner property on the Bay Shore.

Five pounds to explore and open a road from the Wellfield Settlement towards the Richibucto Road, near the residence of James Lynch.

Five pounds for the road from the Richibucto Road, west side, towards the residence of John Cameron.

Ten pounds towards improving the road from the north side of Eel River to the Hardwood Ridge, near the Sargent Settlement.

Five pounds to improve the road from Angus Sinclair's up to Folie's Mill, thence on the west side of the Little Branch of Black River to the upper Settler.

Ten pounds for the road from the rear of the first Concession of Lots fronting on the Miramichi River, and extending back from the residence of the Reverend Samuel Bacon, to the third tier of Lots.

Fifteen pounds for the road in rear of the front Lots in Chatham, commencing at John Henderson's upper line, back to Thomas M'Donald's, and from thence to the Nelson line; and from Carroll's, in the rear of the second division of Lots, upwards, until it reaches the line joining the Parish of Nelson.

Five pounds for the road below the residence of John Murdoch's to the Napan River, near to Alexander Murdoch's residence.

Five pounds for the Bridge at Chatham Head.

Fifteen pounds for the Bridges between Flett's Cove and Barnaby's River.

Ten pounds for the road from the rear of Sutton's barn to the Oates' Settlement.

Ten pounds for the road from Murphy's, on the Nowlan Road, to Wilson's, on the Sutton Road, between the Barnaby River Road and the Nowlan Settlement.

Fifteen pounds for the road from Nowlan's to Ryan's, thence to Murphy's, and from thence to the road leading along Barnaby's River.

Ten pounds for the road in rear of the Nowlan Settlement through the M'Namara and Wallace Settlements.

Ten pounds for the road on the east side of Barnaby's River to Hutchison's farm.

Forty pounds for the road from Barnaby's Mills to Tobin's farm, thence towards Indian Town.

Fifteen pounds for the road from Saunders' Grist Mill to the Settlement on the right hand Branch of Barnaby's River.

Five pounds for the road on the south side of Barnaby's River to the Semiwagan Ridge.

Five pounds for the road from Flett's Cove to the Nowlan Settlement.

Twenty pounds for a Bridge across the Semiwagan River, on the road leading to the Semiwagan Ridge, and for the improvement of said road.

Ten pounds for the road from Jared Bett's to the Lower Williamstown Settlement.

Five pounds for the road from Philip Kelly's to the Highway.

Thirty pounds for the road from Beaubair's Point to Cuppage and White's.

Ten pounds for the road leading from M'Tavish's lower line to the School House on the Williamstown Settlement.

Northumberland  
Bye Roads,  
Continued.

Ten pounds for the road from the Ferry opposite Hutchinson's, on the North West, to the South West Branch of Miramichi, through the Williamstown Settlement; one pound six shillings and four pence of which to be paid to David Crocker, being a balance due to him as Commissioner for one thousand eight hundred and forty six.

Twenty pounds for the road from Cuppage and White's, through the Indian Tract, to James Holmes' farm, on the Little South West; four pounds eighteen shillings and two pence of which to be paid to the said James Holmes, being a balance due to him as Commissioner for one thousand eight hundred and forty six.

Ten pounds for the road from James Johnston's, on the North West, to John Menzies', on the Little South West, thence up the Little South West, on the north side, to Felix Mackie's farm.

Ten pounds for the road on the south side of the North West, from M'Mahan's farm to Henderson's and Estey's.

Twenty pounds for the road on the new line of road from Matchet's, towards the Peabody farm.

Forty five pounds for the road from Newcastle to Chaplin Island; thirty five pounds of which to assist in completing the road from Trout Brook to the Copp Settlement, North West, agreeably to the road as laid out last year.

Twenty pounds for a Bridge across the Little Sevogle.

Fifteen pounds for a Bridge across the North West Mill Stream, and to improve the road from Oxford Cove to Matchet's Cove.

Forty pounds for the road leading from Cumming's farm to Flynn's and Allison's.

Ten pounds for the road on the bank of the North West, from Watt's farm to Hutchinson's Ferry.

Five pounds for the road on the upper side of the North West Mill Stream to Curry's and Curtis' farm.

Five pounds for the road from the rear of the lower line of George M'Kay's to the lower line of Sinclair's and Clerk's farm on the North West Mill Stream.

Twenty pounds for the Wild Cat Brook Bridge.

Five pounds from the Copp Settlement to the Chaplin Island Road.

Forty pounds for the road on the north side of Renous River, from Indian Town to James Donaldson's farm.

Twenty pounds for the road from John Gowan's, at the mouth of the Dungarvon, to Bartholomew's Mills.

Twenty pounds for the road from the lower Settlement in Dungarvon, through Bassiet's clearance, to the road from the mouth of Dungarvon, leading to Bartholomew's Mills.

Forty pounds for the road from Bartholomew's Mills to the Bredalbane Settlement.

Twenty five pounds for the road from M'Laggan's Mills, on the north side of Bartholomew River, a distance of seven miles, thence crossing the River to the south side, a distance of seven miles; of which five pounds eight shillings to be paid to Alexander M'Laggan, being a balance due to him as Commissioner for one thousand eight hundred and forty six.

Twenty pounds for the road from Bartholomew's Mills to the Forks on the north side of the South West.

Fifteen pounds for the road on the south side of the South West, from Indian Town to the Forks on Cain's River.

Northumberland  
Bye Roads,  
Continued.

Fifty pounds for the road leading from Cain's River to Sabbie's Mills.

Fifteen pounds for the road from Sabbie's Mills to the Horse Shoe on the south side of the Cain's River.

Fifteen pounds for the road from the Horse Shoe in Cain's River, to the main South West, agreeably to Sadler's line.

Ten pounds for the road from John Donald's, on the South West Branch of Miramichi, till it strikes the road to the Settlement on Cain's River, coming out on the South West.

Ten pounds for the road from Patrick Shemock's, on the north side of Cain's River, to the upper Settlement at Whalen Brook, a distance of thirteen miles.

Thirteen pounds for the road from Blissfield Mills to the Hovey Settlement, through the Price and Hovey Settlements; one pound seventeen shillings and ten pence of which to be paid to James L. Price, being a balance due to him as Commissioner for one thousand eight hundred and forty six.

Thirteen pounds for the road from the upper Settlement on Bartholomew's River to the South West Branch of the Miramichi, coming out near Swim's Ferry.

Thirteen pounds for the road from the new Settlement on Bartholomew's River to the South West Branch of Miramichi, coming out near De Cantline's; thirteen shillings and five pence of which to be paid Alexander Brown for so much due him as Commissioner in one thousand eight hundred and forty five.

Fifteen pounds for the road from opposite Boiestown, on the north side of the South West, to the easterly extremity of the Parish of Ludlow.

Five pounds for cutting down the steep hill between Taxes River Bridge and James Fairly's farm.

Ten pounds for the road from M'Allister's, on the south side of the South West of the Miramichi, to Hogan's farm.

Bye Roads in  
Gloucester.

#### GLOUCESTER BYE ROADS.

Fifteen pounds from the main road to Point a Boulleau, by Lousieur's Bridge.

Twenty pounds from the main road to the head of the Tide, on the south side of Little Tracady River.

One hundred pounds from the Wough Bridge to Shippegan, via the Plains, and north side of Pokemouche River.

Twenty pounds from Grand Shippegan to Little Shippegan.

Forty pounds for the road up the south side of Caraquet River, via Bertrand's Brook Bridge.

Fifteen pounds from the main road to the Caraquet Little River Mill.

Ten pounds from Waterloo Corner to the Big Cove.

Thirty pounds from Grand Aunce to Saint Paul's Settlement.

Eight pounds for a Landing at Bartholomew Welton's, in aid of subscription, with a road to the main road.

Fifty pounds for the road to Black Rock Settlement.

Eight pounds for the Hornibrook Road.

Eight pounds for a road from the main road to the Shore, through Richard Ellis's grant, on the line between Richard Ellis's and Matthew Ellis's.

Eight pounds for the Landing at Lot 25, at Captain Hickson's, at New Bandon.

Thirty three pounds for the road on the south side of Big River Nepisiquit, towards the Rough Waters.

Fifty pounds for a Bridge over the Pabino River.

Seventy pounds for the Little River Road.

Gloucester  
Bye Roads,  
Continued.

Fifteen pounds for repairing the Little River Bridge.

Ten pounds for the Middle River Bridge and approaches.

Twenty pounds for the Middle River Road.

Thirty pounds for the Moyle Settlement, to continue the road from Lazar Petre's towards John Boyle's, and to explore and open a road from John Boyle's to the main road.

One hundred pounds towards repairing Bathurst Bridge.

Forty pounds for a Bridge and approaches to connect the Elm Tree Settlement on the north side with the main road between Charles Asche's and Romain Goodin's.

Twenty five pounds for the Anderson Road.

Twenty five pounds from the Main Glanmire Road towards the Great Road, and thence to the shore on the line between Charles Commeau and E. Baldwin's.

Forty five pounds for the Connolly Road to Dunlop, and thence to Glanmire.

Eight pounds from Dunlop to Dumfries, by the Taylor line.

Eight pounds from the Kinsale Road to Peters' River towards Dumfries.

Twenty four pounds for a Bridge over Grant's Brook in Dumfries, and approaches.

Fifty five pounds for the Kinsale Roads.

Twenty five pounds from Tatagouche Falls towards Thomas George's.

Thirty pounds between John Daly's and James Burns' on Tatagouche Road.

Twenty seven pounds from the Main Road towards the Rose Hill Settlement.

II. And be it enacted, That the said several and respective sums of money, and every part thereof, shall be expended under the direction of such Supervisors and Commissioners as His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, may be pleased to appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the said several Roads and Bridges, or in furnishing materials therefor, at the most reasonable rates that such labour and materials can be provided; and every Commissioner so to be appointed shall, as early in the season as may be, carefully examine the part of the Road where any sums of money are to be expended, and shall lay out and mark off such allotment or allotments as may conveniently be contracted for, in order that the making or repairing of the same may be let by auction to the lowest bidder; and in all such cases such Commissioners respectively are hereby required to put a sufficient number of notices, not less than ten days previous to such sale, in three or more of the most public places in the neighbourhood where the work is to be done; which notice shall specify and describe the work to be performed, and also the place, day and hour when and where the same will be let by Auction as aforesaid; and it shall further be the duty of such Commissioners respectively to attend personally at the time and place so appointed, and there to let out to the lowest bidder such allotment or allotments, and at the same time to enter into written contracts for the faithful performance of the work, in time and manner set forth in such contracts; and in cases where the work required to be performed cannot be conveniently let at auction, it shall be the duty of said Commissioners to agree with fit and proper persons to perform the same by days labour; provided that in no case shall more than one quarter part of any grant be so expended; and the said Commissioners shall severally keep an exact account of such monies, and shall produce receipts in writing of the several and respective persons to whom any part of the said

Money to be  
expended under  
the direction of  
Commissioners  
appointed by the  
Governor in  
Council.

Duty of Commis-  
sioners in expend-  
ing money.

said money shall be paid, as vouchers of such payment, and render an account thereof upon oath, (which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer,) to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session.

Money to be paid by the Treasurer by Warrant.

III. And be it enacted, That the before-mentioned sums of money shall be paid by the Treasurer out of the monies in the Treasury, or as payments may be made at the same, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council.

Compensation to Commissioners.

IV. And be it enacted, That the said Commissioners intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum out of the said money so intrusted to them respectively, together with a reasonable compensation for actual labour and work performed by them on the said several Roads and Bridges.

Money to be expended before the first day of October.

V. And be it enacted, That the said Commissioners shall expend the said several and respective sums of money on the Roads, on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending money after the first day of October, where it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees, or other obstructions.

No money to be expended on alterations not recorded.

VI. And be it enacted, That none of the before-mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first duly laid out and recorded.

### CAP. LI.

An Act to appropriate a part of the Light House Fund for a particular service.

*Passed 14th April 1847.*

Preamble.

1 W. 4, c. 2.

‘ WHEREAS in and by the seventh section of an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to provide for maintaining Light Houses within the Bay of Fundy*, it is enacted, that any surplus Light Money which may remain after providing for the support of the several Light Houses in the Bay of Fundy, and such other Light Houses as may thereafter be erected in the said Bay, shall be kept separate from the Ordinary Revenues of the Province, until disposed of by a special Act to be passed for the purpose: And whereas a large amount has accumulated in the Treasury to the credit of that Fund, and it is deemed advisable to appropriate a small part of it, derived as it is from a Tax on Shipping, for the purpose of placing Buoys and Beacons on the Reefs at the entrance of the Harbour of Saint John, for the greater security and safety of Vessels resorting thereto;’

£ 200 granted to place Buoys and Beacons at the entrance of the Harbour of Saint John.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That there be allowed and paid out of the said Light House Fund, so called, to His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of two hundred pounds, to be appropriated for the purpose of placing Buoys and Beacons on the Reefs at the entrance of the Harbour of Saint John.

To be paid out of the Light House Fund by Warrant.

II. And be it enacted, That the before-mentioned sum of money shall be paid by the Treasurer out of the monies of the aforesaid Light House Fund, by Warrant

Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council.

CAP. LII.

An Act to repeal the fifth Section of an Act, intituled *An Act to provide for sick and disabled Seamen, not being Paupers, belonging to the Province*, and to appropriate for a particular service a part of the surplus fund collected under that and other Acts.

Passed 14th April 1847.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the fifth Section of an Act made and passed in the sixtieth year of the Reign of His Majesty King George the Third, intituled *An Act to provide for sick and disabled Seamen, not being Paupers, belonging to the Province*, be and the same is hereby repealed. Act 60 G. 3, c. 15, s. 5, repealed.

II. And be it enacted, That there be allowed and paid out of the surplus fund remaining in the hands of the Province Treasurer, collected under the Act or Acts now or heretofore in force in this Province to provide for sick and disabled Seamen at Saint John, to His Excellency the Lieutenant Governor or Administrator of the Government for the time being, the sum of one thousand pounds to be applied and appropriated towards building and establishing a "Sailors' Home" in the City of Saint John, at such site or place as Commissioners already appointed or hereafter to be appointed for the purpose, may determine, any thing contained in the second section of an Act otherwise appropriating such monies, made and passed in the third year of the Reign of His Majesty King George the Fourth, intituled *An Act to alter an Act to provide for sick and disabled Seamen, not being Paupers, belonging to the Province, and to provide Buildings for the accommodation of the same*, to the contrary notwithstanding. £1000 granted out of the sick and disabled Seamen's Fund towards establishing a "Sailors' Home." 3 G. 4, c. 27.

III. And be it enacted, That the before-mentioned sum of money shall be paid by the Treasurer out of the monies of the said surplus fund, by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of Her Majesty's Executive Council. Money to be paid by Warrant.

CAP. LIII.

An Act to alter and amend the Act to regulate Sales by Public Auction.

Passed 14th April 1847.

**WHEREAS** the duty of two and one half per centum at present chargeable by Law on goods sold by Public Auction has been found so oppressive and burthensome to Trade as to greatly limit and prevent Public Sales;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the second Section of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate Sales by Public Auction*, be and the same is hereby suspended for the period of four years; and in lieu thereof, Preamble. Act 1 W. 4, c. 42, s. 2, suspended for four years.

II. Be it enacted, That there be granted to the Queen's Most Excellent Majesty, Her Heirs and Successors, for the use of this Province, and for the support of the Government thereof, the rate and duty hereinafter mentioned, on goods sold by auction or public outcry, that is to say: on all goods, chattels, wares, merchandize and effects whatsoever, sold by public vendue, auction, or outcry, within this Province, the sum of one pound for every one hundred pounds in value Duty of one per cent. granted on goods sold by Public Auction, except Teas imported direct from China.

value sold as aforesaid, and at and after the same rate for every greater or lesser sum, subject nevertheless to the exceptions contained in the third Section of the said recited Act: Provided always, that the Auction Duties imposed by this Section shall not extend to any Teas imported direct from China.

Auctioneer exempted from County dues for the year in which he may make a sale at Auction.

III. And be it enacted, That no licenced Auctioneer shall be called upon for the payment of any dues to the County in which he may reside, unless he shall have actually made Sales at Auction within the year in which such local dues could be claimed.

### CAP. LIV.

An Act relating to the Provincial Revenue.

Passed 14th April 1847.

Preamble.

3 & 10 V. c. 91.

3 & 7 V. c. 33.

c. 95.

Foreign articles on which the Duties imposed by Act 3 & 9 V. c. 95, are not paid at the Customs, made liable to like Duties payable at the Treasury.

‘ **W**HEREAS by an Act of the Imperial Parliament passed at its last Session, intituled *An Act to enable the Legislatures of certain British Possessions to reduce or repeal certain Duties of Customs*, power and authority are vested in the respective Colonial Legislatures, if they see fit so to do, to reduce or repeal certain Duties of Customs in an Act of the said Imperial Parliament, made and passed in the eighth and ninth years of the Reign of Her present Majesty, intituled *An Act to regulate the Trade of British Possessions abroad*, subject nevertheless to Her Majesty’s assent being thereunto had and declared before the same can come into operation: And whereas a Bill has passed at the present Session of the General Assembly of this Province, in pursuance of said authority, intituled *An Act to repeal the Duties imposed upon articles imported into this Province under the Act of the Imperial Parliament, intituled ‘An Act to regulate the Trade of British Possessions abroad,’* to take effect on the first day of April which will be in the year of our Lord one thousand eight hundred and forty eight, subject to the Royal assent being thereunto first had and declared: And whereas doubts have arisen whether if any or all of the other British Colonies should pass an Act or Acts repealing such Imperial Duties, to take effect before the said first day of April which will be in the year of our Lord one thousand eight hundred and forty eight, and should impose Duties on Foreign productions to be collected under such Act or Acts, either at the Custom House, Excise Offices, or at the Offices of the several Treasurers or Deputy Treasurers, or otherwise, such Foreign productions might not be admitted when imported into this Province from any other Province or Colony, at the rates of Duty chargeable under and by virtue of an Act made and passed the present Session, intituled *An Act further to continue and amend an Act, intituled ‘An Act imposing Duties for raising a Revenue,’* and that the Duties now payable at the Custom Houses in this Province would cease and determine;’

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases when such articles of Foreign growth and manufacture are so imported into this Province, and the Duties under the Imperial Act should not be collected at the Customs, the same Rates and Duties as are imposed in and by the said Imperial Act of the eighth and ninth years of the Reign of Her Majesty Queen Victoria, intituled *An Act to regulate the Trade of British Possessions abroad*, are hereby declared to be imposed on the said Foreign productions, and the same Rates and Duties are hereby imposed and shall be levied and collected by the Province Treasurer and his Deputies, in addition to the Duties imposed this Session under the Revenue Act last mentioned in the Preamble to this Act.

## CAP. LV.

An Act to provide for the erection of a building for a Provincial Lunatic Asylum.

Passed 14th April 1847.

**WHEREAS** it having been found necessary to erect a Provincial Lunatic Asylum, certain Commissioners have been appointed by the Government, under and by virtue of appropriation by Law, for the purpose of erecting such Building on a site near the City of Saint John, selected by the said Commissioners and approved of by His Excellency the Lieutenant Governor in Council: And whereas the said Commissioners have proceeded by contract to the erection of the said Building, but the Legislature have decided not to proceed with the said Asylum according to the terms of the said contract, and the plans and specifications therein referred to;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Commissioners so heretofore appointed, or any three of them, or any Commissioners hereafter to be appointed, be and they are hereby authorized and empowered further to contract, agree and enter into contracts with able and sufficient workmen for the erection of and completing on the said site, a Building suitable and proper for a Provincial Lunatic Asylum, adapted to the present necessities of the Province, together with such out-offices and buildings as may be necessary therefor, for such sum or sums of money as may be found necessary, not however to exceed in all, for the erection of such building, offices and out-buildings, the sum of twelve thousand five hundred pounds, and to receive bonds and other securities for the due performance of such contracts, and also to enforce the performance of such contracts, and if necessary, to sue, prosecute and recover upon such contracts, bonds or other securities, in any Court having competent jurisdiction in the premises; provided that no contract shall be entered into by the said Commissioners for the erection thereof, until the same, with the plans and specifications, shall have been first sanctioned by the Executive Government; and provided also, that nothing herein contained shall authorize the erection of any such buildings on the site aforesaid, until the fee simple thereof shall have been first vested in Her Majesty, Her Heirs and Successors, for the use of the said Asylum, or until a good and sufficient agreement shall have been entered into to vest the same in manner aforesaid, when required so to do.

Commissioners empowered to contract for the necessary Buildings, for a sum not exceeding £12,500.

Plans and specifications to be previously sanctioned by the Executive Government, and the fee simple of the site vested in Her Majesty.

II. And be it enacted, That for the purpose of erecting the said building, offices and out-buildings, it shall and may be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, by Warrant under his Hand and Seal, to draw from the Province Treasury, in addition to the sum of two thousand five hundred pounds heretofore granted and applied by the said Commissioners, the further sum of ten thousand pounds; provided that not more than five thousand pounds be drawn during the present year.

£10,000 in addition to £2,500 already granted, may be drawn from the Treasury.

III. And be it enacted, That upon the due execution of a good and sufficient Grant and Conveyance to the Queen's Majesty, Her Heirs and Successors, of the said lot of Land so selected and approved of as a site for the said Provincial Lunatic Asylum, there shall be paid from the Provincial Treasury to the Grantor or Grantors of the said lot of Land, by Warrant under the Hand and Seal of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, who is hereby authorized to issue the same, by and with the advice and consent of Her Majesty's Executive Council, the sum of two thousand pounds.

On the execution of a Conveyance of the site £2000 to be paid from the Treasury to the Grantor.

IV.

Overseer of the building in its progress to be appointed, and compensation paid from money granted.

IV. And be it enacted, That the said Commissioners shall have power and authority to appoint some fit and proper person, to be approved of by the Executive Government, as a Surveyor or Overseer to superintend the erection of the said buildings, and to pay to the said person such reasonable and proper compensation or hire, as they may deem expedient, which shall be reckoned and considered as part of the expenses of such buildings, and be paid out of the sum so appropriated as aforesaid.

### CAP. LVI.

An Act to provide for the support and improvement of the Parish Schools.

Passed 14th April 1847.

Three Trustees to be annually appointed by the Sessions.

26 G. 3, c. 28.

3 G. 4, c. 29.

Trustees to divide Parishes into School Districts ;

Their powers and duty in establishing and superintending Schools.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Her Majesty's Justices of the Peace of the several Counties in this Province, at their respective Courts of General Sessions of the Peace, shall and may at the time of making the annual appointments of Town and Parish Officers, nominate and appoint three fit and proper persons to be Trustees of Schools for each of the several Towns and Parishes within their respective Counties, who shall be sworn to the faithful discharge of their duty, and be in all respects subject to the same rules and regulations, penalties and forfeitures, as any other Town or Parish Officers are subject to, by virtue of an Act made and passed in the twenty sixth year of the Reign of His Majesty King George the Third, intituled *An Act for the appointment of Town or Parish Officers in the several Counties in this Province*, and of another Act made and passed in the third year of the Reign of His Majesty King George the Fourth, intituled *An Act in addition to an Act, intituled 'An Act for the appointment of Town or Parish Officers in the several Counties of this Province.'*

II. And be it enacted, That it shall be the duty of the said Trustees to divide their respective Parishes into as many School Districts as may from time to time be found convenient or necessary; and when the inhabitants of any District shall have provided a sufficient School House, agreed with a licenced Teacher for the term of six or twelve months, and secured the pecuniary or other allowances hereinafter mentioned for the Teacher, all being done with the consent and to the satisfaction of the said Trustees, or any two of them, of which they shall give to the proposed Teacher a written memorandum, then such Trustees shall consider such Teacher in the public service, and shall visit and inspect the School so established, at least once in six months during the period of engagement, with full power and authority to inquire into all matters appertaining to the said School, whether they affect regularity in attendance, instruction imparted, religious observances, compliance with the regulations of the Provincial Board of Education hereinafter mentioned, or the nature and satisfactoriness of the payments stipulated to be made to the Teachers; and to exhort, admonish or reprove for defects in these particulars, and to suspend or displace the Teacher for intemperance, immorality, repeated neglect of duty, or other misconduct, in which latter cases the said Trustees shall forthwith transmit a report of their proceedings to the Office of the Provincial Secretary, for the information of His Excellency the Lieutenant Governor or Administrator of the Government for the time being.

III. And be it enacted, That His Excellency the Lieutenant Governor or person administering the Government of the Province for the time being, shall, with Her Majesty's Executive Council, be constituted a Provincial Board of Education.

Governor and Executive Council constituted a Provincial Board of Education.

IV. 'And in order that a uniform and efficient system of instruction may be adopted and continued in the Parish Schools in this Province;' Be it enacted, That it shall be the duty of the said Provincial Board of Education, and they are hereby empowered and required as soon as may be after the passing of this Act, to establish a Training School at Fredericton, and thereunto to appoint a Teacher duly qualified, and to fix his salary, so that the same shall not exceed two hundred pounds per annum, and to require such and so many of the licenced Teachers of Schools within the Province for the time being as may be deemed necessary, to attend the said Training School for the purpose of being instructed in the Art of Teaching.

Board of Education to establish a Training School, appoint the Teacher, and require licenced Teachers to attend.

V. And be it enacted, That the Board of Education shall appoint a Secretary to the Board, and shall fix a salary, so that such salary shall not exceed the sum of one hundred pounds per annum.

Board to appoint a Secretary.

VI. And be it enacted, That it shall be the duty of the Teacher of the said Training School to train the said School Instructors in the Art of Teaching, which training shall include a thorough knowledge of the method of conducting a Common School, and especially the art of communicating the rudiments and elementary branches of Common School Education, in a manner best suited to the capacities, ages and conditions of such of the Youth of the Province as the said School Instructors may be afterwards required to teach.

Duty of the Teacher of the Training School.

VII. And be it enacted, That there shall be attached to the said Training School so to be established at Fredericton, a Common School, with a sufficient number of Pupils from five to sixteen years of age, as a model for the practical illustration of the Art of Teaching, and that no School Instructor shall receive a certificate of his competency until he shall have given satisfactory evidence of the same by conducting the exercises of the Model School, and instructing the Pupils therein to the entire satisfaction of the Teacher of the Training School, and agreeably to such regulations as may be established by the Provincial Board of Education.

A Model School to be established in connexion with the Training School, and School Masters' Certificates of competency made contingent upon properly conducting the exercises.

VIII. And be it enacted, That the sum of ten shillings a week, for a period not exceeding ten weeks, shall be allowed and paid to every licenced Teacher so called upon, to enable him to pay the necessary expenses of Board and Lodging while attending at the said Training School, and a like sum shall also be allowed to any licenced Teacher who, with proper testimonials of character, may think proper to apply to learn the Art of Teaching in the said Training School; and a like sum shall also be allowed to bear the expenses of any Candidate who, on a proper certificate of character and attainments, may, on application to the Provincial Board of Education, be admitted to learn the Art of Teaching in the said Training School: Provided always, that no payment shall be made to any such Teacher or Candidate, until he shall have produced a satisfactory certificate of competency, and time of attendance, from the Teacher of the Training School; the same to be granted under the directions and agreeably to the regulations of the Provincial Board of Education.

Pecuniary allowances made for expenses of Teachers and Candidates while attending the Training School.

IX. And be it enacted, That it shall and may be lawful for the Provincial Board of Education, if they shall deem it fit and proper, to appoint such number of the said trained Teachers as they may think necessary, to train and instruct other Teachers and approved Candidates, and to establish the same in any of the Counties, Towns or Parishes in this Province, or in any of the Parish Schools therein, subject to such instructions, rules and regulations as they, the said Provincial Board of Education, may think proper to prescribe.

Trained Teachers may be appointed to train and instruct other Teachers and Candidates.

All licenced Teachers to attend a Training School within a period to be prescribed by the Board.

X. And be it enacted, That it shall be the duty of all Teachers having licences, within such period of time after the passing of this Act as may be appointed by the Provincial Board of Education, to attend either at the Central Training School in Fredericton, or at some other Training School within the Province, and there undergo a regular course of instruction in the Art of Teaching, to the satisfaction of the Provincial Board of Education, and subject to the instructions of the said Board.

Teachers to be classed according to their qualifications.

XI. And be it enacted, That the Teachers when so trained, shall, under the direction of the Provincial Board, be classed in the following order, that is to say : Teachers of the lowest Class shall be qualified to teach Spelling, Reading, Writing, and Arithmetic of whole numbers, including simple interest, and the combination of rules called "Practice;" Teachers of the second Class shall be qualified to teach Spelling, Reading, Writing, Arithmetic, English Grammar, Geography, and Book Keeping : Teachers of the highest Class shall be qualified to teach Spelling, Reading, Writing, Arithmetic, English Grammar, Book Keeping, Natural Philosophy, Algebra, Geometry, Trigonometry, Mensuration, Land Surveying, and Navigation.

Trained Teachers to obtain a Licence before re-engagement in any District.

XII. And be it enacted, That the several persons who shall have creditably passed through any of the said Training Schools, shall apply for and obtain licence to teach, from the Lieutenant Governor or person administering the Government for the time being, previously to their being re-engaged in any School District.

Two Inspectors to be appointed by the Governor in Council.

XIII. And be it enacted, That from and after the passing of this Act, it shall be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, to appoint from time to time as occasion may require, two competent School Inspectors, whose duty it shall be to inspect, once in each year, every School in the Province, and to report on the state and condition of the same, according to the mode and forms which may be prescribed for that purpose by the Provincial Board of Education.

£200 per annum assigned to each Inspector who shall satisfactorily perform his duty.

XIV. And be it enacted, That each Inspector so appointed as aforesaid, and who shall satisfactorily perform the duties required of him, shall be entitled to receive two hundred pounds per annum for each and every year, to be drawn from the Provincial Treasury by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, with the advice and consent of the Executive Council.

Board of Education to enforce the system of instruction illustrated at the Model and Training School ;

XV. And be it enacted, That the said Provincial Board of Education shall and may, by regulations to be by them made, sanction, require and enforce the system of instruction and education illustrated at the principal Model and Training School in all the Schools established under this Act, and may after due inquiry, select and determine the set of Books and apparatus to be used therein, prescribe to the Teachers and School Inspectors such forms as may be considered necessary for shewing the number of pupils in daily attendance, with their attainments in the several branches of education, with such other matters as may be deemed worthy of notice, and also may appoint and establish forms of Registers, wherein may be entered the names, ages, and attendance of pupils, and their progress in learning, and may in general take such charge of all the Schools established under this Act, as shall lead to the prevention of abuses, and the promotion of a good practical education.

Select the set of Books, &c. to be used ;  
Prescribe forms of Returns ;

And take general charge of Schools established under this Act.

£1000 granted to the Board to provide Books and

XVI. And be it enacted, That the sum of one thousand pounds shall be placed at the disposal of the Provincial Board of Education, for the purpose of providing  
Books

Books and apparatus for the use of the Parish Schools, to be placed in charge of persons to be appointed for that purpose in the respective Counties within the Province, and sold for the use of such Schools at prices to be fixed by the Board of Education.

apparatus to be sold for the use of the School.

XVII. And be it enacted, That all persons so appointed to sell and distribute such Books and apparatus as aforesaid, shall on or before the thirty first day of December in each year, during the continuance of this Act, make return of the Books and apparatus sold by them respectively, and also of the Books and apparatus that may be remaining on hand, with an account of all sums of money by them respectively received during the year, the same returns and accounts to be sent to the Board of Education at Fredericton, to be laid before the General Assembly, and the several sums of money to be paid to the Secretary of the Board of Education, and that an account of the Books and apparatus from time to time purchased and sold, shall, with the other reports of the Board of Education, be laid before the Legislature.

Persons appointed to sell the Books to render Accounts.

Accounts and Reports to be laid before the Legislature.

XVIII. And be it enacted, That all Teachers of the highest or first Class shall be entitled to receive from the Treasury for teaching a School six months, fifteen pounds, being at the rate of thirty pounds per annum ; and for a Teacher of the second Class, the sum of eleven pounds for teaching a School six months, being at the rate of twenty two pounds per annum ; and for a Teacher of the lower or elementary Class, the sum of nine pounds for teaching a School six months, being at the rate of eighteen pounds per annum ; provided that the inhabitants of the said District shall have subscribed and paid the sum of ten pounds for the support of such Teacher for a period of six months, or provided board and lodging for the said period.

Remuneration of Teachers.

XIX. And be it enacted, That when any School shall have been kept pursuant to agreement made with the consent of the Trustees, and in accordance with the provisions of this Act, either for six months or one year, then, and in every such case, it shall and may be lawful for such Trustees to make a Certificate in the form following, that is to say :

Trustees to certify to the Sessions Schools duly kept.

‘ We, the Trustees of Schools in and for the Parish of —, in the County of —, do certify to the Court of General Sessions of the Peace in and for the said County, that in the Parish of —, the following Schools have been established and kept, that is to say : in District number —, a School House has been erected or provided, that A. B., a Teacher, being a British Subject and of moral and sober habits, duly licenced, and being of the — Class of Teachers, has been employed in the same, and has actually taught therein for the period of —, ending on the — day of —, to our satisfaction, and that the inhabitants of the said District have subscribed and paid the sum of — pounds [or have furnished the said Teacher during the said period, with board, washing and lodging, *as the case may be,*] towards the support of the said School.

Form of Certificate.

‘ C. D. } Trustees.  
E. F. }

XX. And be it enacted, That the said Justices at their General Sessions respectively, shall, and they are hereby required, twice in each and every year, to certify in one general Schedule, all such Cetificates of the Trustees of Schools as shall or may be laid before them at their General Sessions, under and according to the provisions of this Act, and shall transmit the same to the Secretary of the Province ; upon which Schedule there shall be allowed and paid towards the support of each School, a sum of money at and after the rate of eighteen pounds per

Justices in Sessions to certify.

Rates and amount to be drawn from

the Treasury on account of the Schools.

per annum for each School taught by a Schoolmaster or Schoolmistress of the lowest Class; and a sum of money at and after the rate of twenty two pounds per annum for each School taught by a Schoolmaster or Schoolmistress of the second Class; and a sum of money at and after the rate of thirty pounds per annum for each School taught by a Schoolmaster or Schoolmistress of the first or highest Class; and a sum of money at and after the rate of twenty pounds per annum for each School taught by an untrained licenced Teacher; the same to be drawn from the Treasury of the Province by Warrant of His Excellency the Lieutenant Governor or person administering the Government of the Province for the time being, in favour of the Trustees of Schools of the respective Parishes mentioned in such Schedule, to be applied towards the support of the said Schools according to the true intent and meaning of this Act; provided nevertheless, that no greater sum than two hundred and sixty pounds shall be paid out of the Treasury of this Province for Schools kept in any Parish in any one year; provided also, that no greater allowance shall be made for any one County than on an average of one hundred and eighty pounds for each and every Parish in the County; and provided also, that when the whole sum allowed for any one Parish, pursuant to this Act, is not sufficient to afford the above allowance to each and every School, by reason of the too great number of Schools in the Parish, then, and in such case, it shall and may be lawful for the Trustees, and they are hereby required to apportion the whole sum among all the Schools in the Parish, according to the nature of their respective claims, whether yearly or half yearly Schools.

Reservation for Schools and Trustees under the expiring Acts.

**XXI.** And be it enacted, That all Schools established and in operation at the time of passing this Act, shall be kept until the termination of the period contracted for, and be subject and entitled, in all respects, to the same regulations, certificate, and encouragement, as if the Acts under which they were put in operation were still in force, and that the Trustees now in office shall be, to all intents and purposes, Trustees to carry into effect the provisions of this Act, until the making of the annual appointment of Parish Officers.

Untrained Teachers to be continued as Teachers, &c. subject to being considered as of the lowest class, after a period to be prescribed by the Board of Education.

**XXII.** And be it enacted, That all persons duly licenced, who have not passed through a course of instruction in any Training School, shall for the time being be considered as Teachers, to be continued under the operation of this Act, and as such, shall be entitled to receive at and after the rate of ten pounds for six months, or twenty pounds for one year, as the case may be: Provided always, that it shall be in the power of the Provincial Board of Education to reduce, after a reasonable time, all such licenced Teachers as may omit to avail themselves of the opportunity of acquiring a practical training and knowledge of the improved System of Teaching, to Teachers of the lowest Class, and as such to be subject to the several provisions of this Act.

Free Scholars to be admitted into the Schools by the Trustees.

**XXIII.** And be it enacted, That it shall be the duty of the Trustees in their several and respective Parishes, and they are hereby required to admit free scholars, being the children of poor and indigent parents, into the Schools in their several and respective Districts: Provided always, that no greater number than five free scholars shall be admitted into and taught in any one School at one and the same time.

£100 per annum may be drawn from the Treasury to provide a School House, &c. in Fredericton.

**XXIV.** And be it enacted, That for the purpose of providing a proper Building, and for the other incidental expenses of the School to be established at Fredericton, it shall be lawful for His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice and consent of the Executive Council, annually to draw from the Provincial Treasury a sum not exceeding one hundred pounds.

**XXV.**

XXV. And be it enacted, That an Act made and passed in the sixth year of the Reign of Her present Majesty, intituled *An Act to revive and continue the Acts relating to Parish Schools*, be and the same is hereby continued and declared to be in force until the first day of January which will be in the year of our Lord one thousand eight hundred and forty eight.

Act 6 V. c. 38.  
continued till 1st  
January, 1848.

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

Act limited to 1st  
May, 1850.

### CAP. LVII.

An act to alter and amend an Act, intituled *An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John*.

Passed 14th April 1847.

**W**HEREAS in and by the sixth section of an Act made and passed in the first year of the Reign of Her present Majesty, intituled *An Act to provide for the erection of an Alms House and Work House, and to establish a Public Infirmary in and for the City and County of Saint John*, it is enacted, *inter alia*, that the Alms House in the said City shall be used as and for a Public Infirmary, under the care, management and direction of the said Commissioners, (meaning the Commissioners to be appointed under and by virtue of the second section of the said Act :) And whereas, at the time of making such enactment, the said Alm's House, together with the grounds and lands on which it was built, was vested in, and was owned by the Corporation of the said City, and was transferred, with the other property belonging to the said Corporation, in September one thousand eight hundred and forty two, to Trustees, for the benefit of the creditors of the said Corporation, as by reference to the Trust Deed then executed, will more fully and at large appear: And whereas such investment of the Alms House, by the said sixth section, was not warranted;

Preamble.

1 V. c. 17.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the said sixth section of the hereinbefore recited Act, vesting the care, management and direction of the said Alms House in the Commissioners appointed or to be appointed under and by authority of the second section of the said Act, be and the same is hereby repealed.

Act 1 V. c. 17, s. 6.  
so far as it vests the  
management of the  
Alms House to be  
used as an Infir-  
mary in certain  
Commissioners,  
repealed.

### CAP. LVIII.

An Act to amend an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*.

Passed 14th April 1847.

**W**HEREAS by the first section of an Act, intituled *An Act for the appointment of Town and Parish Officers in the several Counties in this Province*, power is given to any two of Her Majesty's Justices of the Peace in the County where any Town or Parish lies, to impose a fine of forty shillings upon any Town or Parish Officer who shall neglect to qualify as therein stated, or having qualified for any Town or Parish Office, shall neglect or refuse to do his duty, or misbehave in the execution of his office, to be recovered and applied as is mentioned in the said Act: And whereas it is necessary to extend the power given to two Magistrates by the said in part recited Act, to the several Courts of General Sessions of the Peace in this Province;

Preamble.

26 G. 3, c. 28.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the same power given

Power to fine Pa-  
rish Officers for ne-  
glect of duty, con-

ferred on Courts of  
General Sessions.

Fines imposed by  
General Sessions  
under this Act to  
be levied by War-  
rant of distress, &c.

Costs of prosecu-  
tions to be regula-  
ted by the Ordina-  
nce of Fees.

given by the said hereinbefore in part recited Act, to two Magistrates, shall be and the same is hereby given to the several Courts of General Sessions of the Peace in the several Counties in this Province.

II. And be it enacted, That all fines or penalties imposed by the Justices in General Sessions by virtue of this Act, together with costs of prosecution, shall be levied by Warrant of distress and sale of the offender's goods and chattels, directed to the Sheriff of the County within which the offence shall have been committed, rendering the overplus, (if any) after deducting the costs and charges of such distress and sale, to the offender; and if no goods shall be found whereon to levy, it shall and may be lawful for such Sheriff to commit such offender to the Common Gaol of the County where such offence may be committed, there to remain without bail or mainprise, the period to be specified in such Warrant, not exceeding thirty days, unless such fine, costs and charges are sooner paid.

III. And be it enacted, That the costs of prosecution under this Act, had before the Justices in General Session of the Peace, shall be regulated by the Ordinance of Fees established in this Province.

### CAP. LIX.

An Act to amend the Act repealing the Acts affording relief to persons unfortunate in business.

*Passed 14th April 1847.*

Proceedings refer-  
red to in the provi-  
so to Act 9 V. c. 58,  
to be taken by the  
debtor within six  
months, or order  
of the Master of  
the Rolls, &c.  
to be null.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases within the meaning of the proviso of an Act made and passed in the ninth year of Her present Majesty's Reign, intituled *An Act to repeal the Acts to afford relief to persons unfortunate in business*, the debtor or debtors obtaining the Order of the Master of the Rolls therein mentioned, shall take all the necessary proceedings required by the said recited Acts, for the purpose of bringing such Order, and the matter on which the same was granted, to final adjudication within six calendar months from the passing of this Act; and, in default thereof, such Order and all proceedings whatever had or to be had thereon, and all matters and things arising therefrom, shall and are hereby declared to be null and void, and no longer binding on any person or persons whomsoever; saving to Clerks of the Peace, and all other persons by whom any services may have been performed for such debtor or debtors, under the said recited Acts, their right to recover for the same against such debtor or debtors.

Right of recovery  
for services per-  
formed, reserved.

### CAP. LX.

An Act for the further amendment of the Law and the better advancement of Justice.

*Passed 14th April 1847.*

Preamble.

7 W. 4, c. 14.

**W**HEREAS in and by the provisions of the twenty first and twenty second sections of an Act passed in the seventh year of the Reign of His late Majesty, intituled *An Act for the amendment of the Law and for the better advancement of Justice*, the Jury, Court or Judge are authorized to allow or give damages, in the nature of interest, in certain cases, as therein mentioned, and also in other cases interest is allowed and assessed: And whereas it frequently happens that the final judgment of the Court therein is delayed by reason of Rules Nisi, Demurrers, or otherwise, and it is considered just and advisable that the said Court should be empowered in its discretion to allow interest at a rate not exceeding six per cent. per annum, on the amount of the debt or damages found or assessed by the Jury, Court or Judge from the time the same were found or assessed, until the giving of final judgment;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases when any verdict for or assessment of any debt or damages may be given or made for any party in any suit in such Court in which interest is or may have been included under the provisions of the said recited Act or otherwise, and the final judgment of the Court thereupon may have been delayed by the opposite party, either by a Rule Nisi, Demurrer, or otherwise, it shall be lawful for such Court in its discretion, when such verdict or assessment is sustained, to allow interest thereupon at a rate not exceeding six per cent. per annum, from the time of such verdict or assessment until the rendering of final judgment therefor.

Court may allow interest on amount of certain verdicts or assessments, when the verdict or assessment may be sustained after suspension by Rule Nisi, &c.

II. And be it enacted, That the said Court may by General Rule prescribe the form of the entry of judgment and execution in cases where such further interest may be so allowed.

Court may prescribe form of entry of judgment, &c. in such cases.

III. And be it enacted, That the provisions of the fifth section of an Act made and passed in the fourth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to establish and regulate a Summary Practice in the Supreme Court*, authorizing a Judge of the Supreme Court to allow a Counsel fee of not more than two guineas on every cause entered for trial, and for every argument before the Court, shall extend to Defendants as well as Plaintiffs.

A Counsel fee for defendant may be allowed under Act 4 W. 4, c. 41, s. 5.

### CAP. LXI.

An Act to amend an Act, intituled *An Act for improving the administration of Justice in Criminal cases.*

Passed 14th April 1847.

**6** WHEREAS the provisions contained in the thirteenth section of an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act for improving the administration of Justice in Criminal Cases*, do not apply to the crime of Forgery;

Preamble.

1 W. 4, c. 14.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any person shall commit any offence of forging or altering any writing or matter whatsoever, or of offering, uttering, disposing of, or putting off any writing or matter whatsoever, knowing the same to be forged or altered, with intent to defraud any person whomsoever, whether the offence in any such case shall be indictable at Common Law, or by virtue of any Act or Acts now in force, or hereafter to be made, the offence of every such offender may be dealt with, indicted, tried, and punished, and laid and charged to have been committed in any County or place in which he shall be apprehended or in custody, as if his offence had been actually committed in that County or place; and every principal in the second degree, and every accessory before the fact, and every accessory after the fact, may be dealt with, indicted, tried, and punished, and his offence laid and charged to have been committed in any County or place in which the principal offender may be tried.

Trials, &c. for forgery or utterance may be had, &c. in any County in which the offender may be apprehended.

Accessories may be tried in the same place as the principals.

### CAP. LXII.

An Act further to amend the Law regulating proceedings before Justices of the Peace in Civil Suits.

Passed 14th April 1847.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any order for the removal of any cause tried before any Justice of the Peace under and by virtue of the Act of Assembly made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act to regulate proceedings before Justices of the Peace in Civil Suits*, shall be or hath already

Party obtaining an order for the removal of a cause tried before a Justice of the Peace, and which has been obeyed, shall apply to the Judge within

a calendar month  
to appoint a time  
for the hearing, &c.

already been obtained by any party proceeding under the said Act, and the Justice to whom the same shall be directed shall transmit or deliver, or shall have transmitted or delivered his return to such order to the party obtaining the same, or his Attorney, it shall be the duty of such party, or his Attorney, within one calendar month after receiving the same, to deliver the said return to the Judge who made the said order, and within the time aforesaid, or if the said return shall have been received by the said Judge from the said Justice, then within one calendar month from such time, to make application to the said Judge for a day to be appointed for the hearing of the cause, and for taking all other necessary proceedings for the hearing and finally disposing of the said cause on review, agreeably to the requirements of the said Act.

On default, Judge  
to remit the cause  
and allow costs.

II. And be it enacted, That on any default by such party in taking such proceedings, and the same being made satisfactorily to appear to the said Judge so granting such order, the said Judge is hereby authorized, on the application of any party interested, to remit the cause to the Justice making such return, and allow to such party costs on the proceedings in review, in like manner as in cases of affirmance of the judgment, to be taxed and recovered as in other cases under and by virtue of the said Act, or any Acts in amendment thereof; and thereupon no further removal of such cause shall be allowed, either by any of the Judges of the Supreme Court or by the Supreme Court.

Act to come into  
operation next  
June.

II. And be it enacted, That this Act shall not come into operation or be in force until the first day of June next.

### CAP. LXIII.

An Act further to continue an Act relating to the Herring Fisheries in the County of Charlotte.  
*Passed 14th April 1847.*

Act 7 W. 4, c. 36,  
continued.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled *An Act relating to the Herring Fisheries in the County of Charlotte*, be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty two.

### CAP. LXIV.

An Act to revive an Act relating to the Inspection of Fish for Home consumption and exportation.  
*Passed 14th April 1847.*

Act 5 W. 4, c. 43,  
revived and declared  
in force till  
1st May 1852.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled *An Act to regulate the Inspection of Dry and Pickled Fish for Home Consumption and for Exportation*, be and the same is hereby revived and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty two.

### CAP. LXV.

An Act to continue an Act to regulate the Survey and Exportation of Lumber.  
*Passed 14th April 1847.*

Act 8 V. c. 81,  
continued.

**BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to regulate the Survey and Exportation of Lumber*, be and the same is hereby continued and declared to be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

## CAP. LXVI.

An Act to prevent injuries on Lands in the vicinity of the River Saint John, by persons conveying Timber, Logs or Lumber down the same.

*Passed 14th April 1847.*

**‘**WHEREAS the managers or conductors of Rafts of Timber, Logs and Lumber down the River Saint John, do, by securing the said Rafts of Timber, Logs and Lumber by anchors, warps, or otherwise, to the banks or low lands on the sides of the said River, either by anchors, warps, or otherwise, said Rafts cause much damage to improved lands : And whereas it is considered just that the owners, managers or conductors of such Timber, Logs or Lumber, or some or one of them, should be held liable for such damage ;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That whenever such damage shall be sustained by anchoring on the low lands or meadows, the owner or owners, managers or conductors of the Rafts of Timber, Logs or Lumber, or some or either of them, shall be liable for all such damage so wantonly or wilfully done or committed.

II. And be it enacted, That proof of the damage sustained, and of ownership in the Timber, Logs or Lumber, or of the identity of the managers or conductors thereof, shall be sufficient *prima facie* evidence in any action for such damage, to enable any person or persons sustaining the said damage, to recover the same ; and such action may be prosecuted in the form of an action of Trespass, or on the case, at the election of the party aggrieved, in any Court of Law in this Province, and where the damage claimed may not exceed the sum of five pounds, before any one Justice of the Peace in any County in this Province, under the provisions of the Acts of Assembly relating to Civil Suits before Justices of the Peace ; and in case the damages and costs so recovered be not forthwith paid, when the cause is tried before one Justice of the Peace as aforesaid, then, that the offender or offenders shall be liable to be imprisoned under execution, for one day for every two shillings of the said damages and costs ; provided always, that no person shall be liable to a longer period of imprisonment under this Act than fifty days.

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

## CAP. LXVII.

An Act to alter part of the Great Road of Communication leading from Newcastle to Bathurst.

*Passed 14th April 1847.*

**‘**WHEREAS that part of the Great Road of Communication leading from Newcastle to Bathurst, lying between Big Bartibogue River and Dixon's Ferry, is inconvenient, and, at certain seasons of the year, dangerous, and an alteration therein would shorten the distance, and render it more convenient for travellers ;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That that part of the Great Road of Communication from Newcastle to Bathurst, lying between the Big Bartibogue River and Dixon's Ferry, shall commence at the Bridge over the said Bartibogue River, at the late John Curry's, and shall run in a south westerly direction till it strikes Russell's meadows, (so called) on the Little Bartibogue River, below the Forks ; thence, on a line as straight as practicable, till it strikes the Road leading from Dixon's Ferry to the second tier of Lots, near the present Great Road ; and that the said line of Road, when laid out, shall and the same is hereby declared to be part of the said Great Road.

## CAP. LXVIII.

An Act to authorize the Justices of the Peace for the County of Carleton to levy an assessment for the erection of a new Gaol and other County Buildings in the said County, and to pay off the County Debt and the contingent and other expenses of the said County.

Passed 14th April 1847.

Justices authorized to assess for not exceeding £1000 for a new Gaol, &c. and to pay off the County Debt.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Carleton, at any General Sessions of the Peace hereafter to be holden therein, be and they are hereby authorized and empowered to make such rate and assessment of any sum not exceeding one thousand pounds, as they in their discretion may think necessary and proper to defray the expenses towards the erection of a new Gaol and other County Buildings in the said County, and to pay off the Debt and the contingent and other County expenses of the said County, to be assessed, levied, collected and paid agreeably to any Act or Acts made or to be made for assessing, collecting and levying of County Rates: Provided always, that any part of the said sum not exceeding three hundred pounds, to defray the contingent and other expenses of the said County, may be assessed upon any part of the said County below the Madawaska River.

Such part of any excess of £300 as may be assessed upon that part of Carleton which may be hereafter erected into a separate County, shall be a debt due thereto by Carleton proper.

II. And be it enacted, That in the event of the said Justices making a rate or assessment of any part of the said sum mentioned in the first section of this Act, exceeding three hundred pounds, upon the whole of the said County of Carleton lying below the Grand Falls, and including the Village at the Falls, then, for such part of the said sum exceeding three hundred pounds as shall be so assessed upon that part of the said County which may hereafter be erected into a new County, by an Act, intituled *An Act for the division of the County of Carleton into two Counties, and to provide for the government and representation of the new County*, which passed the Legislature of this Province in the seventh year of Her Majesty's Reign, such sum shall be deemed to be a debt due by the said County of Carleton to such new County, and shall be repaid by the said County of Carleton to such new County.

Any portion of an assessment for a Lock-up House at the Grand Falls not made upon that part of Carleton which may be erected into a separate County, to be repaid by the new County.

III. Provided always, and be it enacted, That in the event of any part of the money required for the erection of a Lock-up House, at the Grand Falls, being assessed, levied and collected upon any part of the said County of Carleton which, on a division of the said County, may not be included in the limits of the new County, such sum shall be either repaid by the said new County to the said County of Carleton, or deducted from any sum assessed, levied and collected under the authority of this Act upon that part of the said County of Carleton which may, on a division thereof, form the said new County.

No assessment exceeding £300 to defray contingent expenses shall be made above the Grand Falls.

IV. And be it enacted, That no assessment shall be made under the authority of this Act upon any part of the County of Carleton situate above the Village at the Grand Falls, except for the sum of three hundred pounds, provided by the first section of this Act, to defray the contingent and other expenses of the said County.

## CAP. LXIX.

An Act to authorize the Justices of the Peace for the County of Charlotte to assess the Inhabitants of Saint Andrews, to pay expenses incurred in the support of Emigrant Poor in said Parish.

Passed 14th April 1847.

Preamble.

**WHEREAS** a sum of money is due to one Thomas Turner for advances made by him for the maintenance of Emigrant Poor in the Parish of Saint Andrews, in the County of Charlotte, and it is expedient to assess the said Parish to reimburse him therefor;

Be

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereafter to be holden, shall levy and assess the sum of one hundred and ten pounds upon the Parish of Saint Andrews, for the purpose of paying such advances so made by the said Thomas Turner, the same to be assessed, levied, collected and paid agreeably to any Acts now or hereafter to be in force for assessing, levying and collecting County Rates: Provided always, that no greater sum than twenty seven pounds ten shillings shall be assessed in any one year.

4110 by instalments to be assessed on the Parish of Saint Andrews, to repay T. Turner advances made for support of Emigrant Poor.

### CAP. LXX.

An Act to authorize the Trustees of Saint Stephen's Church, in the City of Saint John, to sell and dispose of certain Lands in the said City, and to re-invest the proceeds thereof.

*Passed 14th April 1847.*

**WHEREAS** the Trustees of Saint Stephen's Church, in the City of Saint John, are now seized and possessed of certain Lands situate and being in the City aforesaid, bounded and described as follows: situate, lying and being in King's Ward, in the City of Saint John, known as lots numbers three hundred and eighteen and three hundred and nineteen, each of the said lots being forty feet wide, and having a front of that width on the northern side of King's Square, and running back northerly one hundred feet, together with a Church and other Buildings erected thereon: And whereas it would tend much to the advantage of the said Trustees and of the Pewholders of the said Church, if the said several lots of Land were sold and disposed of, and the proceeds thereof applied towards the payment of the debts due by the said Trustees of Saint Stephen's Church, in the City of Saint John, and the surplus invested in the purchase of some suitable place for Public Worship, in connexion with the Established Church of Scotland;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Trustees of Saint Stephen's Church, in the City of Saint John, be and they are hereby authorized and empowered to make sale and dispose of the said lots of Land and premises, with the appurtenances, in such lots as the said Trustees may determine, at public auction, giving one calendar month's notice in two or more Newspapers published in the City of Saint John, of the day, hour and place of such sale, for such price or prices as they may be able to get therefor, and thereupon to make and execute good, legal and sufficient conveyances of the same in fee simple, by and under their Corporate Seal; and that the purchaser or purchasers thereof shall hold the same for such Estate, and in such manner as shall be expressed in such conveyances, free and discharged from the trusts under which the same are now held by the said Trustees of Saint Stephen's Church, in the City of Saint John, as incident to their said office, and to the use of the said building as a place of Public Worship, and that the purchaser or purchasers under such conveyances shall not be bound to see to the application of the purchase money therefor.

Trustees of Saint Stephen's Church empowered to sell, &c. described premises.

II. And be it enacted, That the money arising from the sale and disposal of the said lots of Land and premises, with the appurtenances, shall be paid and applied by the said Trustees of Saint Stephen's Church, in the City of Saint John, in the first place towards the payment and satisfaction of the principal and interest of a certain Mortgage of the said premises made by the Honorable John Robertson, for securing the payment to the Honorable Hugh Johnston of the sum of six hundred pounds, with interest, and in the next place towards the payment

Proceeds to be applied to pay off a certain Mortgage and other debts and balance to be lodged in a Bank on Interest.

payment and satisfaction of the other debts of the said Trustees of Saint Stephen's Church, in the City of Saint John, and the residue shall be deposited by the said Trustees in some one of the Banks in the City of Saint John, on interest, to be applied in manner hereinafter mentioned.

Commissioners to be appointed by the Governor in Council to purchase a site for and build a new Church, and set apart Pews therein for Pew-holders in Saint Stephen's Church.

III. And be it enacted, That so soon as the said lots of Land, with the Church and other buildings thereon situate, are disposed of, it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, on the application of the said Trustees, to appoint five Commissioners from among the proprietors of Pews in the said Church at the time of such sale, and from time to time in case of death, removal from the City of Saint John, or refusal to act, to appoint another or others in the room and place of the Commissioner or Commissioners so dying, removing or refusing to act, for the purpose of selecting and purchasing a site for a new Church, to be built by them from the surplus funds arising from the sale of the said lots of Land and buildings hereinbefore described, which funds shall be deposited in a Bank as aforesaid, and be drawn by them as required for the purpose; and the said Church, when completed, shall be in connexion with the Church of Scotland as by Law established; and the said Commissioners shall be and are hereby authorized to set apart Pews in the said Church to the several persons who shall be proprietors of Pews in the said Saint Stephen's Church at the time of its sale, and who shall have paid up all arrears of rents and purchase money of such Pews before the time of sale, to correspond as near as may be with the position and extent of such Pews respectively, as in the judgment of the said Commissioners may be just and equitable, such Pews to be held on the same terms and conditions as the Pews formerly held by them respectively in the said Saint Stephen's Church; and it shall be the duty of the said Commissioners, or the major part of them, and they are hereby required to proceed with all reasonable diligence in the execution of the duties devolved upon them by their appointment under this Act.

Pew-holders in Saint Stephen's Church who object to the sale to be paid off.

IV. And be it enacted, That in case any pewholder or pewholders in the said Saint Stephen's Church shall object to the sale of the said lots of Land and buildings, such objection being made in writing at the time of sale, it shall and may be lawful for the Trustees for the time being to pay to such pewholder or pewholders such sum of money as he or they shall make it satisfactorily appear that he or they paid for the Pew or Pews of which he or they may be proprietors, after deducting any arrears of rent or purchase money due on such Pew or Pews, to the said Trustees, and upon such payment the said pewholder or pewholders so objecting as aforesaid, shall cease to have any interest therein.

Church when completed to be in connexion with the Church of Scotland, with powers, &c. under Act 2 W. 4, c. 18.

V. And be it further enacted, That so soon as the said building is erected and completed, and Pews set apart in manner aforesaid, the said Church shall be and is hereby construed to be a Church erected in connexion with the Established Church of Scotland, with all the powers, rights, and privileges, and subject to all the provisions of the ninth section of an Act made and passed in the second year of the reign of His Majesty King William the Fourth, intituled *An Act to repeal all the Laws now in force relating to Saint Andrew's Church in the City of Saint John, and for incorporating certain persons pewholders of the said Church, and of the several Churches erected or to be erected in this Province, in connexion with the Church of Scotland*, and all the other provisions of the said Act.

Interior fittings of Saint Stephen's Church may be reserved.

VI. And be it further enacted, That the said Trustees of Saint Stephen's Church, in the City of Saint John, shall be at liberty in making sale of the said Church and lots of Land, to reserve so much of the interior fittings of the said Church

Church as they may deem serviceable for the purpose of finishing the said Church so to be erected; and the interior fittings so reserved shall be applied for such purpose, or sold at the discretion of the said Commissioners.

### CAP. LXXI.

An Act to provide for the incorporation of certain Presbyterian Churches in this Province not in connexion with the Established Church of Scotland.

*Passed 14th April 1847.*

**W**HEREAS it appears to be the desire of the members of the Presbyterian Church in the City of Saint John, and of other Churches established in the said Province, having relation with Presbyterian bodies in Great Britain and Ireland, but not being in connexion with the Established Church of Scotland, to be incorporated, to enable them to manage the temporal affairs of the said Churches, and to provide for certain matters in reference to the call and qualification of the Ministers and otherwise;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the following persons, namely, Andrew Reed, James Dunn, Thomas Parks, John Hawks, and William E. Moore, together with the Elders of the said Church, namely, William Parks, Robert Ritchey, Robert Keady, and George Hutchinson, be and they are hereby declared to be Trustees for the said Church until the election and appointment of not more than nine other Trustees as hereinafter directed, and that the above named Trustees and their successors, (the said nine Trustees and their successors to be chosen and appointed in manner hereinafter mentioned,) for ever shall be a body politic and corporate in deed and name, and shall have succession for ever by the name of *The Trustees of the Saint John Presbyterian Church in the City of Saint John, in connexion with the Presbyterian Church in New Brunswick, and not in connexion with the Established Church of Scotland*; and by that name shall be enabled to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts and places whatsoever, within this Province, and shall have full power and capacity to purchase, receive, take, hold and enjoy for the use and benefit of the said Church, as well goods and chattels, as lands, tenements and hereditaments, and improve and use the same for the benefit of the said Church, according to their best discretion, and the true intent and meaning of the donors when the same shall be given, devised or bequeathed to the use and benefit of the said Church: Provided always, that the amount of annual rents, profits and receipts of such lands, tenements, goods, chattels and hereditaments, shall not exceed the sum of five hundred pounds, any law, custom or usage to the contrary notwithstanding.

Persons herein named and their successors, Trustees of the Saint John Presbyterian Church in the City of Saint John, in connexion with the Presbyterian Church in New Brunswick, and not in connexion with the Established Church of Scotland, incorporated with specified powers.

II. And be it enacted, That the lot of Land on which the said Church is built, situate at the corner of Great George and Carmarthen Streets, in King's Ward, in the said City of Saint John, together with the lot adjoining, fronting on Great George Street, which lots of Land are at present vested in Trustees for the said Church, shall according to their full metes and boundaries, together with the said Church thereon erected, be and remain fully and absolutely vested in the said Trustees of the Saint John Presbyterian Church, in the City of Saint John, and their successors for ever, as a good and absolute estate in fee simple, for the use, trust and benefit aforesaid, and shall be so deemed and taken in all Courts of Law and Equity in this Province, any law, usage or custom to the contrary in any wise notwithstanding, saving to all purchasers of Pews in the said Church their present legal right therein and thereto, and saving the legal or equitable right of all other persons.

Lot of Land on which the Church is built vested in the Corporation.

III.

An annual meeting of pewholders and male communicants to be held on first Wednesday in June, when Trustees are to be appointed.

III. And be it enacted, That on the first Wednesday in June in each year for ever hereafter, a meeting of the persons then being proprietors of Pews or male communicants, shall be holden in the said Church; at which meeting, between the hours of twelve of the clock at noon, and three of the clock in the afternoon, an election shall be made, to be determined by a majority of persons so being pewholders or male communicants, and entitled to vote, present at such meeting, of any number of persons not exceeding nine, nor less than five, being proprietors of Pews, to be the Trustees of the said Church, for the purposes aforesaid, who shall forthwith, on the completion of such election, enter upon the duties of their office, and continue in the same for one year, or until other fit persons shall be chosen in their stead; provided that no person shall have more than one vote, although he may be proprietor of more than one Pew, and that if a Pew or Pews be owned by more than one person jointly or in common, there shall be but one vote given in respect of the said Pew or Pews so owned jointly or in common; and provided also, that no person shall be eligible to be elected a Trustee unless he be at the time of being so elected, a proprietor or owner of a Pew, and a male communicant of the said Church.

Nomination of the Minister to be in the Trustees, choice or rejection in the Congregation.

IV. And be it enacted, That in case of any vacancy in the Ministry or the expiration of any agreement made or to be made with any Minister for the said Church, the call or nomination of any candidate or candidates for the Pastoral charge of the said Church shall be in the Elders and Trustees if such candidate or candidates shall be in British America, and the choice or rejection of such candidate or candidates shall be in the congregation, being male communicants, and including the said Elders and Trustees, or a majority of them present in person, or by their agent or proxy for that purpose appointed in writing; and if it shall be found necessary to call a Minister from any part of Great Britain or Ireland, then the arrangements for that purpose shall be solely vested in the Elders and Trustees of the said Church: Provided always, that in either case, the Minister to be called shall be duly licenced by a Presbytery in Great Britain or Ireland, or British North America, who hold and subscribe the Westminster Standards, and Second Book of Discipline, as at present recognized and adopted by the Established Church of Scotland, or the Code of Discipline at present used by the Presbyterian Church in Ireland; and provided also, that such Minister or Licentiate shall, when required so to do, furnish any Presbytery in this Province, within the bounds of his intended labours, with satisfactory certificates of his literary status and moral character before being allowed to connect himself with such Presbytery.

When necessary to call a Minister from Great Britain or Ireland, the arrangement shall be vested in the Elders and Trustees.

Minister, &c. to hold office as in the Presbyterian Churches in Scotland and Ireland.

V. And be it enacted, That the Minister, Elders and Deacons, and other Officers of the said Church, shall be elected, chosen and appointed, and have, hold, exercise and enjoy their respective offices according to the usages and customs of the Presbyterian Churches in Scotland and Ireland, except so far as the same may be altered or abridged by this Act.

Corporation held liable for any engagement made by former Trustees, &c. for the Minister's stipend, &c.

VI. And be it enacted, That the said Trustees of the Saint John Presbyterian Church hereby incorporated, shall be held both at law and in equity bound for any engagement made by any former Trustees or other persons belonging to the said Church for the Minister's stipend, and such other expenses as may have been found necessary, and the same shall be paid by the said Corporation so as to relieve the said Trustees or other persons of the burthen of such engagement, and if the amount thereof shall happen to exceed the yearly income of the said Church and Corporation, the same shall be a burthen on the said Church and Corporation as such, and shall not make the said Trustees responsible in their individual and private capacity.

VII.

VII. And be it enacted, That the Trustees in the several and respective Churches already erected within this Province, and also of all Churches which may hereafter be erected in connexion with the Saint John Presbyterian Church in New Brunswick, shall, when elected, chosen and appointed in manner and form as directed in and by this Act, be bodies politic and corporate in deed and name, and shall have succession for ever, by the name of the Trustees of the several and respective Churches to which they respectively belong; and this Act, and every clause, direction, authority and power in the same contained, shall extend and be in force for all such Churches, in the same manner as if the said clauses, directions and authorities were particularly re-enacted and applied to such Churches respectively, and all lands, tenements and hereditaments conveyed or to be conveyed to and for the benefit of such Churches, shall be vested in the said several and respective Corporations, as fully and absolutely to all intents and purposes as the Lands and Church mentioned in the second section of this Act are hereby vested in the said Trustees of the Saint John Presbyterian Church in the City of Saint John, in connexion with the Presbyterian Church in New Brunswick, not in connexion with the Established Church of Scotland: Provided always, that nothing in this Act contained shall extend to or affect, or be construed to extend to or affect any Church, Lands or Tenements already vested in or belonging to any Corporation in connexion with the Established Church of Scotland.

Trustees of Churches erected or to be erected in connexion with the Saint John Presbyterian Church in New Brunswick, incorporated.

### CAP. LXXII.

An Act to incorporate the South Bay Boom Company.

*Passed 14th April, 1847.*

**‘**WHEREAS in consequence of the great losses and damage that have at Preamble.  
 ‘ different times happened from the want of proper places near the  
 ‘ mouth of the River Saint John, in which to secure Timber, Logs, Masts, Spars,  
 ‘ and other Lumber, brought to the Saint John Market, it is deemed expedient to  
 ‘ erect and maintain Piers and Booms in the said River Saint John, in that part  
 ‘ thereof which is between the Point at the head of South Bay, formerly owned by  
 ‘ Shubel Stevens, and known as the Elm Tree Point, and Musquito Head, so  
 ‘ called, for the purpose of preventing a recurrence of such losses and damage :  
 ‘ And whereas it is deemed expedient to incorporate a Company for that purpose ;’

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That James Kirk, Stephen Wiggins, John Wishart, James Travis, Frederick A. Wiggins, John Robertson, John Duncan, John R. Partelow, Alexander Seely, Moses Tuck, Isaac Woodward, Robert Stevens, John Mackay, Michael Fisher, John Pollok, Honorable R. L. Hazen, William Johnston Ritchie, Charles Brown, and their associates, successors, and assigns, be and they are hereby declared to be a Body Corporate by the name of *The South Bay Boom Company*, and shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of placing, erecting and maintaining Piers and Booms, and any other works on the shore connected therewith, in that part of the River Saint John which is between the Point formerly owned by Shubel Stevens, and known as the Elm Tree Point, at the head of the South Bay, and Musquito Head, so called, for the more safe and convenient depositing and securing of Timber, Logs, Masts, Spars, and other Lumber, and for carrying on and managing the same.

Company incorporated by the name of *The South Bay Boom Company*.

II. And be it enacted, That the Capital Stock of the said Corporation shall be six thousand pounds of current money of New Brunswick, and shall be divided into

Capital Stock to be £6000, divided into 1000 Shares.

Subscription List  
to be opened, &c.

into one thousand shares of six pounds each ; and that a subscription list shall be opened in some public place in the City of Saint John, of which thirty days' notice shall be given in one or more of the City papers, and that no individual shall be allowed to subscribe for more than twenty five shares until after said subscription list shall have remained open to the public for fifteen days, at the end of which time, should the list not be filled up, any person may subscribe for what number of shares he may think proper.

Deposit of 10 per  
cent. to be made  
by the subscribers  
previous to the first  
meeting.

III. And be it enacted, That the subscribers for Stock in the said Corporation, shall, previous to the first meeting of the said Corporation, pay into the Commercial Bank of New Brunswick, to the credit of the said Corporation, an instalment or deposit of ten per centum on the Capital Stock of the said Corporation they subscribe for, twenty days notice being given at the time of the notice calling the first meeting of the members and stockholders of the said Corporation, of the time when said instalment or deposit shall be paid, and the said instalment or deposit shall be taken and allowed to every subscriber who shall pay it as part of the Capital Stock required to be paid in under and by virtue of this Act, and every subscriber who shall neglect or refuse to pay in the said deposit or instalment shall be deemed a defaulter, and no subscriber shall upon any pretence whatsoever, vote at the first meeting for the choice of Directors upon any share or shares unless he has paid the said deposit or instalment.

A general meeting  
to take place when  
all the Stock is sub-  
scribed for.

IV. And be it enacted, That when the whole number of shares shall have been subscribed, a general meeting of the subscribers shall be held at the City of Saint John, and shall and may be called by James Kirk, Esquire, or in case of his death, absence, or refusal to act, by any two of the said Corporation, by giving notice thereof for thirty days in one or more of the public Newspapers published in the City of Saint John, for the purpose of making, ordaining and establishing such bye laws and regulations for the good management of the affairs of the said Corporation, as they shall deem necessary, and also for the purpose of choosing seven Directors, being stockholders, which Directors so chosen, shall at their first meeting after their election, choose one of their number President of the said Company, and shall serve until the first annual meeting of the Company, or until others are chosen in their stead, which Directors shall have full power and authority to manage the concerns of the said Company, and shall commence the operations thereof, subject nevertheless to the laws and regulations which may from time to time be made by the said Corporation.

Bye Laws to be  
made,

and Directors  
chosen.

Owner of a share to  
be a member of the  
Corporation, and  
entitled to vote  
personally or by  
proxy.

V. And be it enacted, That every person owning a share in the Capital Stock of the said Corporation, shall be a member thereof, and be entitled to vote at all meetings of the same, and members may give as many votes as they own shares, and that absent members may vote by proxy, such proxy being a shareholder and authorized in writing.

Directors empow-  
ered to appoint a  
Superintendent  
and other officers,  
and fix the salaries.

VI. And be it enacted, That the Directors, or the major part of them, shall have the power, and they are hereby authorized to appoint a Superintendent and such other officers as they may from time to time require, and likewise to allow them such salaries as they may think proper, such Superintendent and officers being subject to dismissal by the said Directors, or the major part of them, when the said Directors shall deem it expedient so to do, and others to be appointed in their stead ; and that it shall not be lawful for any stockholder to be an officer or servant of the Company, nor shall it be lawful for the said Superintendent, during the period of his holding such situation, to be engaged in dealing in Timber or other Lumber, either directly or indirectly, on his own account, or as agent for any other person or persons ; and further, that it shall not be lawful for such

Superintendent

Superintendent to hold the office of Surveyor of Lumber for any other than the purposes of the Company.

VII. And be it enacted, That no person shall be eligible for a Director unless such person is a stockholder, holding not less than twenty five shares of the Capital or Stock of the said Corporation.

Directors to be holders of twenty five shares.

VIII. And be it enacted, That there shall be a general meeting of the stockholders of the said Corporation, to be annually holden on the second Monday in May in each and every year, at the City of Saint John, at which annual meeting there shall be chosen by a majority thereof, seven Directors, who shall continue in office for one year; and the Directors so chosen shall, at the first meeting after their election, choose out of their number a President; provided that three of the Directors in office shall be re-elected, of whom the President shall always be one.

Annual general meeting to be held on second Monday in May.

Directors to be then chosen, who are to appoint a President.

IX. And be it enacted, That the said Corporation shall have a lien on all Timber, Logs, Masts, Spars, and other Lumber, which shall be carried, received, or which shall enter into or within the said Piers and Booms; and the said Corporation, or their agent or agents, may retain the said Timber, Logs, Masts, Spars, and other Lumber, or sufficient part of them, to pay the boomage, until such boomage is paid or secured: Provided always, that nothing herein contained shall be construed to prevent the said Corporation from recovering the amount and amounts of such boomage by suit and suits at Law, of and from all party or parties chargeable with and entitled to pay the same.

Corporation to have a lien on Timber, &c. to secure the boomage.

X. And be it enacted, That for all Timber, Logs, Masts, Spars, or other Lumber, that shall be fastened to or secured by the said Piers or Booms, or any of them, on the outside thereof, the said Corporation shall be entitled to receive the same amount and amounts, as if the said Timber, Logs, Masts, Spars, and other Lumber, had been carried, received, or had entered into or within the said Piers and Booms, or any of them; and that the said Corporation shall have the like lien, and the same remedies for the recovery thereof, as in the last section specified, and such rafts as may be made fast outside of the Piers or Booms shall be under the control and direction of the Superintendent and officers, the same as if placed inside the said Boom.

Timber, &c. fastened to the Booms or Piers outside, to be subject to like boomage and lien.

XI. And be it enacted, That the said Corporation shall have power to levy and collect assessments upon the shares from time to time, of such sums of money as may be deemed necessary for the carrying on the business of the said Corporation, and whenever any such assessment shall be made by the Directors of the Corporation, it shall be the duty of the Treasurer to give notice thereof in a Newspaper printed in the City of Saint John, requiring payment of the same within thirty days; and if any stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of such Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days' notice of the time and place of such sale, and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold at public auction to the highest bidder, and after retaining the amount of assessment and interest due on each share, and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchasers.

Shares may be assessed to carry on the business.

Shares in arrear may be sold.

XII. And be it enacted, That the members and stockholders of the said Corporation shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation,

Liability of stockholders for the Corporation debts.

or damage sustained by the default or neglect of the said Corporation, or their agents or servants, in proportion to the stock respectively held by such shareholders; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such member or stockholder, in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the Joint Stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

Corporation to be liable for losses of Timber, &c. by neglect only.

XIII. And be it enacted, That the said Corporation shall not be liable for the loss of any Timber, Logs, Masts, Spars, or other Lumber, which may pass out of or by the said Piers and Booms, or escape therefrom, unless such loss is occasioned by their wilful neglect or default, or the wilful neglect or default of their agents or servants.

Corporation empowered to occupy the waters of the Saint John, leaving a passage for boats, &c.

XIV. And be it enacted, That the said Corporation shall have power and authority, by themselves or their superintendents, agents and workmen, to enter in and upon, and occupy for the purpose aforesaid, all and any of the waters of the said River Saint John within the limits hereinbefore specified, leaving free access for boats or scows to the shores within the said limits, unless in such cases when they may enter into a special agreement with the owners or occupiers of said shores, for compensation for damages sustained by them in the occupation thereof by the said Corporation.

Boomage granted and maximum rate ascertained.

XV. And be it enacted, That the said Corporation shall be entitled to receive on all Timber, Logs, Masts, Spars, or other Lumber, which shall be carried or received, or which shall enter into or within said Piers and Booms, or any of them, and which shall be fastened to or secured by the said Piers or Booms, or any of them, on the outside thereof, a sum not exceeding one penny halfpenny for each and every ton of square Timber, two pence for each and every ton of round Timber, measured as square, three pence for each and every thousand superficial feet of Logs, Masts, Spars, and round Timber, the above rates to be chargeable by the said Corporation up to the first day of June next ensuing the time the Timber, Logs, Masts, Spars, or other Lumber, shall be received or deposited, and one half of the said rates in addition for each succeeding year, or any part thereof, that the said Timber, Logs, Masts, Spars, and other Lumber, shall be continued within said Boom.

Persons having charge of Timber, &c. as well as the owners, to be liable for the boomage.

XVI. And be it enacted, That all persons having or taking charge of Timber or other Lumber, when the same shall be put within, or enter within the Piers and Booms, or be fastened thereto, shall, in addition to the owner or owners thereof, be liable to pay the boomage thereon.

Surveyors of the Timber, &c. to render an exact account thereof to the Corporation.

XVII. And be it enacted, That every Surveyor of Lumber measuring or surveying Timber or other Lumber, which Timber or Lumber shall enter within the said Piers or Booms, or be fastened thereto, shall render an exact account of the same, with the marks and owner's name, to the Superintendent or Agent appointed by said Corporation to receive the same; said account to be given within ten days of the time of such survey or measurement, at the office of the said Corporation, under a penalty of five pounds for every neglect or refusal so to account to the said Corporation for the quantity surveyed or measured; and in default of such account being rendered, it shall be lawful for the said Corporation to take an account of such Timber, at the expense of the owner or owners thereof, and that the said Corporation shall have the like lien on the Timber, of which an account shall be so taken, and the like remedies for the recovery of such expenses and penalties that are given by this Act for the security and recovery of the boomage payable under this Act.

XVIII.

XVIII. And be it enacted, That it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, to appoint two Commissioners residing in the City or County of Saint John, which Commissioners so appointed, shall be empowered, and they are hereby required and directed, on the completion of said Piers and Booms, and before any Timber is received by the Corporation, of which due notice shall be given them by the Directors, to repair to the said Boom, and carefully inspect the same, and should they consider that any additional improvement or alterations are necessary for the preservation of the Timber or other Lumber to be deposited within said Boom, the same shall be immediately made by the Corporation under the direction of said Commissioners, and to their entire satisfaction, and further that the said Commissioners shall afterwards from time to time inspect the said Piers and Booms, and see that the same are kept in efficient repair, and give notice to the Corporation of any additional improvements or alterations the said Commissioners may think necessary, which improvements or alterations shall be forthwith made by the said Corporation within a reasonable time, to the satisfaction of said Commissioners.

Two Commissioners to inspect the Boom and see that it is kept in repair, to be appointed by the Governor in Council.

XIX. And be it enacted, That the said Corporation shall make a reasonable compensation to the said Commissioners for the time occupied by them in the discharge of the above duties.

Corporation to compensate the Commissioners.

XX. And be it enacted, That the Directors shall at the general meeting to be holden in every year, lay before the stockholders, for their information, an exact statement of the then state and affairs of the Company; which statement shall be signed by the Directors and attested by the Secretary, and a duplicate thereof in like manner signed and attested, shall be transmitted to the Secretary of the Province for the information of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, and the Legislature of the Province.

A statement of the affairs to be laid before the stockholders, and a duplicate made for the information of the Legislature.

XXI. And be it enacted, That no higher rate of boomage shall be charged by the said Corporation than will afford a dividend of ten per centum on the monies invested, after allowing for the wear and tear and the necessary expenses connected with the proper management of the affairs of the Corporation.

Rate of boomage, &c. not to afford a greater dividend than 10 per cent.

### CAP. LXXIII.

An Act to incorporate the York and Carleton Mining Company.

*Passed 14th April 1847.*

**W**HEREAS the efficient opening and working of Mines in the Counties of York and Carleton will be highly advantageous to the Province: And whereas the amount of capital necessary to be invested in such an undertaking renders it essential that the Company engaged therein should be incorporated;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Lemuel Allan Wilmot, James Tibbits, Robert D. Wilmot, William Stevens, and Charles Fisher, their associates, successors, and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of *The York and Carleton Mining Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of opening and working of Mines in the Counties of York and Carleton, and establishing all necessary works therewith connected, and for the convenient carrying on and managing the same.

Company incorporated by the name of *The York and Carleton Mining Company*.

First meeting to be held at Fredericton on twenty days' notice.

II. And be it enacted, That the first meeting of the said Corporation shall be held at Fredericton, in the County of York, and shall be called by any one member of the said Company, by giving at least twenty days' notice in the Royal Gazette published in this Province previous to such meeting.

Capital to be £30,000, and 15 per cent. to be paid up before debts be contracted, &c.

III. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of thirty thousand pounds, to be paid in such money as shall at the time of the several payments hereinafter expressed be a legal tender in this Province, fifteen per centum of the said Capital Stock to be paid in before the said Corporation shall be entitled to purchase any property, real or personal, or incur any debts, and the remainder of the said Stock to be paid at such time and times, and in such parts or portions as the business of the Company shall from time to time require, the whole amount of such Capital Stock to be divided into twelve hundred shares of twenty five pounds each.

Liability for debts.

IV. And be it enacted, That the Joint Stock and Property of the Company shall alone in the first instance be responsible for the debts and engagements of the said Company; and that no creditors, or person or persons having any demand against the said Company, for or on account of any dealings with the said Company, shall have recourse against the separate property of any shareholder on account thereof, except in case of deficiency, or where the Joint Stock of the said Company shall fall short of or not be equal to the payment of any debt, due or demand against the same, that then and in such case the goods and chattels, lands and tenements of each shareholder, shall and may be levied upon and seized respectively to satisfy such debt or demand to the extent of double the amount of the share or shares or interest of such shareholder in the Joint Stock of the said Company, but no more; and that such double amount, or so much as may be necessary to satisfy such debt, due, or demand, shall and may be levied and seized by process of execution in the same suit in which such debt, due or demand may be recovered against the said Company.

Liability of shareholders to the Company.

V. And be it enacted, That each and every shareholder in the said Corporation shall be held liable to the said Company for each and every call or assessment made, (not however to exceed in amount the Stock so subscribed for,) for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

Capital Stock may be increased.

VI. And be it enacted, That so soon as the said Capital Stock shall have been paid in and expended for the purposes of this Corporation, it shall and may be lawful for the said stockholders, at any general meeting to be for that purpose called, to increase the said Capital Stock from time to time, in such sums as they may deem expedient, to a sum not exceeding one hundred thousand pounds, and they shall have power from time to time to increase the number of shares accordingly, or from time to time to assess such increase upon the original number of shares, or to increase the Capital by both assessments upon and increase of shares.

Company empowered to assess the shares to carry on the business.

VII. And be it enacted, That the said Company shall have power to levy and collect assessments upon the shares from time to time, of such sums of money as may be deemed necessary for carrying on the business of the said Company, and whenever any assessment shall be made by the stockholders of the Company, it shall be the duty of the Treasurer to give notice thereof in a Newspaper printed and published in this Province, and also in the Royal Gazette, requiring payment of the same within thirty days; and if any stockholder shall neglect or refuse to

pay

pay to the Treasurer the amount of such assessment upon his shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days' notice of the time and place of such sale; and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold to the highest bidder; and after retaining the amount of such assessment and interest due on each share, and the expense of advertising and selling, the residue, (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser: Provided always, that no assessment shall be made except by a vote of the stockholders, and a majority of all the shares.

Delinquent shares may be sold.

VIII. And be it enacted, That unless fifteen per centum of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment made and verified on oath by the Directors of the said Corporation, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer,) shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

Act to cease if 15 per cent. of the Capital be not actually paid up, &c. within 3 years.

#### CAP. LXXIV.

An Act to incorporate the British North American Electro-Magnetic Telegraph Association.

Passed 14th April 1847.

**WHEREAS** the construction of a Line or Lines of Electro-Magnetic Telegraphic communication between Halifax, in the Province of Nova Scotia, and Quebec, in the Province of Canada, passing through the Cities of Fredericton and Saint John, in this Province, would be of great utility: And whereas it is deemed advisable to extend encouragement to such persons as may, at their own costs and charges, erect and maintain such Line or Lines, by granting them an Act of Incorporation;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Honorable Thomas Wyer, the Honorable Harris Hatch, the Honorable William Fitz William Owen, John Wilson, William End, Francis Ferguson, the Honorable John Montgomery, the Honorable John Robertson, James Kirk, John Wishart, and Duncan Robertson, of the Province of New Brunswick, the Honorable Henry Black, Alexander Gillespie, Peter Langlois, Junior, Henry John Noad, John Jones, Robert Christie, Andrew Stuart, of the Province of Canada, and such other persons as shall, from time to time, become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby ordained, constituted and declared to be a Corporation and a Body Politic and Corporate, by the name of *The British North American Electro-Magnetic Telegraph Association*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of constructing Lines of Electro-Magnetic Telegraphic communication to and through the Province of New Brunswick, from the Canada Line to the Line dividing Nova Scotia and New Brunswick, and to and through this Province to the United States of America, as hereinafter more particularly set forth.

Company incorporated by the name of *The British North American Electro-Magnetic Telegraph Association*.

II. And be it enacted, That the Capital Stock of the Corporation hereby established shall not be more than the sum of fifteen thousand pounds currency; the whole

Capital Stock to be not less than £15,000, divided into 1500 shares,

payable as the  
Directors may  
appoint.

To be personal  
property.

Power given to  
construct a single  
or double line of  
Electro-Magnetic  
Telegraph to form  
certain connexions.

Power given to  
enter upon and  
open up Public  
Streets, Bridges,  
&c. for the neces-  
sary erections.

whole amount of the said Capital Stock to be divided into one thousand five hundred shares, which shares shall be vested in the several persons hereinbefore named, and such other persons as may take shares in the said corporation, their successors and assigns, in proportion to their respective shares and interest, which said shares shall be of the value of ten pounds each; which said shares shall be paid at such times and places, and in such proportions, as the Directors of the said Company shall appoint; and every of the said shares shall be personal estate, and transferable as such, and not of the nature of real property; and every such share shall entitle the holder thereof to a proportional part of the profits and dividends of the said corporation: Provided always, that the money so to be raised, as aforesaid, is hereby directed and apportioned to be laid out for and towards the making, completing and maintaining the said Electro-Magnetic Telegraph, and other the purposes therewith connected, mentioned in this Act, and to no other use or purpose whatsoever.

III. And be it enacted, That it shall be lawful for the said Corporation, and they are hereby authorized and empowered, by themselves, their deputies, agents, officers, and workmen, to make and complete a single or double Line of Electro-Magnetic Telegraphic communication to meet a line or lines of Electro-Magnetic Telegraph to be established from Quebec, aforesaid, to the Province Line of this Province, and to continue the same through Campbelltown, Dalhousie, Bathurst, Miramichi, Fredericton, and Saint John, and thence to the Bend of Petitcodiac, in this Province, and thence towards Halifax aforesaid, with an efficient branch from the City of Saint John aforesaid, to Saint Andrews and Saint Stephen, when and so soon as an American line of Electro-Magnetic Telegraph shall be established to Calais, in the State of Maine, to make such erections as may be necessary, and to purchase and acquire such machinery and contrivances, and real or moveable property, as may be necessary for the making and maintaining the said Electro-Magnetic Telegraph communication, and may use, hold and possess the land over which the said Electro-Magnetic Telegraph is to pass, in the manner and under the provisions hereinafter set forth.

IV. And be it enacted, That it shall and may be lawful for the said Company, their deputies, agents, officers, and workmen, to enter upon the side or sides of all or any of the Public Roads, Bridges, Streets, or Highways, in this Province, and on the same to set up, erect and construct such and so many posts or other works, or devices, as they in their discretion may deem necessary for making, completing, supporting, using and maintaining the said Electro-Magnetic Telegraph, and from time to time, as often as the said Company, their deputies, agents, officers or workmen shall think proper, to break up and open any part whatsoever of the said Roads, Streets, or Highways, not interfering with that part of the same appropriated for the use of carriages, waggons, or horses, and to keep the same open during the time necessary for the setting up, erecting and constructing of such posts, works or devices: Provided always, that nothing herein contained shall extend or be construed to extend to permit the setting up, erecting or constructing of any post, work or device which may in any way obstruct any of the said Public Roads, Streets, Bridges, or Highways; and provided also, that the said Company, their deputies, agents, officers and workmen shall and do, at their proper costs and charges, and without unnecessary delay, repair and amend the said Public Roads, Streets and Highways in any part where they shall be so broken up and opened as aforesaid, to the like condition in which they were before breaking up the same.

V. And be it enacted, That if it shall at any time be deemed necessary by the said Corporation, their agents or servants to carry any part of the said line or lines of Electro-Magnetic communication through or over any estates, lands or grounds, being private property, it shall be lawful for the said Corporation, their agents or servants, to apply to the several owners of such estates, lands or grounds, and to agree with such owners for the purchase thereof, or for the damage they may respectively suffer for carrying on the same through or over such estates, lands or grounds; and in case of disagreement between the said Corporation, their agents or servants, and the said owners, or any of them, then such compensation and satisfaction shall be determined by three arbitrators, one to be chosen by the said Corporation, their agents or servants, and one by the owner or owners, occupier or occupiers of the private property in question, which two arbitrators so chosen shall choose a third arbitrator, and in case the said two first mentioned arbitrators shall not agree in the choice of a third arbitrator, then and in such case it shall and may be lawful for the Lieutenant Governor or Administrator of the Government for the time being, upon application of the said Corporation, to appoint the third arbitrator, and the award of the said arbitrators, or of any two of them, shall be final and conclusive in the matters referred to them; and in case any of the said owners or occupiers of such private property shall decline making any such agreement, or appointing such arbitrator, then and in every such case the said Corporation shall make application to the Supreme Court of this Province, stating the grounds of such application, and such Court is hereby empowered and required from time to time, upon such application, to issue a Writ or Warrant, directed to the Sheriff of the County in which such lands lie, or in case of his being a party interested, then to any Coroner of the said County, and in case of the said Sheriff and of the said Coroner being both interested, then to some person or persons who may be disinterested, commanding such Sheriff, Coroner, person or persons disinterested, as the case may be, to summon and empanel a Jury of twelve Freeholders within the said County, who may be altogether disinterested, which Jury upon their oath, all which oaths, as well as the oaths to be taken by any person or persons who shall be called upon to give evidence in the matter, the Sheriff, Coroner, or person or persons summoning such Jury, is and are hereby empowered to administer, shall inquire, ascertain and assess the distinct sum or sums of money or annual rent to be paid as the amount of compensation and satisfaction for the damages that may and shall be sustained by such owner or owners, occupier or occupiers of such private property as aforesaid, and the inquisition, award or verdict of such Jury, shall be returned and filed in the office of the Clerk of the Pleas in the said Supreme Court, and shall be final and conclusive between the parties, which amount so assessed as aforesaid, and the costs and expenses of such proceedings to be taxed and allowed by the said Supreme Court, shall be borne by the said Corporation, and shall be by them paid within thirty days after the said inquisition, award or verdict shall be filed as aforesaid.

VI. And be it enacted, That the number of votes which each stockholder shall be entitled to on every occasion, when in conformity to 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 not more than two, one vote; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares; and for every five shares above ten, one vote; and all stockholders may vote by proxy, if they see fit, provided such proxy be a stockholder, and do produce from his constituent whom he shall represent, or for whom he shall vote, an appointment in writing; and whatever question, matter or thing shall be proposed, discussed

Company may agree with owners or private property for the damages, or settle the amount by arbitration.

In case of total disagreement, damages to be assessed by a Jury empanelled under the authority of the Supreme Court.

Number of votes to be given by stockholders, ascertained.

discussed or considered in any public meeting of the members of the said Corporation, under the authority of this Act, shall be determined and decided by the majority of votes and proxies then and there present.

Time for holding general meetings.

VII. And be it enacted, That the first general meeting of the said Corporation shall be held on the first Tuesday in the month of July next, at Saint John, and fifteen days previous notice thereof shall be given in one of the Newspapers printed at Saint John, and also in the Royal Gazette printed in the City of Fredericton; and the same general meeting of the said Corporation, and every subsequent general meeting, shall be held on the first Tuesday in June in each and every succeeding year, at such place as the Directors may name and appoint; provided that thirty days previous notice thereof shall be given in manner aforesaid; and at such first, or at any subsequent general meeting, the members present or appearing by proxy, shall choose by a majority of votes, five persons to be Directors, (of whom three shall form a quorum for the transaction of all business which the said Directors shall have power and authority to transact,) being proprietors of at least ten shares each, to be Directors of the said Corporation, for the purpose of managing the affairs and business thereof in the manner hereinafter directed, and as shall from time to time be ordered by the said members in their general meetings; but if at any time it shall appear to any twenty or greater number of the said Corporation, holding together at least two hundred shares therein, that for the more effectually carrying this Act into effect a special meeting of the said members is necessary, it shall be lawful for them to cause notice thereof to be given in the Royal Gazette or other Newspaper published in Fredericton, also in one of the Newspapers published in the City of Saint John, and in such other manner as the said Corporation shall in any general meeting thereof appoint with respect to such special meetings, declaring in such notice the time when and the place where such special meeting is to be held, the same not being less than thirty days after such notice shall have been first given, and likewise specifying in such notice the purpose for which such special meeting is called; and the members of the said Corporation are hereby authorized to meet pursuant to such notice, and to proceed to the execution of the powers of this Act given them, with respect to the matters specified in such notice only; and all acts done in such matters by the authority of the majority of votes given at such special meeting, (such majority consisting of votes given by the holders of one fourth of the whole number of shares then subscribed for altogether,) shall be valid to all intents and purposes as if done at any meeting held in the manner hereinbefore appointed for the holding of general meetings; and it shall be lawful for the said Corporation at any such general or special meeting, in case of the death, absence or removal of any Director, to name and appoint others in the room and stead of the Director or Directors so dying, absent or removed as aforesaid.

Five Directors to be then chosen.

Calling of special meetings, and their powers.

Directors to be subject to the control of the meetings.

VIII. Provided always and be it enacted, That such Directors shall from time to time be subject to the examination and control of the said general meeting or other meetings of the said members as aforesaid, and shall pay due obedience to all such orders and directions in and about the premises, as they shall from time to time receive from the said Corporation at any such general or other meeting, such orders and directions not being contrary to any express directions or provisions in this Act contained: Provided also, that no one Director of whatever number of shares he may be proprietor, shall have more than one vote in the Board of Directors.

No Director to have more than one vote at the Board.

Directors at general meetings may audit and settle

IX. And be it enacted, That at every such general meeting the said Directors shall have the power to call for, audit and settle all accounts of money laid out and

and disbursed on account of the said Electro-Magnetic Telegraph, with the Treasurer, Receiver or Receivers, or other officer or officers to be by them appointed or any other person or persons whomsoever employed by or concerned for, or under them, in and about the aforesaid Electro-Magnetic Telegraph, and for that purpose shall have power to adjourn themselves over from time to time, and from place to place, as shall be determined by a majority of votes given in the manner aforesaid; and every general meeting of such Directors met together by the authority of this Act, shall have power from time to time to make such call or calls of money from the members of the said Corporation to defray the expense of, or to carry on the same, as they from time to time shall find expedient or necessary for those purposes, which money so called for shall be paid to such person or persons, and in such manner as the said general meeting or the said Directors shall from time to time appoint and direct for the use of the said undertaking; and such Directors, by virtue of the orders which they shall receive from the general meeting, shall have full power and authority to direct and manage all and every the affairs of the said Corporation, as well in purchasing and selling lands, liberties, privileges, easements, chattels, and materials, for the use of the said Electro-Magnetic Telegraph, as in employing, ordering and directing the work and workmen, and in appointing and removing under officers, clerks, servants and agents, and in making all contracts and bargains touching the said undertaking; and every owner or owners of one or more part or parts, share or shares, of the said undertaking, shall pay his, her or their share or proportion of the monies to be called for as aforesaid, at such time and place as shall be appointed, and in such manner as the said Corporation shall at any general meeting direct or appoint; and if any person or persons shall neglect or refuse to pay his, her or their rateable or proportionable part or share of the said money to be called for as aforesaid at the time and place appointed by such general meeting of Directors, he, she or they so neglecting or refusing, shall be liable to be sued in any Court of Law of this Province, as for a debt, and the same shall be levied in the usual manner.

Accounts with the Treasurer, &c.

Powers of the Directors as to calling for money and managing affairs.

X. And be it enacted, That the said Corporation shall always have power and authority at any general meeting as aforesaid, to remove or displace any person or persons chosen as Directors in the manner aforesaid, or any other officer or officers under them, and to revoke, alter, amend or change any of the rules and directions hereinbefore prescribed and laid down with regard to their proceedings among themselves, as to the major part of them shall seem meet, and shall have power to make such new rules, bye laws and orders for the good government of the said Corporation, for the good and orderly using the said Electro-Magnetic Telegraph, and of the works and property hereinbefore mentioned, and for the well governing of the persons employed by the said Corporation, in and about the said Electro-Magnetic Telegraph, and the works and property therewith connected, as to the major part of such general meeting shall seem meet.

Corporation may displace any Director, and alter the bye laws.

XI. And be it enacted, That it shall be lawful for the several members of the said Corporation to sell and dispose of any share or shares which they may have or hold, or to which he, she or they shall and may be entitled, subject to the rules and conditions herein mentioned; and any purchaser or purchasers shall for his, her or their security, as well as that of such proprietor or proprietors, have a duplicate or duplicates of the deed of bargain, and sale and conveyance made to him, her, or them, and executed by such person or persons of whom he, she or they shall purchase, and also by the purchaser or purchasers, one part whereof, duly executed both by the seller and purchaser, shall be delivered to the said

Shares may be sold.

Title to be completed in a specified manner before the purchaser partake of the profits.

Directors or their Clerk for the time being, to be filed and kept for the use of the said Corporation, and an entry thereof shall be made in a book or books to be kept by the said Clerk for that purpose, for which no more than two shillings and six pence shall be paid; and the said Clerk is hereby required to make such entry accordingly; and until such duplicate of such deed shall be so delivered, and filed, and entered, as above directed, such purchaser or purchasers shall have no part or share of the profits of the said Electro-Magnetic Telegraph, or any interest for his share paid unto him, her, or them, or any vote as a member or members.

Form of Transfer.

XII. And be it enacted, That every transfer of the said shares shall be in the form or to the purport and effect following, that is to say:—

' I, A. B., in consideration of the sum of —, paid to me by C. D., do hereby bargain, sell and transfer to the said C. D. his (her *or* their) Executors, Administrators or Assigns, — share (*or* shares) in the undertaking of the British North American Electro-Magnetic Telegraph Association, to hold to him, the said C. D., his Heirs, Executors, Administrators and Assigns, subject to the said rules and orders, and on the same condition that I held the same immediately before the execution hereof; and I, the said C. D., do hereby agree to accept the said share (*or* shares) of the said undertaking, subject to the same rules, orders and conditions. Witness our Hands and Seals the — day of —, in the year of our Lord one thousand eight hundred and —.'

Corporation empowered to appoint and remove Treasurers and Clerks.

XIII. And be it enacted, That it shall be lawful for the said Corporation, and they are hereby authorized and required from time to time to nominate and appoint a Treasurer or Treasurers, and a Clerk or Clerks to the said Corporation, and to take such sufficient security for the execution of their respective offices as the said Corporation shall think proper, and from time to time to remove any such Treasurer or Clerk, and appoint others in their place and stead; which said Clerk or Clerks shall, in a proper book or books to be provided for that purpose, enter and keep a true and perfect account of the name and place of abode of the several persons who shall from time to time become owners and proprietors of, or entitled to any share or shares therein, and of all the other acts, proceedings and transactions of the said Corporation, and of the said Directors, under the authority of this Act; and whenever any such Clerk or Treasurer shall die or be removed from or quit the service of the said Corporation, it shall be lawful for the said Directors, or a majority thereof, to appoint some other fit person in the place of the Treasurer or Clerk so dying, removed or quitting such service, until the next general meeting, at which, such appointment (if deemed proper) shall be confirmed, or another Treasurer or Clerk appointed by the Directors.

Tolls for the use of the Telegraph may be exacted.

XIV. And be it enacted, That so soon as the said Electro-Magnetic Telegraph, or any part thereof, shall be completed and opened, it shall be lawful for the said Corporation at all times thereafter to ask, demand, take and recover to and for their own proper use and behoof, such rates, tolls, or dues, for the transmission and writing out of every communication of any kind soever, transmitted and conveyed at the cost and charge of the said Corporation, by or upon the said Electro-Magnetic Telegraph, such sum or sums of money as the said Corporation may think just and reasonable.

On refusal to pay, party may be sued.

XV. And be it enacted, That the said several rates and sums shall be paid to such person or persons at such place or places, and in such manner and under such regulations as the said Corporation shall direct and appoint; and in case of refusal or neglect of payment of any such dues, or rates, or any part thereof, on demand of the person or persons appointed to receive the same as aforesaid, the said

said Corporation may sue for and recover the same in any Court having jurisdiction to the amount of the sum to which such rates or dues shall amount.

XVI. And be it enacted, That if any person or persons shall wilfully, maliciously, and to the prejudice of the said Corporation, break, throw down, damage or destroy any post or posts, rail, support, wire, machine, machinery, or other works or device, erected, constructed or possessed under the authority of this Act, or do any other wilful act, hurt or mischief, to disturb, hinder or prevent the carrying into execution, making, completing, supporting, maintaining and using the said Electro-Magnetic Telegraph, and other works, every such person or persons so offending, shall forfeit and pay to the said Corporation the amount of the damage proved, and the costs of suits in that behalf incurred, to be recovered by action of trespass in any Court of Law in this Province having jurisdiction to the amount of the sum demanded, as damages, in like manner as any other trespass; and in cases the damages claimed shall be under forty shillings, and a judgment for the plaintiff shall be given, then and in such case, in default of payment of the same, with costs, the party or parties against whom judgment shall in such behalf have been rendered, shall be committed to the Common Gaol for any time not exceeding six calendar months, at the discretion of the Court by whom such last mentioned judgment shall have been given; and for the further protection of the said Corporation, all persons wilfully breaking, throwing down, damaging or destroying any of the works of the said Corporation as aforesaid, shall also be deemed liable to the punishment prescribed for Felony in an Act made and passed in the first year of the Reign of His late Majesty King William the Fourth, intituled *An Act for improving the administration of Justice in Criminal cases.*

Persons damaging the works to pay the damages, and be liable to be proceeded against under 1 W. 4, c. 14.

XVII. And be it enacted, That the Directors of the said Corporation shall make yearly dividends of the tolls, income and profits arising to the said Corporation, first deducting thereout the annual costs, charges and expenses of the said Corporation, as well for the repairs of the works belonging to them, as for the salaries and allowances to their several officers and servants, and for such other purposes connected with the said Corporation as may be deemed proper by the said Directors.

Yearly dividends of the profits to be made.

XVIII. And be it enacted, That the said Corporation, to be entitled to the privileges, benefits and advantages granted by this Act, is required to make and complete such line of Telegraphic communication within eight years from the passing of this Act, and if not so completed and in operation within such period, then this Act shall be null and void.

Act to be null if the Line of Telegraphic communication be not completed within eight years.

## CAP. LXXV.

An Act to incorporate the Chignecto Railway Company.

Passed 14th April 1847.

**W**HEREAS the construction of a Railway across the Isthmus which connects the Provinces of New Brunswick and Nova Scotia, to open the communication between the Waters of the Bay of Fundy and the Gulf of Saint Lawrence, would be of great public utility, and it is deemed advisable to grant encouragement to such enterprising persons as may be desirous and willing, at their own costs and charges, to make and maintain a Railway in the direction aforesaid, by granting to them an Act of Incorporation, with the privilege of establishing Steam Vessels in connection with the said Railway, both on the Gulf of Saint Lawrence and the Bay of Fundy, as the Company may deem desirable;

Preamble.

Company incorporated by the name of *The Chignecto Railway Company*.

Power to sue and be sued,

hold lands, and

make bye laws.

Capital to be £50,000, divided into 2000 shares.

Periods and amounts of payments.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Honorable Thomas Wyer, the Honorable Harris Hatch, the Honorable John Robertson, the Honorable William Crane, the Honorable Edward B. Chandler, the Honorable Robert L. Hazen, Edward Allison, Alfred Smithers, John R. Partelow, Thomas Gilbert, Leveret H. Deveber, John Duncan, Edward L. Jarvis, John V. Thurgar, Thomas E. Millidge, William H. Scovil, Thomas Parks, William Berton, William H. Buckerfield, Daniel Hanington, Richard Scovil, Thomas E. Smith, John Bell, Henry Livingstone, William Wilson, Amand Landry, Thomas Keillor, John Chapman, W. Hazen Botsford, George Oulton, Samuel F. Black, George Allan, Christopher Boltenhouse, Bliss Botsford, James Robertson, Stephen Binney, and Thomas Prince, and such other persons as shall from time to time become proprietors of shares in the Company hereby established, their successors and assigns, shall be and they are hereby declared, ordained and constituted to be a Corporation, Body Politic and Corporate, by the name of *The Chignecto Railway Company*, and shall by that name have perpetual succession and a common Seal, and shall and may by the said name sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended in all Courts and places whatsoever, and shall also have power and authority to purchase, hold and enjoy lands, tenements and hereditaments for them, and their successors and assigns, for making the said Railway, and for settlers on the line of the said Railway, and generally for the purposes of carrying the provisions of this Act into effect, and also that they, the said Company, shall from time to time, and at all times, have full power and authority to constitute, make, ordain and establish such bye laws, regulations and ordinances, as may be deemed necessary for the good rule and government of the said Company; provided that such bye laws, regulations and ordinances as may be deemed necessary, be not contradictory or repugnant to the Laws of this Province; and provided also, that no bye laws, regulations and ordinances, made under and by virtue of the power and authority of this Act, shall be of any force or effect until one calendar month after a true copy of such bye laws, regulations and ordinances, certified under the hand of the President of the said Company, shall have been laid before the Lieutenant Governor or Administrator of the Government in this Province for the time being, for his approval or disapproval, unless the Lieutenant Governor or Administrator of the Government shall before such period signify his approbation thereof.

II. And be it enacted, That the Capital Stock of the Company hereby established shall be fifty thousand pounds, to be paid in current money of this Province, the whole amount of the said Capital Stock to be divided into two thousand shares, of twenty five pounds each, which shares shall be vested in the persons hereinbefore named, and such other persons as may take shares in the said Company, their successors or assigns; and upon taking such shares they shall deposit, either in the Bank of British North America, or any of its branches in the North American Colonies, or such other Bank or Banks in the said Colonies as the Directors of the said Company shall from time to time appoint for that purpose, the sum of two pounds ten shillings per share, current money aforesaid, and the remaining amount of such shares shall be called in as the work progresses, in such parts and amount per share as the Directors of the said Company may deem necessary; provided always, that two pounds ten shillings per share shall be the greatest amount per share of any one call which the said Directors may make on the shareholders, and two months at the least shall be the interval between successive calls, and thirty days previous notice of payment being required for any one call, shall

shall be given in the Royal Gazette at Fredericton, and one or more of the Newspapers published in the City of Saint John; and on demand of the holder of any share the Company shall cause a certificate of the proprietorship of such share to be delivered to such shareholder, and the same may be according to the form in the Schedule A to this Act annexed, or to the like effect; and every of the said shares shall be deemed personal estate, and transferable as such, and shall not be deemed or taken to be of the nature of real property, and every such share shall entitle the holder thereof to a proportionate part of the profits and dividends of the said Company; provided also, that the money so to be raised as aforesaid, shall be laid out in the making, completing and maintaining the said Railway, and other the purposes therewith connected, mentioned in this Act, and in payment of the legal and other expenses incurred in and about the incorporating and establishing the said Company, and to no other use or purpose whatsoever.

Shares to be personal estate.

III. And be it enacted, That so soon as ten thousand pounds of the Capital Stock of the said Company shall have been subscribed, and the deposit of two pounds ten shillings per share shall have been actually paid as aforesaid, and not before, it shall be lawful for the said Company, and they are hereby authorized and empowered, by themselves, their deputies, agents, officers, and workmen, to make, construct, and finally complete, alter, and keep in repair a Railway, with one or more sets of Rails or Tracks, with all suitable bridges, archways, turnouts, culverts, drains, and all other necessary appendages, and to erect such wharves, moles, jutties, piers, docks, harbors, landings, aboideaux, dikes, buildings, depots, and warehouses, either at the termini, or on the line of the said Railway, and to purchase and acquire such stationary or locomotive Steam Engines and Carriages, Wagons, Floats, and other machinery and contrivances, and real or personal property, as may be necessary for the making and maintaining the said Railway, and for the transport of passengers, merchandize, and ships or vessels thereon, and for other purposes of this Act, and may hold and possess the land over which the said Railway is to pass, and such adjoining lands as may be required; which Railway is to run from some point or place on the shore of the Gulf of Saint Lawrence, within the limits hereinafter mentioned, that is to say, between the western shore of the Harbour of Shediac and the eastern side of Tignish Head; and the said Railway is to run from some point or place within the following limits on the Bay of Fundy side, namely, between Jonathan's Creek, on the Bend of the Petitcodiac River, to Missiquash or Musquat River, being the Boundary Line of the Province; the said Railway to be made and constructed to pass from the Waters of the Gulf of Saint Lawrence and Bay of Fundy, within the limits aforesaid, on such route as the Directors of the said Company, in the exercise of their best judgment and discretion, shall deem most favourable, and best calculated to promote the public convenience: Provided always, that a Map or Plan of the route determined upon shall be deposited in the Office of the Secretary of the Province.

On subscription of £10,000 and deposit of 10 per cent., Company authorized to construct and maintain their Railway.

Plan of the route to be deposited in the Provincial Secretary's Office.

IV. And be it enacted, That the said Company shall and may (if they deem it expedient) make Branch Railways to every or any part of the Province, and manage such Branch Railways, and procure and own such Steam Boats or Vessels as may be necessary to ply in connexion with the said Railway in the Waters of any part of the Gulf of Saint Lawrence or in the Bay of Fundy, or in the Waters contiguous to either of them, and for that purpose shall exercise and possess all the powers, privileges and authorities necessary for the management of the same, in as full and ample a manner as they are hereby authorized to do with respect to the said Railway.

Company empowered to make Branch Railways and own Steam Boats, &c.

V.

Interest may be paid till the Railway be completed.

V. And be it enacted, That it shall be lawful for the Directors of the said Company, until the said Railway shall be completed and opened to the public, to pay interest at any rate not exceeding six pounds per centum per annum on all sums called up in respect of the shares from the respective days on which the same shall be paid, such interest to accrue and be paid at such times and places as the said Directors shall appoint for that purpose; provided always, that no interest shall accrue to the proprietor of any share upon which any call shall be in arrear in respect of such shares or any other share to be holden by the same proprietor during the period while such call shall remain unpaid.

Evidence of property in a share.

VI. And be it enacted, That the certificate of the proprietorship of any share in the said Company shall be admitted in all Courts as *prima facie* evidence of the title of any shareholder, his executors, administrators, successors, or assigns, to the share therein specified; nevertheless, the want of such certificate shall not prevent the holder of any share from disposing thereof.

No share to be transferred while in arrear.

VII. And be it enacted, That no shareholder shall be entitled to transfer any share after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being due on every share held by him or her.

Company not bound to see to the execution of trusts in respect of shares.

VIII. And be it enacted, That the said Company shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any of the said shares may be subject; and the receipt of the party in whose name any such share shall stand in the Books of the said Company, or if it stands in the name of more parties than one, the receipt of one of the parties named in the Register of Shareholders, shall from time to time be a sufficient discharge to the said Company for any dividend or other sum of money payable in respect of such share, notwithstanding any trust to which such share may then be subject, and whether or not the said Company have had notice of such trusts; and the said Company shall not be bound to see to the application of the money paid upon such receipt.

Subscribers to the stock, and their representatives, to pay as appointed by the Directors.

IX. And be it enacted, That the several persons who have or shall hereafter subscribe any money towards the said undertaking, or their legal representatives respectively, shall pay the sums respectively so subscribed, or such portions thereof as shall from time to time be called for by the Directors of the said Company, at such times and places as shall be appointed by the said Directors; and with respect to the provisions in this Act contained for enforcing the payment of calls, the word "Shareholder" shall extend to and include the personal representatives of such shareholder.

Power to make calls upon the shareholders for money, and compel payment.

X. And be it enacted, That it shall be lawful for the Directors of the said Company, from time to time, to make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they shall deem necessary; provided that thirty days notice at the least be given of each call as aforesaid, and that no call exceed the prescribed amount aforesaid, and that successive calls be not made at less than the prescribed interval aforesaid; and every shareholder shall be liable to pay the amount of the call so made, in respect of the shares held by him, to the persons, and at the times and places from time to time appointed by the said Company, or the Directors thereof.

Interest to be paid on over-due instalments.

XI. And be it enacted, That if before or on the day appointed for payment, any shareholder do not pay the amount of any call to which he is liable, then such shareholder shall be liable to pay interest for the same, at the rate allowed by law, from the day appointed for the payment thereof to the time of the actual payment.

XII. And be it enacted, That it shall be lawful for the said Company, if they think fit, to receive from any of the shareholders willing to advance the same, all or any part of the monies due upon their respective shares, beyond the sums actually called for; and upon the principal monies so paid in advance, or so much thereof as from time to time shall exceed the amount of the calls then made upon the shares in respect of which such advance shall be made, the Company may pay interest at such rate not exceeding the legal rate of interest for the time being, as the shareholder paying such sum in advance and the said Company may agree upon.

Power to receive advances from shareholders on interest.

XIII. And be it enacted, That if at the time appointed by the said Company, or the Directors thereof, for the payment of any call, any shareholder fail to pay the amount of such call, it shall be lawful for the said Company to sue such shareholder for the amount thereof, in any Court of law or equity having competent jurisdiction, and to recover the same, with lawful interest from the day on which such call was payable.

Power to sue defaulting shareholders.

XIV. And be it enacted, That in any action or suit to be brought by the said Company against any shareholder to recover any money due for any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one share or more in the said Company, (stating the number of shares,) and is indebted to the said Company in the sum of money to which the calls in arrear shall amount, in respect of one call or more upon one share or more, (stating the number and amount of each of such calls,) whereby an action hath accrued to the said Company by virtue of this Act.

Declaration in suits to recover money due on calls.

XV. And be it enacted, That on the trial or hearing of such action or suit, it shall be sufficient to prove that the defendant, at the time of making such call, was a holder of one share or more in the said undertaking, and that such call was in fact made, and such notice thereof given as is directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever; and thereupon the said Company shall be entitled to recover what shall be due upon such call, and interest thereon, unless it shall appear either that any such call exceeds the prescribed amount aforesaid, or that due notice of such call was not given, or that the prescribed interval between two successive calls had not elapsed as aforesaid.

Proof of call and of defendant having been a stockholder at the time, sufficient.

XVI. And be it enacted, That the production of the Register of Shareholders shall be *prima facie* evidence of such defendant being a shareholder, and of the number and amount of his shares.

Register of Shareholders to be *prima facie* evidence.

XVII. And be it enacted, That if any shareholder fail to pay any call payable by him, together with the interest, if any, that shall have accrued thereon, the Directors of the said Company, at any time after the expiration of two months from the day appointed for payment of such call, may declare the share, in respect of which such call was payable, forfeited, and that whether the said Company have sued for the amount of such call or not.

Shares in arrear may be declared forfeited.

XVIII. And be it enacted, That before declaring any share forfeited, the Directors of the said Company shall cause notice of such intention to be left or transmitted by Post to the usual or last place of abode of the person appearing by the Register of Shareholders to be the proprietor of such share; and if the holder of any such share be beyond the limits of this Province, or if his usual or last place of abode be not known to the said Directors, by reason of its being imperfectly described in the Shareholders' Address Book, or otherwise; or if the interest in any share shall be known by the said Directors to have become transmitted otherwise than

Notice to be given of intention to declare shares forfeited.

by

by transfer, and so the address of the parties to whom the said share or shares may for the time being belong shall not be known to the said Directors, the said Directors shall give public notice of such intention in the Royal Gazette at Fredericton, and also in one or more of the Newspapers published in the City of Saint John; and the several notices aforesaid shall be given thirty days at least before the said Directors shall make such declaration of forfeiture.

Forfeiture of shares to be confirmed at a general meeting.

**XIX.** And be it enacted, That the said declaration of forfeiture shall not take effect so as to authorize the sale or other disposition of any share, until such declaration shall have been confirmed at the next general meeting of the said Company to be held after such notice of intention to make such declaration of forfeiture shall have been given, and it shall be lawful for the said Company to confirm such forfeiture at any such meeting, and by an order at such meeting, or at any subsequent general meeting, to direct the share or shares so forfeited to be sold or otherwise disposed of.

Forfeited shares may be sold.

**XX.** And be it enacted, That after such confirmation as aforesaid, it shall be lawful for the said Directors to sell the forfeited share by public auction; and if there be more than one forfeited share, then either separately or together, as to them shall seem fit; and any shareholder may purchase any forfeited share so sold as aforesaid.

Evidence of proprietorship in purchased shares.

**XXI.** And be it enacted, That an affidavit by some credible person not interested in the matter, sworn before any Justice, or before any Commissioner for taking affidavits in the Supreme Court, that the call in respect of a share was made, and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was declared and confirmed in manner hereinbefore required, shall be sufficient evidence of the facts therein stated; and such affidavit, and the receipt of the Treasurer of the said Company for the price of such share, shall constitute a good title to such share; and a certificate of proprietorship shall be delivered to such purchaser, and thereupon he shall be deemed the holder of such share, discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

No more shares to be sold than are sufficient to pay off arrears and expenses.

**XXII.** And be it enacted, That the said Company shall not sell or transfer more of the shares of any such defaulter than will be sufficient, as nearly as can be ascertained at the time of such sale, to pay the arrears then due from such defaulter on account of any calls, together with interest and the expenses attending such sale and declaration of forfeiture; and if the money produced by the sale of any such forfeited shares be more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, with the proof thereof, and certificate of proprietorship to the purchaser, the surplus shall, on demand, be paid to the defaulter.

On payment of arrears before sale, share to revert to the party.

**XXIII.** And be it enacted, That if payment of such arrears of calls and interest and expenses be made before any share or shares so forfeited and vested in the said Company shall have been sold by public auction as aforesaid, such share or shares shall revert to the party or parties to whom the same belonged before such forfeiture, in such manner as if such calls had been duly paid.

Company invested with all necessary powers, &c.

**XXIV.** And be it enacted, That the said Company shall be and are hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the intentions and objects of this Act; and for this purpose the said Company, their successors, deputies, agents, and assistants, shall have

Power to enter on lands for survey.

have the right to enter and go into and upon the lands and grounds of all and every description, lying in the said route and general direction as aforesaid, for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Railway; and it shall and may be lawful for the said Company and their successors to take and hold so much of the land and other real estate as may be necessary for the laying out, making and constructing, and convenient operation of the said Railway, and shall also have the right to take, remove, and use, for the necessary construction and repair of said Railway and appurtenances, any earth, gravel, stone, timber, or other materials, on or from the land so taken, without any previous agreement with the owner or owners, tenant or tenants of the land, and upon which such surveys, examinations, or other arrangements, may be made, or through which the said Railway may be explored, laid out, worked, made, and constructed, or on which materials and other things shall be laid for the purposes of the said Railway; provided always, that the said land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavation or embankment: and where the said Railway shall pass through any wood lands or forests, the said Company shall have the right to fell or remove any trees standing thereon, to the distance of six rods from either side of the said Railway, which by their liabilities to be blown down, or from their natural falling, might obstruct or impair said Railway; provided always, that in all cases the said Company shall pay for such lands or estate so taken and used, (in case the owner thereof demand it,) such price as the said Company and the owner or respective owners thereof may mutually agree on; and in case the said parties should not agree, then it shall be lawful for the said Company to apply to two of Her Majesty's Justices of the Peace in the County wherein the said lands may be situate, for a Warrant, which Warrant shall be in the form set forth in the Schedule B. to this Act annexed, and shall be directed to the High Sheriff, his Deputy, or any Constable within the said County, commanding such High Sheriff, Deputy, or Constable, to summon a Jury of five disinterested freeholders or occupiers of land in the said County, who shall be sworn to examine the site of the said Railway; and in case the said Railway shall pass through or extend upon any improved lands, or shall occasion the removal of any buildings or fences, then and in all such cases the damages shall be ascertained and assessed by such Jury; provided nevertheless, that the said Jury in assessing the said damages are authorized and empowered, and shall take into consideration the enhancement in value of the land by the passage of the Railway, in regard to the increased facilities of access to the different stations and termini of the said Railway, in diminution of the damages; and in all cases where the Jury shall assess damages to be paid to the owner or owners of any land over which the said Railway may be laid out, the Justices who issued the Warrant shall lay the said assessment before the next annual meeting of the said Company under the authority of this Act, who are hereby required to pay the amount set forth in the said assessments into the hands of the persons for whom such damages may have been assessed, within twenty one days next after such annual meeting of the said Company, together with the costs and charges of assessing such damages, which shall be agreeably to a Scale in Schedule C of this Act; and in default of such payment it shall and may be lawful for the said Justices, or either of them, (in case of the absence or death of the other,) at the instance of the said party or parties to whom such damages are payable, by Warrant under the hands and seals of the said Justices, or one of them, (in case aforesaid,) to levy the same, with costs, by distress and sale of the

Take lands,

Materials.

Extent limited.

Company to pay for lands taken.

In case of disagreement, a Jury to be summoned to assess the damages.

Assessment to be laid before the next meeting of the Company, and amount paid.

On default, may be levied, with costs.

the goods and chattels of the said Company; provided also, that nothing in this Act contained shall be construed to affect the rights of the Crown in any ungranted lands within this Province; or to authorize the said Company to enter upon or take possession of any such land without the previous permission of the Executive Government of the Province.

Agreements with and discharges by corporations and trustees for lands taken, to be valid.

XXV. And be it enacted, That when the said Company shall take any land or estate of any body corporate, aggregate or sole, guardians, committees, executors or administrators, or other trustees whatsoever, held for and on behalf of those whom they represent, whether corporations, infants, idiots, lunatics, feme covert, persons deceased or beyond seas, or other person or persons whatsoever, who are or shall be possessed of or interested in the said land or estate, the respective contracts, agreements and sales of the said corporations, guardians, committees, executors, administrators, or other trustees whatsoever, shall be valid and effectual in law to all intents and purposes whatsoever, and their respective receipts shall be good and valid releases and discharges therefor; and it shall be lawful for them respectively to agree and settle with the said Company for damages (if any) by reason of taking such land or estate aforesaid, and in case of disagreement, such damage to be ascertained and settled as provided by the twenty third section of this Act.

Power to enter on lands and take materials for the construction and repair of the Railway.

XXVI. And be it enacted, That the said Company, their superintendents, engineers, agents, and workmen, may enter upon the land adjoining the said Railway, and from thence take and carry away any timber, stone, gravel, sand, and earth, or material necessary for the construction of the said Railway; and in case of any slip happening, or being apprehended to any cutting, embankment, or other work belonging to the said Railway, the said agents and workmen shall at all times hereafter have full egress and regress into and upon such adjoining lands for the purpose of repairing and preventing such accident, and to do such works as may be necessary for the purpose; provided always, that such works shall be as little injurious to the said adjoining land as the nature of the operations will admit of, and shall be executed with all possible dispatch; in all which cases, the damage incurred, if the parties cannot agree, shall be ascertained and paid in like manner in all respects as provided for in the twenty third section of this Act.

Fences to be maintained on each side of the Railway.

XXVII. And be it enacted, That the said Company, at their own proper costs and charges, shall erect and maintain on each side of the said Railway, sufficient fences wherever the same may be necessary, in order to protect the public, or wherever any cleared or cultivated land occurs on the line of the said Railway; and for neglect or failure to erect and maintain such necessary fences, the said Company shall be liable to be indicted at any Court of Oyer and Terminer or General Sessions for the County where such fences shall be insufficient, and to be fined in such sum as shall be then and there adjudged, and such fine shall be expended for the erection or repair of said fences, and for compensation of individual damage, as the case may be; and it shall and may be lawful for the Justices of the said Court of Oyer and Terminer or General Sessions, to make such order for levying the said fine on the property of the said Company, or otherwise, as to them shall seem most proper to the exigencies of the case, which said fine shall be exclusive of any claim for damages which any party may sustain by any such neglect or failure as aforesaid.

Gates to be maintained across Highways.

XXVIII. And be it enacted, That whenever the said Railway, or any of its Branches, cross or shall hereafter cross any highways, turnpike road, statute labour or private road, for carriages of any description within this Province, the said

said Company shall make and maintain good and sufficient gates across each end of such highway, turnpike, or other road, which gates shall be constantly closed except during the time when horses, cattle, carts, or carriages, passing along such turnpike or other road, shall have to cross such Railway, and such gates shall be of such dimensions, and so constructed, as when closed across the ends of such turnpike or other road, to fence in the Railway and prevent cattle or horses passing along the road from entering upon the Railway: Provided always, that it shall be lawful (in case it shall be more conducive for the public safety,) for the said Company, at their own expense, to carry such turnpike or other road over or under such Railway, by means of a bridge or archway, in lieu of crossing the same on the level. Proviso.

XXIX. And be it enacted, That the immediate government and management of the affairs of the said Company shall be vested in fifteen Directors, who shall be proprietors of at least ten shares each, and who shall be chosen by the shareholders of the said Company in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places; that not less than five Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or necessary absence, in which case the Directors present may choose one of their number as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of their being an equal number of votes for and against any question before them, the President shall have the casting vote. Company affairs to be managed by a Board of fifteen Directors.

XXX. And be it enacted, That the number of votes which each shareholder shall be entitled to on every occasion when in conformity to the provisions of this Act the votes of the shareholders are to be given, shall be in the following proportions, that is to say: for one share, and not more than three, one vote; for every two shares, above two, and not exceeding ten, one vote, making five votes for ten shares; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares; for every six shares above thirty, and not exceeding sixty, one vote, making fifteen votes for sixty shares; and for every eight shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred shares; which said number of twenty votes shall be the greatest that any shareholder shall be entitled to have; and all shareholders may vote by proxy if they shall see fit, provided such proxy be a shareholder, and do produce from his constituent whom he shall represent, or for whom he shall vote, an appointment in the form set forth in the Schedule D to this Act annexed, or to the like effect; and whatever question of election of public officers, or other matters or things, shall be proposed, discussed, or considered, in any public meeting of the said Company, under the authority of this Act, shall be determined and decided by the majority of votes and proxies then and there present; provided always, that the same person shall not vote as proxy for any number of persons who together shall be proprietors of more than one hundred shares. Quorum.

XXXI. And be it enacted, That whenever ten thousand pounds of the said Capital Stock shall have been subscribed, and the deposits paid as aforesaid, the first general meeting of the shareholders shall take place at the City of Saint John, to be called by notice in the Royal Gazette at Fredericton, and in one or more of the Newspapers published in Saint John, sixty days previous to such meeting, in order to organize the said Company, and to choose the Directors thereof, who shall continue in office until re-elected, or others chosen and appointed in their stead, at any meeting to be held under the authority of this Act; that the Votes.

Number of votes to be given by shareholders ascertained.

Votes by proxy.

First meeting of the shareholders to be held when £10,000 are subscribed.

shareholders

shareholders present, or appearing by proxy, shall choose the Directors of the said Company by a majority of votes, and the Directors so chosen shall choose out of their number one who shall be President of the said Company; and in case of the death, resignation, removal, disqualification by sale of stock, or incompetency of any Director, the remaining Directors, if they think proper so to do, may elect in his place some other shareholder, duly qualified to be a Director; and the shareholder so elected to fill up any such vacancy, shall continue in office as a Director so long only as the person in whose place he shall have been elected would have been entitled to continue if he had remained in office.

Directors to appoint Officers and Engineers.

Shareholders may make and amend bye laws.

To be published in the Royal Gazette.

Annual general meeting to be held at Saint John, on 1st Tuesday in June.

Directors to be then appointed.

Proviso for failure to meet.

Call of extraordinary meetings of the Company.

Thirty days notice by advertisement to be given of all meetings of the Company.

Toll granted to the Company.

XXXII. And be it enacted, That the said Directors shall have the power of nominating and appointing all and every the officers and engineers, and other persons connected with the said Railway, at such salaries or rates of remuneration, as to the said Directors shall seem proper, subject to the bye laws, rules and regulations of the said Company; and the shareholders shall have the power from time to time to alter and amend, or to make such new rules, bye laws and regulations, for the good government of the said Company, and of the said Railway, and of the works and property hereinbefore mentioned, and for the well governing of the engineers, workmen and other persons employed by the said Company, as to the major part of the said shareholders shall seem meet; which said rules, bye laws and regulations, being put into writing under the Common Seal of the said Company, shall be published in the Royal Gazette at Fredericton, and also in one or more of the Newspapers published in the City of Saint John, shall be binding upon and observed by all parties, and shall be sufficient in any Court of Law, to justify all persons who shall act under the same.

XXXIII. And be it enacted, That the said shareholders shall meet annually at the City of Saint John on the first Tuesday in June in each year, at which meeting the shareholders present, personally or by proxy, may either continue in office the Directors before appointed, or any number of them, or may elect a new body of Directors to supply the places of those not continued in office: Provided always, that the omission to meet shall work no forfeiture, but the shareholders may be afterwards called together for that purpose by the Directors of the said Company for the time being.

XXXIV. And be it enacted, That it shall be lawful for any number of shareholders holding in the aggregate five hundred shares, by writing under their hands, at any time to require the said Directors to call an extraordinary meeting of the said Company, and such requisition shall fully express the object of the meeting required to be called, and shall be left at the office of the said Company, or given to at least three Directors, or left at their last or usual place of abode; and forthwith upon the receipt of such requisition, the said Directors shall convene a meeting of the shareholders; and if for thirty days after such notice the Directors fail to call such meeting, the shareholders aforesaid, qualified as aforesaid, may call such meeting by giving thirty days public notice thereof in the Gazette and Newspapers hereinbefore in this Act mentioned.

XXXV. And be it enacted, That thirty days public notice at the least, of all meetings, whether general or extraordinary, shall be given by advertisement in the Gazette and Newspapers hereinbefore in this Act mentioned, which shall specify the place, the day and the hour of meeting, and every notice of an extraordinary meeting shall specify the purpose for which the meeting is called.

XXXVI. And be it enacted, That a toll be and is hereby granted for the sole benefit of the said Company, on all passengers and property of all descriptions which may be conveyed or transported upon such Railway, any of its Branches,

or in the Steam Boats or Vessels connected therewith, as aforesaid, at such rates per mile as may be established from time to time by the Directors of the said Company; the transportation of persons and property, the construction of cars and carriages, the weight of loads, and all other matters and things in relation to the use of the said Railway and its Branches, shall be in conformity to such rules, regulations and provisions as the said Directors shall from time to time prescribe and direct; and such Railway and its Branches may be used by any person or persons who may comply with such rules and regulations: Provided always, that if after the completing the said Railway, the rates, tolls or dues that may be established by the said Company, under and by virtue of this Act, shall be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues, so as that the same shall not produce to the said Company a greater rate of clear annual profits, divisible upon the subscribed and paid up Capital Stock of the said Company, than fifteen pounds annually for every hundred pounds of such capital: and in order that the true state of the said Company shall be known, it shall be the duty of the President and Directors thereof to file in the Office of the Secretary of the Province, for the information of the Legislature, at the expiration of seven years after the said Railway shall have been completed as aforesaid, a just and true statement and account of the monies by them disbursed and laid out in making and completing the said Railway in manner aforesaid, and also of the amount of tolls and revenues of the said Railway, and of the annual expenditure and disbursements in maintaining and keeping up the same during the said seven years; the said several accounts and statements to be signed by the President and Treasurer of the said Company, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said Company, once in each and every year after the expiration of the said seven years, to file in the said Office of the Secretary of the said Province, for the information of the Legislature, a like statement and account, verified on oath by the President and Treasurer as aforesaid.

XXXVII. And be it enacted, That whatever may be the rate of divisible profits on the said Railway, it shall be lawful for Her Majesty's Government, if it shall think fit, subject to the provisions hereinafter contained, at any time after the expiration of the term of twenty one years, to purchase the said Railway, with all its hereditaments, stock, and appurtenances, in the name and on behalf of Her Majesty, upon giving to the said Company three calendar months notice, in writing, of such intention, and upon payment of a sum equal to twenty five years purchase of the annual divisible profits, estimated on the average of the seven then next preceding years; provided that if the average rate of profits for the said seven years shall be less than the rate of fifteen pounds in the hundred, it shall be lawful for the Company, if they should be of opinion that the said rate of twenty five years purchase of the said average profits is an inadequate rate of purchase of such Railway, reference being had to the prospects thereof, to require that it shall be left to arbitration, in case of difference, to determine what (if any) additional amount of purchase money shall be paid to the said Company; provided also, that such option of purchase shall not be exercised, except with the consent of the Company, while any such revised scale of tolls, fares and charges shall be in force.

XXXVIII. And be it enacted, That it shall be lawful for the Postmaster General, or his chief Deputy in this Province, by notice in writing under his hand, or under the hand of such Deputy as aforesaid, delivered to the said Company,

The rates may be reduced by the Legislature if found excessive.

Statement of expenses and receipts to be filed in Provincial Secretary's Office for the information of the Legislature.

Right of purchasing the Railway and its appurtenances reserved to Her Majesty's Government.

Mails, guards, &c. to be forwarded on the Railway under the direction of the Postmaster General.

to require that the Mails or Post Letter Bags shall from and after the day to be named in such notice, (being not less than twenty eight days from the delivery thereof,) be conveyed and forwarded by the said Company on their Railway, either by the ordinary trains of carriages, or by special trains, as need may be, at such hours or times in the day or night, as the Postmaster General or his said Deputy shall direct, together with the guards appointed and employed by the Postmaster General or his said Deputy in charge thereof, and any other officers of the Post Office; and thereupon the said Company shall from and after the day to be named in such notice, at their own costs, provide sufficient carriages and engines on the said Railway for the conveyance of such Mails and Post Letter Bags, to the satisfaction of the Postmaster General or his said Deputy, and receive and take up, carry and convey by such ordinary or special train of carriages, or otherwise, as need may be, all such Mails or Post Letter Bags as shall for that purpose be tendered to them or any of their officers, servants, or agents, by any officer of the Post Office, and also receive, take up, carry and convey in and upon the carriage or carriages carrying such Mail or Post Letter Bags, the guards in charge thereof, and any other officer of the Post Office, and shall receive, take up, deliver, and leave such Mails or Post Letter Bags, guards and officers, at such places in the line of such Railway, on such days and such hours or times in the day or night, and subject to all such reasonable regulations and restrictions, as to speed of travelling, places, times and durations of stoppages, and times of arrival, as the Postmaster General or his said Deputy shall in that behalf from time to time order or direct: Provided always, that the rate of speed be required shall in no case exceed the maximum rate of speed prescribed by the Directors of the said Company for the conveyance of passengers by their first class train, nor shall the Company be responsible for the safe custody or delivery of any Mail Bags so sent.

Compensation to be fixed by agreement or arbitration.

XXXIX. And be it enacted, That the said Company shall be entitled to such reasonable remuneration, to be paid by the Postmaster General or his Deputy, for the conveyance of such Mails, Post Letter Bags, mail guards, and other officers of the Post Office, in manner required by such Postmaster General, his Deputy, or by such other officer of the Post Office as he shall in that behalf nominate as aforesaid, as shall (either prior to or after the commencement of such service,) be fixed and agreed on between the Postmaster General or his Deputy, and the said Company; or in case of difference of opinion between them, the same shall be referred to the award of two persons, one to be named by the Postmaster General or his Deputy, and the other by the said Company; and if such two persons cannot agree on the amount of such remuneration or compensation, then to the umpirage of some third person to be appointed by such two first named persons, previously to their entering upon the inquiry; and the said award or umpirage, as the case may be, shall be binding and conclusive on the said parties and their respective successors and assigns.

Nomination of arbitrators and umpires.

XL. And be it enacted, That in all references to be made under the authority of this Act, the Postmaster General, his Deputy, or the said Company, as the case may be, shall nominate his or their arbitrators within fourteen days after notice from the other party, or in default, it shall be lawful for the arbitrator appointed by the party giving notice to name the other arbitrator, and such arbitrators shall proceed forthwith in the reference, and make their award therein within twenty eight days after their appointment, or otherwise the matter shall be left to be determined by the umpire; and if such umpire shall refuse or neglect to proceed and make his award for the space of twenty eight days after the matter shall have been referred to him, then a new umpire shall be appointed

by the two first named arbitrators, who shall in like manner proceed and make his award within twenty eight days, or in default be superseded, and so *toties quoties*.

**XLII.** And be it enacted, That the Directors of the said Company shall be bound to provide such conveyance for the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or Police Forces, at such time or times (whether the same shall be the usual hours of starting trains or not,) as shall be required or appointed by any Officer duly authorized for that purpose, and with the whole resources of the Company.

Her Majesty's Forces of the line, &c. to be conveyed when required.

**XLIII.** And be it enacted, That the Directors of the said Company shall be, and they are hereby authorized, from time to time, to alter or vary the tolls to be taken upon the said Railway or its Branches, as they shall think fit; provided that all such tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect of all passengers, and of all goods, chattels, or carriages of the same description, and conveyed or propelled by a like carriage or engine passing only over the same portion of the line of Railway, under the same circumstances; and no reduction or advance in any such toll shall be made either directly or indirectly in favor of or against any particular company or person travelling upon or using the Railway.

Rate of tolls may be altered, but not so as to prejudice particular parties.

**XLIV.** And be it enacted, That the said Company, on being required so to do by Her Majesty's Government, shall be bound to allow any person or persons duly authorized by Her Majesty's Government, with servants and workmen, at all reasonable times, to enter into or upon the lands of the said Company, and to establish and lay down upon such lands adjoining the line of the said Railway or any of its Branches, a Line of Electrical Telegraph for Her Majesty's service, and to give to him and them every reasonable facility for laying down the same, and for using the same for the purpose of receiving and sending messages on Her Majesty's service, subject to such reasonable remuneration to the Company as may be agreed upon between the Company and Her Majesty's Government: Provided always, that subject to a prior right of use thereof for the purposes of Her Majesty, such Telegraph may be used by the Company for the purposes of the Railway, upon such terms as may be agreed upon between the parties, or in the event of differences, as may be settled by arbitration.

Obligation to permit a line of Electrical Telegraph to be laid down for and by Her Majesty's Government.

**XLV.** And be it enacted, That the Directors of the said Company shall make yearly dividend of tolls, income and profits arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said Company, as well of the repairs of the works belonging to them as for the salaries and allowances of the several officers and servants, and for such other purposes connected with the said Company as may be deemed proper by the said Directors, consistent with the bye laws, rules and regulations of the said Company.

Yearly dividend of the profits to be made.

**XLVI.** And be it enacted, That if any money be payable from the said Company to any shareholder or other person being a minor, idiot or lunatic, the receipt of the guardian of such minor, or the receipt of the committee of such lunatic, shall be a sufficient discharge to the said Company for the same.

Receipts of guardians of minors and committees of lunatics to be good discharges.

**XLVII.** And be it enacted, That before apportioning the profits to be divided among the shareholders, the said Directors may, if they think fit, set aside thereout such sum as they may think proper, to meet contingencies, or for enlarging, repairing and improving the works connected with the said Railway or its Branches, or any part of the said undertaking, and may divide the balance only among the shareholders.

A portion of the profits may be reserved before declaring dividends.

**XLVIII.** And be it enacted, That no dividend shall be paid in respect of any share

No dividends to be paid on shares in arrear.

share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable, shall have been paid.

Joint Stock to be alone responsible for the Company debts.

XLVIII. And be it enacted, That the joint stock or property of the said Company shall alone be responsible for the debts and engagements of the said Company, and that no person or persons who shall or may have dealings with the said Company; shall on any pretence whatsoever have recourse against the separate property of any of the individual shareholders of the said Company, or against their person or persons, further than may be necessary for the faithful application of the funds of the said Company; provided also, that no shareholder of the said Company shall be liable for or charged with the payment of any debt or demand due from the said Company beyond the extent of his share in the capital of the said Company not then paid out.

Time limited for bringing actions for any thing done under this Act.

XLIX. And be it enacted, That no suit or action at law or equity shall be brought or prosecuted by any person or persons for any act, matter or thing done under the authority of this Act, unless such suit or action shall be commenced within six months next after the offence shall have been committed, or cause of action accrued, and the defendant or defendants in such suit or action, may plead the general issue, and give this Act and the special matter in evidence under the said plea, and that the same was done in pursuance and by the authority of this Act.

Punishment for malicious acts, destroying works, &c.

L. And be it enacted, That if any person or persons shall wilfully and maliciously, and to the prejudice of the undertaking, break, injure or destroy any of the works to be made by virtue of this Act, every such person or persons shall be judged guilty of felony; and every person so offending, and being thereof lawfully convicted, shall be liable to the punishment prescribed for felony in an Act made and passed in the first year of the Reign of His late Majesty William the Fourth, intituled *An Act for improving the administration of Justice in Criminal cases.*

Railway to be completed within ten years or Act to be void.

LI. And be it enacted, That the said Company, to entitle themselves to the privileges, benefits and advantages to them granted by this Act, shall and they are hereby required to make and complete the said Railway within ten years from the passing of this Act; and if the same shall not be so made and completed within the period before mentioned, so as to be used for the conveyance and carriage of passengers, goods, chattels, wares and merchandize thereon, then this Act, and every matter and thing therein contained, shall cease and be utterly null and void.

#### SCHEDULE A.

##### *Form of Certificate of Share.*

The Chignecto Railway Company. Number —.

This is to certify, that A. B., of —, is the proprietor of the share (or shares) number —, of the Chignecto Railway Company, subject to the regulations of the said Company.

Given under the Common Seal of the said Company, the — day of —, in the year of our Lord one thousand eight hundred and —.

#### SCHEDULE B.

##### *Form of Warrant to summon Jury.*

To the Sheriff, Deputy Sheriff, or any Constable of the County of —.

You are hereby commanded to summon a Jury of five disinterested Freeholders of your County, of no way akin to the party aggrieved, to appear at —, in the said

Certificate of shares.

Warrant to summon Jury.

said County, on the — day of —, at — of the clock in the — noon, and then and there to assess the damages (if any) which A. B. alleges he has sustained by reason of the works and operations of the Chignecto Railway Company through and upon his Land.

Given under our Hands and Seals, the — day of —, A. D. one thousand eight hundred and —.

**SCHEDULE C.**

*Scale of Fees in proceedings before Justices, upon assessing damages under the foregoing Act.* Scale of Fees.

Warrant to summon Jury, ....	£0	2	6
For every Subpœna, ....	0	0	6
For every copy thereof, ....	0	0	3
Every adjournment made at the instance of either party, ....	0	1	0
Trial and Judgment, ....	0	2	6
Swearing each Witness and Constable, ....	0	0	3
Swearing Jury, ....	0	1	0
Execution, or Distress Warrant, ....	0	1	6

*To Sheriff or Constable.*

Summoning Jury, ....	0	5	0
Attendance on Inquiry, ....	0	1	0

For all other services, same as fixed by Law in Civil cases before Justices of the Peace.

*To Witnesses.*

Attendance and Travel same as in Civil cases before Justices of the Peace.

*To Jurors.*

Each Juror sworn on inquiry, ....	0	2	6
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**SCHEDULE D.**

*Form of Proxy.*

Form of Proxy.

I, A. B., of —, do hereby nominate, constitute and appoint C. D., of —, to be my proxy, in my name and in my absence to vote or give any assent to or dissent from any business, matter or thing relative to *The Chignecto Railway Company*, in such manner as he, the said C. D., shall think proper, and for the benefit of the said Company. In witness whereof, I, the said A. B., have hereunto set my hand, (or if a Corporation, say the Common Seal of the Corporation,) the — day of —, A. D. one thousand eight hundred and —.

A. B.

**CAP. LXXVI.**

An Act to incorporate the Madam Keswick Boom Company.

*Passed 14th April 1847.*

**WHEREAS** the erection of a Boom or Booms at or near the mouth of **the Madam Keswick River**, in the County of York, will be highly 'advantageous to the Lumbering Interests of that section of the Province;'

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Daniel Yerxa, G. H. Haines, Abraham Yerxa, and Benjamin Yerxa, their associates, successors, and assigns, be and they are hereby created and declared

Company incorporated by the name of *The Madam Keswick Boom Company.*

to be a Body Politic and Corporate, by the name of *The Madam Keswick Boom Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting, building and maintaining a Boom or Booms across the Madam Keswick River, at or near the mouth of the said River, to secure the Timber, Logs and other Lumber floating down the same.

Company may maintain a Boom across the River.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Madam Keswick River, at some convenient place at or near the mouth thereof, for the purpose of stopping and securing Timber, Logs and other Lumber floating upon the said River, and may erect such Piers and Booms as they may think necessary; provided that the said Booms be so constructed as to admit the passage of Rafts and Boats, and preserve the navigation of the River; but no person shall be allowed at any time to encumber the said Boom either with rafts of Timber, Logs, or other Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Boom for that purpose would endanger the safety of any Timber, Logs or other Lumber contained therein.

Act not to authorize the Corporation to enter upon private lands.

III. And be it enacted, That nothing in this Act shall authorize or be construed to authorize the said Corporation to enter upon the lands or use the private property of any person or persons, for the purpose of erecting or securing the said Boom, without their consent in writing first had and obtained for that purpose.

Open spaces in the Boom to be guarded.

Mode of proceeding with Lumber not intended to be rafted.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open spaces in said Boom to be carefully guarded, so that no Lumber may be permitted to escape; and if the owner or owners of any Timber, Logs, or other Lumber, do not wish the said Corporation to raft his or their Timber, Logs, or other Lumber, that it shall be the duty of the owner or owners thereof to raft and take said Timber, Logs or other Lumber out of said Boom; but in case the owner or owners of said Timber, Logs or other Lumber do not remove the said Timber, Logs or other Lumber from said Boom, that after said Timber, Logs or other Lumber shall have remained in said Boom for two days, it shall be lawful for the said Corporation to raft said Timber, Logs or other Lumber safe and securely in joints, loaded suitably for the navigation of the River Saint John, for Pine Timber with at least two good and sufficient boom poles and hardwood pins, said joints to be of the size as are commonly made, and to secure the same below the Boom twenty four hours, and if the owner or owners at the expiration of the time aforesaid have not removed or taken charge of the same, by putting his or their ropes thereon, the Corporation may remove to or secure the same in some convenient place, and the owner or owners shall pay such expenses as may be incurred in the removal and securing the same; and should any person suffer loss in consequence of the neglect or carelessness of the said Corporation, or their agent or agents, the said Corporation shall be accountable for such loss; and the said Corporation shall cause the Timber, Logs and other Lumber to be rafted without any unnecessary delay as soon after it comes into the Boom as possible, the said Corporation not being bound to drive any Timber, Logs or other Lumber into the Boom that may be aground above the same.

Liability for losses.

No obligation to drive Timber, &c. that may be aground above the Boom.

Penalty for wilful injuries to the Boom or Piers.

V. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom, or any of the Piers thereof, such person or persons so offending, shall, upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of York, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus (if any) to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and

and may be lawful for said Justices to issue their warrant to commit such offender or offenders to the Common Gaol of the County, there to remain without bail or mainprize for such period as may be specified in such warrant, not exceeding one day for every two shillings of such penalty.

VI. And be it enacted, That there shall be allowed to the Corporation a toll or boomage upon all Square Timber secured in said Boom, the sum of two pence per ton, and for rafting and securing the same as aforesaid the sum of ten pence per ton; upon all Saw Logs and other Lumber secured in said Boom, the sum of four pence per thousand superficial feet for boomage, and the sum of two shillings and six pence per thousand superficial feet for rafting and securing the same as aforesaid; and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed and rafted, for the payment of all such toll or boomage, and other expenses; such person or persons owning Timber or other Lumber to furnish to the Corporation or their agent a proper and correct description of his or their several marks before the same comes into the Boom; the Corporation shall not be bound to secure or take charge of any Timber or Lumber until the marks are so furnished; and if no owner appears to claim any Timber or Lumber so coming into the Boom, it may, after twenty days notice, be sold; and if at any time within two years the owner should appear and prove to the satisfaction of the Inferior Court of Common Pleas for the County of York, he may receive the nett proceeds, after deducting toll and other expenses, but if not proved and claimed within two years, the proceeds to be paid to the Treasurer of the County of York, for the uses and purposes of the said County; all the Timber and other Lumber coming into the said Boom to be measured by a sworn Surveyor legally appointed, the expenses to be borne alike by both parties.

Boomage allowed and lien to secure the same.

Marks of Timber to be furnished.

Disposition of unclaimed Timber.

VII. And be it enacted, That the members and stockholders of the said Corporation, each and every of them, shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of the said Corporation, or their agents or servants, in proportion to the stock they respectively hold; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such member or stockholder, in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the joint stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

Liability of stockholders.

VIII. Provided always, and be it enacted, That unless a good and sufficient Boom be actually erected as contemplated by the provisions of this Act, and a certificate of the said erection, signed and verified on oath by the Directors or Managers of the said Corporation, which oath any Justice of the Peace is hereby authorized and required to administer, be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation terminate at the expiration of the said three years.

Act to cease if Boom be not erected, &c. within three years.

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

Limitation.

## CAP. LXXVII.

An Act to incorporate the King's County Mutual Insurance Company.

*Passed 14th April 1847.*

Preamble.

**W**HEREAS the establishment of a Mutual Insurance Company in the rural districts of the country would tend to protect the inhabitants against loss or damage by fire;

Company incorporated by the name of *The King's County Mutual Insurance Company*,

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William M'Leod, John C. Vail, LeBaron Drury, Reverend W. Walker, Reverend William Scovil, Gilford Flewelling, James A. Seivwright, S. Z. Earle, Justus Earle, James Fairweather, James Stark, Allan Otty, James D. Perkins, George Crawford, Oliver Hallet, Simon Baxter, and all and every such other person and persons as shall from time to time become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of *The King's County Mutual Insurance Company*, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of insuring against loss by fire; and that the said Company, or the major part of them, shall from time to time, and at all times, have full power and authority to constitute, ordain, make and establish such bye laws and ordinances as may be thought necessary for the good rule and government of the said Corporation; provided such bye laws and ordinances be not contradictory or repugnant to the Laws and Statutes of the Province, and those in force within the same.

Qualification of Members.

II. And be it enacted, That all persons who shall insure with this Corporation, and also their executors, administrators, and assigns, shall thereby become members thereof during the period they shall remain insured, and no longer.

Time and manner of calling the first meeting.

III. And be it enacted, That the first meeting of the said Corporation shall be held at Kingston, and shall be called by William M'Leod, or in case of his death, refusal, or neglect, by any three of said Company, by giving notice in writing, which writing shall be posted up in three or more of the most public places in said County, at least fifteen days previous to such meeting; provided such meeting shall not be held until applications for insurance have been made to the amount of two thousand pounds.

Investment of funds.

IV. And be it enacted, That all funds received by, or remaining with the said Corporation, shall be invested in good and sufficient personal or landed securities, provided such securities shall not be for a less period than one year or more than two years.

## CAP. LXXVIII.

An Act to incorporate the Saint John Omnibus and Transit Company.

*Passed 14th April 1847.*

Preamble.

**W**HEREAS it is considered that the establishment of lines of Omnibuses, and other vehicles of general conveyance, in and about the City of Saint John and its vicinity, at low rates of charge, will greatly tend to the public convenience and accommodation;

Company incorporated by the name of *The Saint John Omnibus and Transit Company*.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Isaac Woodward, Edward Allison, George G. Gilbert, Charles Brown, George Hayward, Levi H. Waterhouse, John Wishart, George V. Nowlin, Thomas L. Nicholson, James Vernon, Robert Reed, their associates, successors, and assigns, be and they are hereby declared to be a Body Politic and Corporate, by the name of *The Saint John Omnibus and Transit Company*, and

by

by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of establishing lines of Omnibuses and other conveyances in and about the City of Saint John and its vicinity, and keeping up and managing the same.

II. And be it enacted, That the Capital Stock of the said Company shall consist of three thousand pounds, to be divided into six hundred shares, and numbered in progressive order, beginning at number one; and every member of the said Company shall have and be entitled to have a certificate under the Seal of the said Corporation, and signed by the President and Secretary thereof, certifying his property in such shares as shall be expressed in the certificate.

Capital to be £3000 divided into 600 shares.

III. And be it enacted, That the said Corporation may, and they are hereby authorized, whenever the whole amount of the said capital or sum of three thousand pounds shall have been paid in for the purposes contemplated by this Act, at any general meeting of the said Corporation, from time to time, to increase the said Capital Stock to any amount or amounts, not to exceed in the whole the sum of five thousand pounds, by the issue of additional shares of five pounds each in the stock of the said Company.

Capital may be increased to £5000.

IV. And be it enacted, That when three hundred shares of the stock of and in the said Company shall have been subscribed, a general meeting of the subscribers shall and may be held at the City of Saint John, and shall and may be called by Edward Allison, or in case of his death, or neglect, or refusal, by any two of the said parties above named, by publishing notice thereof for fifteen days in some Newspaper published in the City of Saint John; at which, or at any subsequent meeting to be for that purpose holden, (there being at the time of election at least one fourth of the shares of stock of the said Company represented either personally or by proxy,) five Directors (who shall be stockholders, owning respectively one or more shares of stock of and in the said Corporation,) shall be elected; which Directors, at their first meeting after such election, shall choose one of their number to be President of the said Company, and shall serve until the first annual meeting for the choice of Directors, and shall have full power and authority to manage the concerns of the said Corporation, and shall commence the operations thereof, subject nevertheless to the laws and regulations which may from time to time be made by the said Corporation.

First general meeting to be held when 300 shares are subscribed.

Directors to be elected with powers to manage the concerns.

V. And be it enacted, That a general meeting of the stockholders and members of the said Corporation shall be annually holden on the first Monday in April in each and every year, at the City of Saint John; at which annual meeting, or at any adjournment thereof, there being at the time of election at least one fourth of the shares of stock of the said Company represented either personally or by proxy, there shall be chosen of the said members, five Directors, duly qualified according to the rules and regulations of the said Company, who shall continue in office for one year, or until others are chosen in their room; provided always, that two of the Directors in office shall be re-elected at such annual meeting for the next succeeding year; and the Directors, when chosen, shall at their first meeting, choose out of their number a President.

Annual general meeting to be held on first Monday in April, when Directors are to be chosen.

VI. And be it enacted, That no compensation to any President shall be made for any services rendered by him, unless agreed to at the annual meeting of the stockholders, by part shareholders representing two thirds of the Capital Stock present at the said meeting.

Compensation to the President.

VII. And be it enacted, That the Directors for the time being shall and may appoint a Secretary and Treasurer, and such other officers, clerks, and servants, as they, or the major part of them, shall think necessary for executing the business

Directors to appoint a Secretary and other officers, and fix the salaries, &c.

of

of the Corporation ; and shall allow them out of the funds of the Corporation such compensation for their respective services as to them shall appear reasonable and proper ; and the Directors shall likewise exercise such other powers and authorities for the well regulating the affairs and managing the business of the said Corporation, as shall be prescribed by the bye laws and regulations of the same.

Owners of shares to be Members of the Company, and entitled to vote.

VIII. And be it enacted, That every person owning a share in the Capital Stock of the said Company shall be a member thereof, and be entitled to vote at all meetings of the said Company ; and members may give as many votes as they own shares, and absent members may vote by proxy, such proxy being a stockholder, and authorized in writing.

Shares may be assessed to carry on the business.

IX. And be it enacted, That the President and Directors of the said Company may from time to time assess upon each share such sum or sums of money as shall be judged by the said Company necessary for raising a Capital for the payment of any debts of the said Corporation, and for the purchase of such real and personal property, and the erecting, building, making and setting up of such buildings, yards and appurtenances as may be deemed necessary for carrying into full effect the objects of the said Company, to be paid to their Treasurer at such time or times, and by such instalments as may be deemed requisite and proper ; provided always, that when any such assessment shall be made or ordered, notice thereof shall be given by the Secretary in one of the Newspapers printed in the said City, requiring payment at such time or times as may for that purpose be appointed ; and if the proprietor of any share or shares neglect or refuse to pay to the Treasurer the amount of any such assessment or assessments, duly assessed or ordered as aforesaid, it shall be the duty of the Treasurer to advertise such delinquent shares for sale at public auction, giving at least fifteen days notice of the time and place of such sale in such one Newspaper as aforesaid ; and all shares upon which the assessment or assessments, or instalment thereof, shall then remain unpaid, shall be sold to the highest bidder, and such sale shall be a legal transfer of the shares so sold to the purchaser or purchasers thereof, and shall be recorded accordingly by the Secretary, and such purchaser or purchasers shall be entitled to receive a certificate thereof.

On default of payment, shares may be sold.

Act to be void if one fifth of the Capital be not invested, &c. for the purposes within three years.

X. Provided always, and be it enacted, That unless one fifth part of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment, signed and verified on oath by the said Directors, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer,) shall be filed in the Office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation be terminated at the expiration of the said three years.

Rights of the Corporation of Saint John reserved.

XI. Provided also, and be it enacted, That nothing in this Act contained shall in any wise affect, impair or lessen the rights and privileges of the Corporation of the City of Saint John.

## CAP. LXXIX.

An Act to incorporate the Saint John Phoenix Fire Insurance Company.

*Passed 14th April 1847.*

Preamble.

‘ **W**HEREAS the great increase of wealth and combustible property in the Province for several years past renders an increase in the facilities for protecting the same expedient and necessary ;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That James Kirk, Robert Jardine, John Wishart, John Duncan, Nathan S. Demill, William J. Ritchie, the Honorable R. L. Hazen, Thomas Vaughan, George Lovett, Thomas Leavitt, Leverit H. Deveber, John Mackay, John V. Thurgar, James R. Crane, and Thomas L. Nicholson, their associates, successors, or assigns, be and they are hereby declared to be a Body Politic and Corporate, by the name of *The Saint John Phoenix Fire Insurance Company*, and that they shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of insuring against loss or damage by fire.

Company incorporated by the name of *The Saint John Phoenix Fire Insurance Company*.

II. And be it enacted, That the Capital or Joint Stock of the said Corporation shall consist of the sum of fifty thousand pounds current money of the Province, to be paid according to the legal value thereof at the several times of the payment of the same; ten thousand pounds, being the one fifth part thereof, to be paid within six months after the passing of this Act, and the remaining four fifths, or forty thousand pounds, to be paid at such time or times, and in such parts or portions as the Directors for the time being, or a majority of them, shall from time to time think necessary; the whole amount of such Capital or Stock to be divided into shares of ten pounds each, making in the whole five thousand shares.

Amount of Capital, and how payable.

III. And be it enacted, That all the subscribers for stock or shares in the said Corporation, shall, previous to the day of the election of Directors, pay into the hands of such person or persons, as the persons incorporated by the first section of this Act, or the major part of them, or in case of the death of any of them, of the major part of the survivors, may direct, a deposit of not less than two per cent., and not exceeding five per cent., upon the amount of Capital or Stock of the said Corporation for which they have subscribed, due notice being given at the time of the notice calling the first meeting of the members and stockholders of the Corporation, of the time or several periods of time when, of the place and places where, and person or persons to whom the said deposit shall be paid; and the said deposit shall be taken and allowed to every subscriber who shall pay it as part and out of the first twenty per cent. of the Capital Stock required to be paid in under and by virtue of this Act; and every subscriber who shall neglect or refuse to pay in the said deposit, shall for every share he shall neglect or refuse to pay in, be deemed a defaulter, and the said share or shares shall be forfeited to the Corporation; and no subscriber shall, upon any pretence whatever, vote at the first meeting for the choice of Directors upon any share or shares upon which he has not paid the said deposit.

Subscribers to make a deposit previous to the election of Directors.

IV. And be it enacted, That every stockholder or subscriber shall pay into the hands of the Directors for the time being, or into the hands of such person or persons, or into the Cashier or Cashiers, Treasurer or Treasurers of such Body Corporate, or Bodies Corporate, as the Directors, or a majority of them, shall appoint, within the aforesaid six months, one fifth part or twenty per centum on the whole amount of his or her share or shares, including the deposit mentioned in the third section of this Act, and shall give to the President and Directors hereinafter mentioned, good and sufficient security or securities, either by bond and mortgage on real estate, or by bond with two or more good and sufficient sureties, renewable at least as often as once in three years, to the satisfaction of the said President and Directors for the time being, which securities shall be made and taken, and kept and continued from time to time, to the satisfaction of such persons as the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of the Executive Council, shall appoint to examine and

Twenty per cent. on the Stock to be paid within six months, and security given for the remainder.

report

Subsequent payments not to exceed 20 per cent. at one time.

Corporation not to commence operations until £10,000 be paid in, to be ascertained by Commissioners.

A general meeting to be called to make bye laws and choose Directors.

Directors to choose a President, appoint officers, receive instalments, and take securities.

Annual meeting to be held on first Tuesday in June, when Directors are to be chosen.

report upon the funds and securities of the said Company, that the residue of the whole amount of his or her share or shares shall be paid from time to time, and in such parts or portions as to them the said President and Directors shall seem advisable; provided that the amount so to be called in shall not at any one time exceed twenty per centum on the whole amount of capital or stock belonging to any individual, and that not less than fifty days notice of such payment being required shall be given in one or more of the Newspapers published in this Province: Provided always, that the said Corporation shall not go into operation until the said sum of ten thousand pounds shall have been paid, and shall then be in the vault or office of the said Corporation or Company, and that as soon as the said sum shall have been so paid, the President shall give notice thereof to the Secretary of the Province, for the information of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, who is hereby authorized, by and with the advice of Her Majesty's Executive Council, to appoint three Commissioners, not being stockholders, whose duty it shall be to examine and count the money actually in the vault or office, and to ascertain by the oaths of a majority of the Directors (which oaths any one of Her Majesty's Justices of the Peace for the City and County of Saint John is hereby authorized to administer,) that one fifth part of the amount of the Capital of the said Company hath been paid in by the stockholders towards the payment of their respective shares, and not for any other purpose.

V. And be it enacted, That a general meeting of the members and stockholders of the said Corporation, or the major part of them, shall take place in the City of Saint John, by notice in one or more of the Newspapers published in the said City, fourteen days previous to such meeting; which notice, W. J. Ritchie, or in case of his death, neglect, or refusal, any other of the persons incorporated in and by the first section of this Act, is hereby authorized and empowered to give, for the purpose of making, ordaining and establishing such bye laws, ordinances and regulations for the good order and management of the affairs of the said Corporation, as they shall deem necessary, and also for the purpose of choosing seven Directors, being members and stockholders of the said Corporation, under and in pursuance of the rules and regulations hereinafter made and provided; which Directors shall, as soon thereafter as may be convenient, meet together and choose out of their number a President, and shall also appoint at the same time, or at any future meeting, a Secretary, and so many and such other officers, clerks, servants, and agents, for carrying on the said business, as they shall deem requisite and necessary; and shall at the same time, or at any future meeting, accept and receive what remains due of the first instalment of the twenty per centum on each subscriber or stockholder's share or subscription, and shall take from such subscriber such securities for the remainder of their subscriptions as is hereinbefore pointed out, and shall commence the operations of the said Insurance Company, subject to the rules and regulations as hereinafter provided, and shall continue and serve to be Directors aforesaid, until the first annual meeting for the choice of Directors as is hereinafter made and provided, or until others are chosen in their room; provided that the laws and ordinances at any time made shall be in no wise contrary or repugnant to the Laws and Statutes of this Province.

VI. And be it enacted, That there shall be a general meeting of the stockholders and members of the said Corporation held annually on the first Tuesday in June in each and every year, in the City of Saint John; at which annual meeting there shall be chosen by a majority of the said stockholders and members of the

the said Corporation then met, out of the said stockholders and members, seven Directors, who shall continue in office for one year, or until others are chosen in their room ; in the choice of which Directors the stockholders and members of the said Corporation shall vote according to the rule hereinafter mentioned ; and the Directors when chosen, or the major part of them, shall at the first meeting after their election, choose out of their number a President, who is to be chosen by a majority of votes, each Director having one vote ; provided always, that four of the Directors in office shall be re-elected at such annual meeting for the next succeeding year, of which the President shall always be one.

VII. And be it enacted, That the Directors for the time being shall have power to do and execute all the matters and things contained in the preceding sections of this Act, as far as the same may be left unexecuted by the Directors therein mentioned, and that they shall manage the whole concerns of the said Corporation agreeably to this Act of Incorporation, and such bye laws, rules and regulations, as the stockholders and members thereof may from time to time establish, and also do and execute all other matters and things that may be necessary and requisite for the benefit of the Corporation ; and also shall have power to appoint such officers, clerks, and agents, and establish such agencies, as they or the major part of them shall think necessary for executing the business of the said Corporation, and shall allow the said officers, clerks, agents and servants such compensation for their respective services as to them, the said Directors, shall appear reasonable and proper, all which, together with the expenses of buildings, house rent, and all other contingencies, shall be defrayed out of the funds of the said Corporation.

Directors empowered to manage the whole concerns.

VIII. And be it enacted, That not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or necessary absence, in which case the Directors present may choose one of their Board as Chairman for the time being ; that the President shall vote at the Board as a Director, and in case there be an equal number of votes for and against any question before them, the President shall have a casting vote.

Board of Directors for business.

IX. And be it enacted, That no Director shall be entitled to any salary or emolument for his services, but that the members and stockholders of said Corporation for the time being may make such compensation to the President as to them shall appear reasonable and proper.

No Director to have a salary.

Compensation to President.

X. And be it enacted, That no person shall be eligible as a Director unless such person is a stockholder, and holds not less than twenty shares of the Capital Stock of the said Corporation.

Qualification of Directors.

XI. And be it enacted, That the number of votes to which each stockholder shall be entitled on every occasion when in conformity to the provisions of this Act, the votes of the stockholders are to be given, shall be in the following proportion : for one share, and not more than two, one vote ; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares ; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares ; for every six shares above thirty, and not exceeding sixty, one vote, making fifteen votes for sixty shares ; and for every eight shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred shares ; which said number of twenty votes shall be the greatest that any stockholder shall be entitled to have ; and that every person may vote by proxy, provided such proxy be a stockholder, and previous to voting produce a sufficient authority from his constituent or constituents so to act ; and provided further, that no stockholder shall hold more than five proxies.

Votes of stockholders regulated.

XII.

When not chosen at the annual meeting, Directors may be afterwards elected.

Filling up vacancies.

On payment of £10,000, notice to be given, and the business to be commenced.

Company empowered to insure on houses, &c.

Execution of policies entered into by agents.

Directors to make half yearly dividends of the profits.

XII. And be it enacted, That if it should so happen that the Directors should not be chosen on the first Tuesday in June in any year aforesaid, it shall and may be lawful to choose them on any other day, between the hours of twelve at noon and three in the afternoon of said day, upon giving fourteen days notice of the time and place of meeting, which shall take place in the City of Saint John; and in case any Director should disqualify himself by the sale, disposal or transfer of his shares, or of any of them, so as to reduce his interest in said stock to less than twenty shares required for the qualification of a Director, or in case of the removal of a Director by the stockholders for misconduct or mal-administration, his place shall be filled up by the said stockholders, fourteen days notice of the time and place of meeting being first given; and in case of any vacancy among the said Directors by death, resignation, or absence from the Province for three months, the said Directors shall or may fill up the same by choosing one of the stockholders, and the person so chosen by the said Stockholders or Directors shall serve until another be chosen in his room.

XIII. And be it enacted, That as soon as the said first instalment of ten thousand pounds shall have been actually paid in manner and form as is hereinbefore provided, on account of the subscriptions to the said stock, notice thereof shall be given in one or more of the Newspapers published in the City of Saint John, and the Directors shall commence with the business and operations of the said Corporation: Provided always, that no insurance shall be effected, nor shall any policy be signed in manner as is hereinafter provided, until the sum of ten thousand pounds shall be actually paid and received on account of the subscriptions to the capital or stock of the said Corporation.

XIV. And be it enacted, That the said Corporation shall have power and authority to make insurance on houses, mills, manufactories, buildings, ships or other vessels on the stocks, or in the rivers or in port, merchandize, monies, goods, wares, and effects, against loss or damage by fire, and to fix the premium and terms of payment; and all policies of insurance by them made, shall be subscribed by the President, or in case of his death, absence, sickness or inability, by any two of the Directors, and countersigned by the Secretary of the said Corporation, or in case of the sickness, absence or inability of the Secretary, by such person or persons as the Directors, or a majority of them, may appoint to act in his stead, and shall be binding and obligatory upon the said Corporation and Company; and that all losses duly arising under any policy so subscribed and countersigned, shall and may be adjusted and settled by the Board of Directors, and the same shall be binding on the said Corporation, and shall be paid to the assured within ninety days from such adjustment: Provided always, that the said Directors shall not in any case make insurance on any single building or goods contained therein, to an amount exceeding three thousand pounds.

XV. And be it enacted, That all policies entered into in behalf of the said Company and Corporation by any agent or agents duly appointed by the Directors, or a majority thereof, shall in addition to the signing and countersigning required by the thirteenth section of this Act, be also countersigned by the said agent or agents, and especially mention in the said policy the invalidity of such policy without such additional countersigning, and no policy entered into by any agent or agents of the said Company or Corporation shall be obligatory upon the said Company or Corporation without these requisites are complied with.

XVI. And be it enacted, That it shall be the duty of the Directors of the said Corporation, or a quorum thereof, to make half yearly dividends of all the profits, rents, premiums and interest of the said Corporation, payable at such time and place

place as the Directors, or a quorum thereof, shall appoint, of which they shall give thirty days previous notice in one or more of the Newspapers published in the City of Saint John: Provided always, that the monies received for premium of risks which shall be undetermined and outstanding at the time of the making of such dividends, shall not be considered as part of the said profits of the said Company; and provided further, that if the amount of Capital or Stock paid as by this Act is required, shall be by any means reduced to a sum less than ten thousand pounds, then in such case no dividend or dividends whatsoever shall be declared or made until a sum equal to the said sum of ten thousand pounds shall be vested for the use of the said Company.

Exceptions.

XVII. And be it enacted, That the said Corporation shall have full power and authority to take, receive, hold, possess and enjoy in fee simple, any lands, tenements, and real estate, and rents, to any amount not exceeding five thousand pounds: Provided nevertheless, that nothing herein contained shall prevent or restrain the said Corporation from taking or holding real estate or chattels to any amount whatsoever, by mortgage taken as a collateral security for the payment of any sum or sums of money advanced by or debts due to the said Corporation, or for the security of the payment of the amount of such part of the Capital or Stock of the said Corporation that shall at any time or times remain unpaid.

Company may possess real estate to the value of £5000.

XVIII. And be it enacted, That the Capital or Stock of the Company collected at each instalment, and at the times and manner hereinbefore provided, shall be by the said Directors invested and disposed of in such public funds, or to such public or corporate bodies, or associations, as may be deemed advisable, and in the event of there being no public funds, or public or corporate bodies or associations in which the same can be safely vested, or to whom the same can be advantageously and safely lent and disposed of, then it shall and may be lawful for the said Directors, or a majority of them, to apply and dispose thereof, by letting the same out at interest, either upon the security of lands or real estate: Provided always, that no monies of the said Corporation shall be put out at interest nor any security taken for the same by bond or mortgage for a shorter period than one year; and further provided, that as long as the amount of the said first instalment of ten thousand pounds, or any part thereof, shall be at the disposal of the said Directors, and shall be required for the use of the Province, then it shall be obligatory upon the said Directors to loan the said sum of ten thousand pounds, or any part thereof, to the Province, or the Treasurer thereof, for the public use of the Province, at the rate of not exceeding six per centum per annum; and further provided, that nothing herein contained shall be construed to extend to deprive the Directors of their right of calling upon the Province for the payment of the said sum of ten thousand pounds, or any part thereof they may require to meet any extraordinary loss the surplus fund hereinafter provided and any disposable fund of the Corporation may not sufficiently provide for or discharge, or to call in the same upon the dissolution of the said Corporation.

Investment of Capital.

XIX. And be it enacted, That the Directors of the said Corporation shall not at any half yearly dividend of the profits, rents and premiums, and interest of the said Company, divide or pay, or cause or permit to be divided or paid, any greater or larger dividend than will amount to the rate of six pounds per centum on the total amount of Capital Stock collected and actually invested and disposed of as is provided in and by this Act; and also that the sum at any time divided and paid shall not exceed two thirds of the net amount of the actual gains and earnings of the said Company, gained and earned since the making of the then last dividend: Provided always, that whenever the Capital or Stock actually invested as by this

Half yearly dividend not to exceed six per cent. nor two thirds of the earnings.

Exception.

Act

Act is required, and the surplus fund, shall together amount to the sum of twenty five thousand pounds, then the Directors of the said Company may, if they think the same advisable, divide and pay the whole of the net amount of the gains and earnings of the said Company at each half yearly dividend, any thing herein contained to the contrary thereof in any wise notwithstanding.

Investment of money accruing in the course of the dealings of the Corporation.

XX. And be it enacted, That it shall and may be lawful to, and for the Directors of the said Corporation to use, apply and dispose of the monies arising in the course of the dealing of the said Corporation, and all the profits, rents, premiums, and interest thereof, by letting the same out at interest, either upon the security of lands or real estate, as the Directors thereof may think fit, any thing contained in this Act to the contrary notwithstanding; provided always, that no monies of the said Corporation shall be put out at interest, nor any security taken for the same, except by Bond and Mortgage, nor for a shorter period than one year.

Company not to engage in Banking operations.

XXI. And be it enacted, That the said Company or Corporation shall not directly or indirectly deal or trade in buying or selling gold or silver coins or bullion, or bills of exchange, or other negotiable instruments, or any goods, wares, merchandize or commodity whatsoever, or deal in the lending of money or in bills of exchange, or other negotiable instruments, by way of discount or otherwise, or engage in any banking operations whatsoever; provided always, that nothing herein contained shall be construed to extend to prevent the Company from hiring or lending its funds arising either from the payment of any instalments or from the accumulation of its profits, rents, premiums, and interest, agreeably to the terms and provisions of the seventeenth and nineteenth sections of this Act, any thing herein contained to the contrary thereof in any wise notwithstanding.

Shares to be assignable.

XXII. And be it enacted, That the shares, capital or stock of the said Company, shall be assignable or transferable, according to such rules and regulations as may by the members and stockholders be established in that behalf, but no assignment or transfer shall be valid or effectual unless such assignment or transfer shall be entered and registered in a book to be kept by the Directors for that purpose, and in no case shall any fractional part of a share be assignable or transferable, and that whensoever any stockholder shall transfer in manner aforesaid all his or her stock or shares in the said Corporation to any other person or persons whomsoever, such person shall cease to be a member of the said Corporation, and the person or persons so purchasing shall become a member of the said Corporation in his or her stead, and be entitled to all the privileges as such.

Liability of Directors for policies issued after losses equal to the Capital.

XXIII. And be it enacted, That in case of any loss or losses taking place, which shall be equal to the Capital or Stock of the said Company, and the President and Directors, after knowing of such loss or losses taking place, shall make any further policy of insurance, they and their estates, jointly and severally, shall be accountable for the amount of any and every loss which shall take place under such policy or policies so made.

Joint Stock only responsible for debts and engagements.

XXIV. And be it enacted, That the joint stock or property of the said Corporation shall be responsible for the debts and engagements of the said Corporation, and that no person or persons who shall or may have dealings with the said Corporation, shall on any pretence whatsoever have recourse against the separate property of any present or future member or members of the said Corporation, or against their person or persons, further than has been hereinbefore provided, and that may be necessary to secure the faithful application of the funds of this Corporation.

Bonds for residue of the Capital may be renewed or changed.

XXV. And be it enacted, That the bonds and other securities of what nature or kind soever, taken for the payment of the residue of the said Capital or Stock

as is hereinbefore directed, shall from time to time be renewed or changed, and other and further security or securities for the same be given as is provided in and by the fourth section of this Act; and in case of any refusal or delay to renew or change any such security or securities, or to give or grant other and further security or securities therefor, to the satisfaction of the said Directors, or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors, or a majority thereof, to cause such proceedings both in law or in equity, or either, as may be deemed requisite, to be taken for the recovery of the amount of such several security and securities; or it shall and may be lawful to and for the said Directors, or a majority thereof; if they shall think fit, to declare the shares in the said Capital or Stock, for the amount of the residue of which such security or securities shall have been given, forfeited to the said Company, together with all deposits, instalments, interests, profits or dividends thereto belonging or appertaining, and that such stock so forfeited shall be sold by public auction for and on account of the said Company, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Company on account of such forfeited shares at the time of such forfeiture, as is hereinbefore provided, and shall likewise be subject to all the provisions of this Act, any thing herein contained to the contrary thereof in any wise notwithstanding.

In case of refusal may be prosecuted or shares forfeited.

XXVI. And be it enacted, That the books, papers, correspondence, and all other matters and things belonging to the said Corporation, shall at all times be subject to the inspection of the Directors, or any of them; but no stockholder, not a Director, shall inspect the account of any individual or corporate body with the said Company.

Books, &c. to be open to the inspection of the Directors.

XXVII. And be it enacted, That the Directors shall at the general meeting to be holden on the first Tuesday in June in every year, lay before the stockholders for their information, an exact and particular statement in triplicate of the then state of the affairs and business of the said Company, agreeably to the several regulations of this Act, and such other rules and regulations as may by the members and stockholders of the Corporation be made by virtue hereof, so as the same may contain a true account of the whole of the affairs of the said Corporation; which statement in triplicate as aforesaid shall be signed by the Directors, and attested on oath by the Secretary, or in case of his sickness, absence, or inability to attend, by such person or persons as the Directors, or any quorum thereof, may appoint to act in his stead, and shall be transmitted to the Secretary of the Province for the information of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, and the Legislature: Provided always, that the rendering of such statement shall not extend to give any right to the stockholders, not being Directors, to inspect the accounts of any individual or individuals with the said Corporation.

Statement of affairs to be laid before the annual meeting.

To be transmitted in triplicate to the Provincial Secretary.

XXVIII. And be it enacted, That any Joint Committee hereafter to be appointed by the Honorable the Legislative Council and the House of Assembly, for the purpose of examining into the proceedings of the said Corporation, shall either during the Session or prorogation of the General Assembly, have full access to all the books and acc unts of the same.

Joint Committee of Council and Assembly to have access to the Books, &c.

XXIX. And be it enacted, That any number of stockholders not less than twenty, who together shall be proprietors of one thousand shares, shall have power at any time by themselves or their proxies to call a general meeting of the stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the

Calling of general meetings not for the dissolution of the Corporation.

Newspapers

Newspapers published in the City of Saint John, and specifying in such notice the time and place of such meeting, with the objects thereof; and the Directors, or any four of them, shall have the like power at any time (upon observing the like formalities) to call a general meeting as aforesaid.

Calling of general meetings with a view to a dissolution of the Company.

XXX. And be it enacted, That any number of stockholders not less than thirty, who together shall be proprietors of three thousand five hundred shares, shall have the power at any time by themselves or their proxies to call a general meeting of the stockholders for the purpose of taking into consideration the propriety of dissolving the said Company, giving at least three months previous notice in one or more of the Newspapers published in the City of Saint John, and specifying in such notice the time and place of such meeting, with the object thereof; and should it be agreed upon at such meeting that the said Company or Corporation should be dissolved, such stockholders are hereby authorized and empowered to take all legal and necessary ways and means to dissolve the said Company; and upon such or any other dissolution of the said Company, the Directors then in office shall take immediate and effectual measures for closing all the concerns of the said Corporation, and for dividing the capital and profits which may remain among the stockholders in proportion to their respective interests.

Annual statement of affairs to be made for the information of the Legislature,

XXXI. And be it enacted, That the Secretary of the said Company shall on the first Thursday in January in each and every year, make a return in triplicate of the state of the affairs of the said Company, as they existed at three of the clock in the afternoon of that day, and shall forthwith transmit the same to the Office of the Secretary of the Province; which return shall specify the aggregate amount of the risks at that time taken by the said Company; the amount of losses incurred during the preceding year; the amount of Capital actually paid in, and how the same has been invested and secured; also a particular statement of the manner in which the residue of the Capital has been secured; the amount of the dividends for the preceding year, and when declared; together with the amount of surplus profits then belonging to the said Company, and how the same have been invested and secured; the amount of real estates owned by said Company, together with a particular statement of all other the affairs of the said Corporation: which return shall be signed by the Secretary of the said Company, who shall make oath or affirmation before some Magistrate qualified to administer oaths, to the truth of said return, according to the best of his knowledge and belief; and the Secretary of the said Company shall also at the time hereinbefore mentioned make a return, under oath, of the names of the stockholders, and the amount of stock owned by each; and a majority of the Directors of the said Corporation shall certify and make oath or affirmation before the same Magistrate as the said Secretary, that the books of the said Company indicate the state of facts so returned by their Secretary, and that they have full confidence in the truth of the return so made by him; and it shall be the duty of the Secretary of the Province annually to lay before the Legislature of this Province, as soon after the opening of the Session thereof as practicable, such returns as aforesaid, as he may have received since the then last previous Session.

Insurances to the amount of £200,000 may be made when the Capital Stock is secured.

XXXII. And be it enacted, That when the said Corporation shall have provided and secured the said Capital or Joint Stock of fifty thousand pounds as aforesaid, it shall and may be lawful for them to cause insurances to be made on houses, buildings, stores, goods, wares, and merchandize, within this Province, from loss and damage by fire, to the value of two hundred thousands pounds, and no more; and the whole of the said Capital or Joint Stock shall be pledged and liable to make

make good all and every loss which may happen upon all or any of the said polices ; and in case the said Corporation shall at any time make any insurances beyond the said sum of two hundred thousand pounds, each of the members of the said Corporation shall be liable in their own persons and estates for his share or proportion of such sums insured beyond the said sum of two hundred thousand pounds.

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

Limitation.

### CAP. LXXX.

An Act to amend the Act to incorporate the Maduxnikik Boom Company.

*Passed 14th April 1847.*

**W**HEREAS it is expedient to amend the Act made and passed in the eighth year of the Reign of Her Majesty Queen Victoria, intituled *An Act to incorporate the Maduxnikik Boom Company*, and to enlarge the powers of the said Company ;

Preamble.

8 V. c. 49.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said Maduxnikik Boom Company shall have full power and authority to erect a Sluice or Sluices near to, upon, or by the Falls of the Maduxnikik River, near the mouth of said River, in order to convey Rafts, Timber, Logs, Masts, Spars, and other Lumber, over the said Falls, and also to build one or more Pier or Piers and one or more Boom or Booms across the mouth of said Maduxnikik River.

Company empowered to erect a Sluice, Piers and Booms.

II. And be it enacted, That it shall be the duty of the said Corporation, and they are hereby required to float down into the said Boom, and securely raft, in a substantial manner, with good and substantial boom poles, and in such joints as are usually made for floating Timber, Masts, Spars, Logs, or other Lumber, down the River Saint John, preparatory to their being put in large rafts for transportation to Saint John, all such Timber, Masts, Spars, Logs, or other Lumber, as the owner or owners thereof shall have furnished the said Corporation, or their agent, with the marks, before such Timber, Masts, Spars, Logs, and other Lumber, shall come into the upper Boom ; and the said Corporation shall be entitled to receive therefor a sum not exceeding one shilling and three pence per ton for every ton of Pine, Spruce, or Hemlock Timber, so rafted as aforesaid ; and a sum not exceeding one shilling and eight pence per ton for every ton of Birch or other Hardwood Timber so rafted as aforesaid ; and a sum not exceeding three shillings per thousand for each and every thousand superficial feet of Logs, Masts, Spars, and other Lumber, so rafted as aforesaid ; such sum to include and be in lieu of the toll or boomage of two pence per ton for Timber, and of six pence per thousand for Masts, Spars, Logs, and other Lumber, imposed and provided by the above recited Act to incorporate the Maduxnikik Boom Company.

Company to float into the Boom and raft all Timber, &amp;c. of which the marks may be furnished.

Rate of charges.

III. And be it enacted, That if the owner or owners of such Timber, Logs, Masts, Spars, and other Lumber, do not, by themselves, or their agent or agents, attend at the Boom every morning by eleven of the clock, and pay the boomage, and take charge of and remove such Timber, Logs, Masts, Spars, and other Lumber, the said Corporation shall have power to remove such Timber, Logs, Masts, Spars, and other Lumber, to some place of safety, at the risk and expense of the owner or owners thereof, such Corporation being required to use ordinary care in the removal and keeping of the said Timber, Logs, Masts, Spars, and other Lumber ; and if the owner or owners thereof shall not within six days after

Company may secure and send the Timber to Saint John, &amp;c. in certain cases.

after such Timber, Logs, Masts, Spars, and other Lumber, shall have been removed to such place of safety as aforesaid, pay the boomage, and take charge of such Timber, Logs, Masts, Spars, and other Lumber, then and in such case it shall and may be lawful for the said Corporation, and they are hereby authorized, if they see fit, to send the said Timber, Logs, Masts, Spars, and other Lumber, to Saint John, at the risk of the owner, and then, after ten days personal notice, or thirty days notice in a Newspaper published in Woodstock, to sell so much thereof as shall be sufficient to pay the boomage, together with the usual freight and expenses of taking the same to Saint John, expense of keeping, expenses of the sale, and all other incidental expenses, rendering the overplus (if any) to the owner, and the remaining part of such Timber, Masts, Spars, Logs, and other Lumber, shall be kept till required by the owner, at his risk and expense.

Register to be kept of marks of Timber, &c. sent to Saint John.

IV. And be it enacted, That it shall be the duty of the said Corporation to keep a correct Register of all the marks of any Timber, Logs, Masts, Spars, and other Lumber, which they may send to Saint John under the authority of this Act.

Timber &c. fastened to the Company's Boom or to the Shore, so as to prevent rafting, may be removed.

V. And be it enacted, That if any person or persons shall make fast any raft or rafts, or joint or joints of Timber, Logs, or other Lumber, to the said Booms or Shores, so as to interfere with the rafting of the said Company, that then it shall be lawful for the said Company, or their agents, to remove the same to some convenient place of safety; and the owner or owners of the said raft or rafts, joint or joints of Timber, Logs, Masts, Spars, and other Lumber, shall pay the expenses incurred by such removing of such Timber, Logs, Masts, Spars, or other Lumber.

Toll allowed for sluicing rafts of Timber, &c.

VI. And be it enacted, That there shall be allowed said Corporation, as toll for sluicing rafts of Timber, Logs, Masts, Spars, or other Lumber, through said Sluice, such Timber, Logs, Masts, Spars, or other Lumber, being rafted before coming to the Boom by the owner or owners thereof, the sum of two shillings for each and every joint of Timber, Logs, Masts, Spars, or other Lumber, run through said Sluice.

Act limited to continuance of S. V. c. 49.

VII. And be it enacted, That this Act shall continue and be in force so long as the said Act to which this is an amendment shall continue and be in force, and no longer.

## CAP. LXXXI.

An Act to incorporate the Portland and Lancaster Steam Ferry Company.

*Passed 14th April 1847.*

Preamble.

“WHEREAS the establishment of a communication between the Parish of Portland, in the City and County of Saint John, and the Great Road to Fredericton, by way of the Nerepis, by the means of a Steam Ferry Boat on the Ferry across the River Saint John, at or near Indian Town, will be convenient and advantageous to the Public at large;

Company incorporated by the name of *The Portland and Lancaster Steam Ferry Company.*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Edward Allison, James Travis, Robert Robertson, John B. Travis, Robert Stevens, Samuel Reynolds, Isaac Flewelling, Charles Sorrell, David Tapley, Joseph Lingley, Henry Dalton, James Johnson, George Eagles, Thomas Cunard, James Flewelling, Bartlett Lingley, Archibald Armstrong, Thomas Edward Millidge, William Peters, Alexander E. Brown, George E. Cunard, their associates, successors, and assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of *The Portland and Lancaster Steam Ferry Company*, and by that name shall have all the general powers

powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of establishing, supporting, maintaining and running a Steam Ferry Boat on and across the River Saint John, above the Falls at the mouth thereof, between the Parish of Portland, in the City and County of Saint John, and the Parish of Lancaster, in the same County.

II. And be it enacted, That the Capital Stock of the said Corporation shall be two thousand pounds, divided into two hundred shares of ten pounds each, to be secured in such manner as by the bye laws of the said Company shall be directed, and shall be paid in such sums and at such time or times as the Directors of the said Company shall from time to time appoint.

Capital to be £2000, payable as the Directors may appoint.

III. And be it enacted, That the first meeting of the said Company shall be held at the City of Saint John, and shall and may be called by Edward Allison, Esquire, or in case of his death, neglect, or refusal, by any two of the said Company, by giving notice of the time and place of such meeting in one or more of the Newspapers published in the said City, for not less than three consecutive weeks immediately before the day appointed for holding such meeting; at which meeting, or at any other meeting of the said Company to be for that purpose called and holden, as is herein above provided for, five Directors, being subscribers for stock in the said Company, shall be chosen, three of which Directors shall form a quorum for the transaction of business; and the said Directors shall, at their first meeting, choose one of their number to be the President of the said Corporation; which President and Directors shall serve until others are chosen in their place, and shall have power and authority to manage the concerns of the said Corporation.

First meeting to be held on not less than three weeks notice.

Directors to be appointed.

Three to be a quorum.

IV. And be it enacted, That there shall be a general meeting of the stockholders of the said Corporation annually holden in the City and County of Saint John, at such time and place as by the laws and regulations of the said Corporation may be appointed; at which annual meeting there shall be chosen out of the stockholders of the said Corporation, five Directors, of whom the President of the Corporation shall always be one, and three of whom shall be a quorum for the transaction of business; the said Directors shall continue in office for one year, or until others are chosen in their place and stead, and shall, at their first meeting after their election, choose one of their number to be the President of the said Corporation.

An annual general meeting to be held.

Directors to be then chosen.

V. And be it enacted, That the joint property and stock of the said Corporation shall alone be responsible for the engagements and debts of the said Corporation.

Joint Stock to be alone responsible for the debts.

VI. And be it enacted, That each and every shareholder in the said Corporation shall be held liable to the said Company for each and every call or assessment made, not however to exceed in amount the stock so subscribed, for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

Shareholders to be liable for calls not exceeding the amount of their stock.

VII. Provided always, and be it enacted, That nothing herein contained shall extend or be construed to extend to interfere with the General Sessions of the Peace for the City and County of Saint John, to make rules and regulations for the government of the said Ferry, or the rates to be taken at the said Ferry; but the said Ferry shall be subject to all the provisions of an Act made and passed in the second year of the Reign of His late Majesty King William the Fourth, intituled *An Act to establish and regulate a Ferry and Public Landing at Indian*

Act not to prevent the General Sessions from making regulations, &c. as to the Ferry.

*Town, in the County of Saint John, in the same manner and to the like extent as if the said Ferry had been established by the Justices of the Peace in the said recited Act mentioned.*

CAP. LXXXII.

An Act to incorporate the Fredericton Gas Light Company'

*Passed 1<sup>st</sup> April 1847.*

Preamble.

**W**HEREAS the establishment of a Company for the purpose of erecting Gas Works in the Town of Fredericton, in order to furnish the means of lighting the said Town in a superior manner, would be an object of public utility;

Company incorporated by the name of *The Fredericton Gas Light Company.*

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That William J. Bedell, Frederick W. Hatheway, Spafford J. Barker, William Watts, Junior, Thomas Pickard, and Robert Chestnut, their associates, successors, and assigns, shall be and they are hereby erected into a Body Politic and Corporate, by the name of *The Fredericton Gas Light Company*, and shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of lighting the Town of Fredericton with Gas, and for all necessary works therewith connected.

Capital to be £10,000, with power to increase it to £20,000.

II. And be it enacted, That the Capital Stock of the said Corporation shall be ten thousand pounds, current money of New Brunswick, and shall be divided into one thousand shares of ten pounds each, to be paid in at such times and in such instalments as the business of the said Company shall require, provided that fifteen per centum of the said Capital Stock, amounting to one thousand five hundred pounds, shall be actually paid in and invested in the business of the said Corporation in two years from the passing of this Act; and provided also, that the said Corporation shall, when necessary, have leave to extend the said Capital Stock to the sum of twenty thousand pounds, of like current money, and shall have power to increase the number of shares accordingly, or to assess such increase upon the original number of shares; and provided also, that the said Corporation shall not be entitled to purchase any property, real or personal, or to incur any debts, until the said fifteen per centum of the Capital Stock as aforesaid, shall be paid in.

First meeting of the Corporation for establishing bye laws and choosing Directors.

III. And be it enacted, That the first meeting of the said Corporation shall be held in the said Town of Fredericton, and shall be called by William J. Bedell, Esquire, or in case of his death, neglect, or refusal, by any two of the said Company, by giving notice in one or more of the public Newspapers printed in Fredericton, at least twenty days previous to such meeting, for the purpose of establishing bye laws, choosing Directors and such other officers as may be necessary for the management of the affairs of the said Company; which Directors and officers so chosen, shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the concerns of the said Corporation, subject to the rules and regulations hereinafter made and provided.

Annual meeting for choosing Directors and other officers to be held on the first Tuesday in May.

IV. And be it enacted, That a general meeting of the stockholders of the said Corporation shall be held in Fredericton on the first Tuesday in May in each and every year, for the purpose of choosing five Directors and such other officers as may be necessary for the management of the affairs of the said Corporation; which Directors so chosen, shall remain in office one year, or until others are chosen in their stead; and shall, at the first meeting after their election, choose one

one of their number President of the said Company : Provided always, that not less than three Directors do form a quorum for the transaction of business, and in case of the absence of the President, the Directors shall have power to appoint one of their number Chairman for the occasion.

V. And be it enacted, That no person shall be eligible as a Director, unless such person is a stockholder, and holds not less than five shares of the Capital Stock of the said Corporation, and is of the full age of twenty one years.

Qualification of Directors.

VI. And be it enacted, That the number of votes to which each stockholder shall be entitled on any occasion when according to the provisions of this Act the votes of the stockholders are to be given, shall be for one share, and not more than two, one vote ; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares ; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares ; for every eight shares above thirty, and not exceeding seventy, one vote, making fifteen votes for seventy shares ; for every twelve shares above seventy, and not exceeding one hundred and thirty, one vote, making twenty votes for one hundred and thirty shares ; which said number of twenty votes shall be the greatest any stockholder shall be entitled to have ; and that all stockholders may vote by proxy, such proxy being a stockholder, and producing sufficient authority in writing from his constituent.

Votes of stockholders regulated and limited.

VII. And be it enacted; That the shares in the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no assignment or transfer shall be valid or effectual, unless the same shall be entered and registered in a Book to be kept for that purpose ; that in no case shall any fractional part of a share, or other than a complete share or shares be assignable or transferable ; that whenever any stockholder shall transfer in manner aforesaid, all his stock and shares in the said Company, he shall cease to be a member in the said Corporation.

Shares to be assignable.

VIII. And be it enacted, That in case of any vacancy among the Directors by death, resignation, or disqualification by sale or transfer of stock, then and in either of such cases the said Directors shall and may fill up such vacancy by choosing one of the stockholders, and the person so chosen by the Directors shall serve until another is chosen in his room.

Vacant Directorships to be filled up by the stockholders.

IX. And be it enacted, That each and every stockholder in the said Company shall be held liable to the said Company for the payment of each and every call or assessment made, (not however to exceed in amount the stock so subscribed for,) for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Company, and recovered in any Court of Record within the Province.

Stockholders to be liable to the Company for the amount of their stock.

X. And be it enacted, That the joint stock or property of the said Corporation shall alone, in the first instance, be responsible for the debts and engagements of the said Corporation ; and that no creditor, or person or persons having any demands against the said Corporation, for or on account of any dealings with the said Corporation, shall have recourse against the separate property of any shareholder on account thereof, except in case of deficiency, or where the joint stock of the said Corporation shall fall short of or not be equal to the payment of any debts due or demand against the same ; that then and in such case the goods and chattels, lands and tenements, of each shareholder, shall and may be levied upon and seized respectively, to satisfy such debt or demand, to the extent of double the amount of the share or shares or interest of such shareholder in the joint stock of the said

Liability for the debts of the Corporation.

said

said Corporation, but no more ; and that such double amount, or so much as may be necessary to satisfy such debt, due or demand, shall and may be levied and seized by process of execution in the same suit in which such debt, due or demand may be recovered against said Corporation.

Stock Subscription List to be open at a public place.

Individual subscriptions thereto limited.

XI. And be it enacted, That the Stock Subscription List shall be left at some public place in the Town of Fredericton, notice of which shall be given in two or more of the Newspapers published in the said Town ; and that no individual, either by himself or his agent, shall be allowed to subscribe for more than fifty shares until after the expiration of two months from the date of such notice, at the expiration of which time, should the stock in the said Corporation be not all taken up, then any person may be allowed to take any number of shares he may see fit, until the said stock is all taken up.

Shares may be assessed on a vote of the stockholders.

Delinquent shares may be sold.

XII. And be it enacted, That the said Company shall have power to levy and collect assessments upon the shares from time to time of such sums of money as may be deemed necessary for carrying on the business of the said Company ; and whenever any assessment may be made by the said Company, it shall be the duty of the Treasurer to give notice thereof in one or more of the Newspapers published in Fredericton, requiring payment of the same within thirty days ; and if any stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale ; and all shares upon which the assessment is not then paid, with interest from the time such assessment became due, shall be sold to the highest bidder, and after retaining the amount of assessment, and interest due on each share, and the expense of advertising and selling, the residue (if any) shall be paid over to the former owner, and a new certificate or certificates of the shares so sold shall be made out and delivered to the purchaser : Provided always, that no assessment shall be made except by a vote of the stockholders, and a majority of all the shares.

Manner and power of calling public meetings.

XIII. And be it enacted, That all meetings of the said Company shall be called by public notice thereof in one or more Newspapers published as aforesaid, ten days at least before the time of such meeting ; and that all special meetings may be called by the Secretary, under the authority of the Directors, or by shareholders representing not less than one hundred shares of stock, upon giving the like notice.

Authority given to lay down the necessary Pipes, &c. under the Streets, &c.

XIV. And be it enacted, That it shall and may be lawful for the said Company, at a proper and convenient depth under each and every of the streets and roads leading into and through the said Town and its vicinity, to lay down, set and place such and so many pipes, leaders, and other apparatus for the said Gas, as they shall find to be necessary for conveying the same to any or every building or lamp post in the said Town or its vicinity ; and from time to time, as often as the said Company shall think proper to lay down such pipes, leaders, and other apparatus, or if occasion require, to alter, amend or repair the same, it shall also be lawful for the said Company to break up and open any part whatsoever of the said roads and streets, or of the covering, pavement, or sidewalks thereof, and the same to keep open and uncovered during the time necessary for such purposes : Provided always, that the said Company shall and do, at their own proper costs and charges, and to the satisfaction of the Commissioners of Streets and Highways for the Town and Parish of Fredericton for the time being, and without unnecessary delay, repair and amend the said roads, streets, coverings, pavements, or sidewalks, in every part where they shall be so broken up and opened as aforesaid, to the condition in which they were before breaking up or opening the same.

XV. And be it enacted, That if the said Company shall not repair the said streets, roads, covering, pavement, or sidewalks, or any of them so broken up, to the satisfaction of the said Commissioners of Highways for the time being, or a majority of them, it shall be lawful for the said Commissioners to cause the same to be repaired, and to sue for and recover the expense incurred therein, from the said Company, in the Supreme Court of this Province.

If the Streets, &c. be not properly repaired, the Commissioners of Highways may do so at the expense of the Company.

XVI. And be it enacted, That from and after the passing of this Act, the said Company, or any person or persons who may in any way be employed by them, shall not throw, drain, or cause, suffer or permit any person or persons to throw or drain into any part of the River Saint John, any refuse of coal tar, or other noxious substance that may arise from the said Gas Works, under the penalty of five pounds for each and every offence.

Noxious refuse of coal tar, &c. not to be drained into the River.

XVII. Provided always, and be it enacted, That unless one thousand five hundred pounds of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the said Directors, or a majority of them, which oath any Justice of the Peace is hereby authorized to administer, shall be filed in the Office of the Secretary of the Province before the expiration of two years after the passing of this Act, the operation of this Act shall cease, and the existence of the said Corporation shall be terminated at the expiration of the said two years.

Act to cease if £1500 be not paid in, &c. within two years.

XVIII. And be it enacted, That the Justices of the Peace in and for the County of York, at any General or Special Session, shall have power to regulate, restrict and control the acts and doings of the said Company which may in any manner affect the health, safety or comfort of the inhabitants of the said Town, and to make such regulations relative thereto from time to time as the circumstances of the case may require, and to enjoin obedience to the same by such penalties as they may deem necessary, not exceeding the sum of twenty pounds for any one offence.

Justices in Session may control the acts of the Corporation, so far as these affect the health or comfort of the inhabitants.

XIX. And be it enacted, That the said Company do and shall in every street or road through which the said pipes shall be laid, make and provide proper leaders and apparatus for supplying with Gas any public lamps which may hereafter be set up in the several streets, and shall provide such apparatus, and at such distances from each other as the said Justices in General Sessions shall from time to time direct; provided that such Justices shall pay any additional expense that may be incurred by the said Company by the making of such leaders and apparatus for supplying Gas.

Sufficient leaders for the public lamps to be provided by the Corporation.

### CAP. LXXXIII.

An Act for the regulation of Benefit Building Societies.

Passed 14th April 1847.

‘ WHEREAS certain Societies, commonly called Building Societies, have been established in different parts of the United Kingdom of Great Britain, and in the Province of Canada, principally amongst the industrious classes, for the purpose of raising by small periodical subscriptions a fund to assist the members thereof in obtaining a small freehold or leasehold property, and it is expedient to afford encouragement and protection to such Societies, and the property obtained therewith in this Province;’

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for any number of persons in this Province to form themselves into and establish Societies for the purpose of raising by the monthly or other subscriptions of the several members of such Societies,

Societies may be established for the purchase or erection of dwelling houses.

Societies, shares not exceeding the value of one hundred and fifty pounds for each share, such subscriptions not to exceed in the whole twenty shillings per month for each share, a stock or fund for the purpose of enabling each member thereof to receive out of the funds of such Society the amount or value of his or her share or shares therein, to erect or purchase one or more dwelling house or dwelling houses, or other real or leasehold estate, to be secured by way of mortgage to such Society, until the amount or value of his or her shares shall have been fully repaid to such Society, with the interest thereon, and all fines or other payments incurred in respect thereof, and to and for the several members of each Society from time to time to assemble together, and to make, ordain and constitute such proper and wholesome rules and regulations for the government and guidance of the same, as to the major part of the members of such Society so assembled together shall seem meet, so as such rules shall not be repugnant to the express provisions of this Act, and to the general laws of this Province, and to impose and inflict such reasonable fines, penalties and forfeitures upon the several members of any such Society who shall offend against any such rules, as the members may think fit, to be respectively paid to such uses for the benefit of such Society, as such Society by such rules shall direct, and also from time to time to alter and amend such rules as occasion shall require, or annul or repeal the same, and to make new rules in lieu thereof, under such restrictions as are in this Act contained; provided that no member shall receive or be entitled to receive from the funds of such Society any interest or dividend by way of annual or other periodical profit upon any shares in such Society, until the amount or value of his or her share shall have been realised, except on the withdrawal of such member, according to the rules of such Society then in force.

Bonus, &c. not to be usurious.

II. And be it enacted, That it shall and may be lawful to and for any such Society to have and receive from any member or members thereof, any sum or sums of money by way of bonus on any share or shares for the privilege of receiving the same in advance, prior to the same being realised, and also any interest for the share or shares so received on any part thereof, without being subject or liable on account thereof to any of the forfeitures or penalties imposed by any Act or Acts of Assembly relating to usury.

Rules may be made to provide forms of conveyance, &c.

III. And be it enacted, That it shall and may be lawful to and for any such Society, in and by the rules thereof, to describe the form or forms of conveyance, mortgage, transfer, agreement, bond, or other instrument, which may be necessary for carrying the purposes of the said Society into execution, and which shall be specified and set forth in a Schedule to be annexed to the Rules of such Society, and duly certified and deposited as hereinafter provided.

Rules of the Society to be submitted to a Barrister, by whom they are to be certified.

IV. And be it enacted, That two transcripts, fairly written on paper or parchment, of all Rules made in pursuance of this Act, signed by three members, and countersigned by the Secretary of any such Society, (accompanied in the case of an alteration or amendment of rules, with an affidavit of the Secretary, or one of the officers of the said Society, that the provisions of this Act have been duly complied with,) with all convenient speed after the same shall be made, altered or amended, and so from time to time after every making, altering or amending thereof, shall be submitted to the Barrister at Law as may be appointed by Her Majesty's Attorney General of this Province, for the purpose of ascertaining whether the said rules of such Society, or alteration, or amendment thereof, are calculated to carry into effect the intention of the parties framing such rules, alterations or amendments, and are in conformity to law and to the provisions of this Act, and that the said Barrister shall advise with the said Secretary, if required,

required, and shall give a certificate on each of the said transcripts, that the same are in conformity to law and to the provisions of this Act, or point out in what part or parts the said rules are repugnant thereto, and that the Barrister for advising as aforesaid, and perusing the rules, or alterations or amendments of the rules of each respective Society, and giving such certificates as aforesaid, shall demand no further fee than the sum of one guinea, which shall be defrayed by each Society respectively; and one of such transcripts, when certified by the said Barrister, shall be returned to the Society, and the other of such transcripts shall be transmitted by such Barrister to the Clerk of the Peace for the County wherein such Society shall be formed, and by him laid before the Justices for such County at the General Sessions of the Peace, or adjournment thereof, held next after the time when such transcript shall have been so certified and transmitted to him as aforesaid; and the Justices then and there present, are hereby authorized and required without motion, to allow and confirm the same; and such transcript shall be filed by such Clerk of the Peace with the Rolls of the Sessions of the Peace in his custody, without fee or reward; and that all rules, alterations and amendments thereof, from the time when the same shall be certified by the said Barrister, shall be binding on the several members and officers of the said Society, and all persons having interest therein.

Rules to be filed with the Clerk of the Peace, and confirmed by the Justices.

V. Provided always, and be it enacted, That in case any such Barrister shall refuse to certify all or any of the rules so to be submitted for his perusal and examination, it shall then be lawful for any such Society to submit the same to the Court of General Sessions of the Peace, together with the reasons assigned by the said Barrister, in writing, for any such rejection or disapproval of any one or more such rules, and that the Justices at their said General Sessions shall and may, if they think fit, confirm and allow the same, notwithstanding any such rejection or disapproval by any such Barrister.

Manner of proceeding in case Barrister should refuse to certify.

VI. Provided always, and be it enacted, That the said Barrister shall be entitled to no further fee for or in respect of any alteration or amendment of any rules, upon which one fee has been already paid to the said Barrister, within the period of three years; provided also, that if any rules, alterations or amendments, are sent to such Barrister, accompanied with an affidavit of being a copy of any rules, or alterations, or amendments of the rules of any other Society, which shall have been already enrolled under the provisions of this Act, the said Barrister shall certify and return the same as aforesaid without being entitled to any fee for such certificate.

Barrister not to be entitled to more than one fee in respect of alterations within three years.

VII. And be it enacted, That no such Society as aforesaid shall have the benefit of this Act, unless all the rules for the management thereof shall be entered in a Book to be kept by the Secretary of such Society, and which Book shall be open at all seasonable times for the inspection of the members of such Society; but nevertheless, nothing contained herein shall extend to prevent any alteration in or amendment of any such rules so entered, and deposited, and filed as aforesaid, or repealing or annulling the same, or any of them, in the whole or in part, or making any new rules for the management of such Society, in such manner as by the rules of such society shall from time to time be provided; but such new rules, or such alterations in, or amendments of former rules, or any order, annulling or repealing any former rules, in the whole or in part, shall not be in force until the same respectively shall be entered in such Book as aforesaid, and certified, when necessary, by such Barrister as aforesaid, and until a transcript thereof shall be deposited with such Clerk of the Peace as aforesaid, who shall file and certify the same as aforesaid.

No Society entitled to the benefit of this Act unless their Rules be entered in a Book.

Rules when entered to be binding on members and depositors.

VIII. And be it enacted, That all rules from time to time made and in force for the management of such Society as aforesaid, and duly entered in such Book as aforesaid, and confirmed by the Justices as aforesaid, shall be binding on the several members and officers of such Society, and the several contributors thereto, and their representatives, all of whom shall be deemed and taken to have full notice thereof by such entry and contribution as aforesaid; and the entry of such rules in such Book as aforesaid, or the transcript thereof deposited with such Clerk of the Peace as aforesaid, or a true copy of such transcript, examined with the original, and proved to be a true copy, shall be received as evidence of such rules respectively in all cases, and no *certiorari* or other legal process shall be brought or allowed to remove any such rules into any Court of Judicature of this Province, and every copy of any such transcript deposited with any Clerk of the Peace as aforesaid, shall be made without fee or reward, except the actual expense of making such copy.

No confirmed rule to be altered, except at a general meeting.

IX. And be it enacted, That no rule confirmed by the Justices of the Peace in manner aforesaid, shall be altered, rescinded, or repealed, unless at a general meeting of the members of such Society as aforesaid, convened by public notice, written or printed, signed by the Secretary or President of such Society, in pursuance of a requisition for that purpose by seven or more of the members of such Society, which said requisition and notice shall be publicly read at the two usual meetings of such Society to be held next before such general meeting, for the purpose of such alteration, or repeal, unless a committee of such members shall have been nominated for that purpose at a general meeting of the members of such Society convened in manner aforesaid, in which case such committee shall have the like power to make such alterations or repeal, and unless such alteration or repeal shall be made with the concurrence and approbation of three fourths of the members of such Society then and there present, or by the like proportion of such committee as aforesaid, if any shall have been nominated for that purpose.

Rules to specify place of meeting, and duties of officers.

X. And be it enacted, That the rules of every Society formed under the authority of this Act, shall specify the place or places at which it is intended such Society shall hold its meetings, and contain provisions with respect to the powers and duties of the members at large, and of such committees or officers as may be appointed for the management of the affairs of such Society; provided always, that it shall and may be lawful for any such Society to alter their place or places of meeting whenever they may consider it necessary, upon giving notice thereof in writing to the Clerk of the Peace for the County within which such Society shall be held, the said notice to be given within seven days before or after such removal, and signed by the Secretary or other principal officer, and also by three or more of the members of the said Society; and provided that the place or places at which such Society intend to hold their meetings shall be situate within the County in which the rules of the said Society are enrolled.

Place of meeting may be altered.

Society may appoint officers.

XI. And be it enacted, That every such Society shall and may from time to time, at any of their usual meetings, or by their committee, if any such shall be appointed for that Society, elect and appoint such person into the office of Trustee, President, Secretary, Surveyor, or Treasurer, of such Society, as they shall think proper, and also shall and may from time to time elect and appoint such other officers as shall be deemed necessary to carry into execution the purposes of such Society, for such space of time and for such purposes as shall be fixed and established by the rules of such Society, and from time to time to elect and appoint others in the room of those who shall vacate or die; and such Trustee, Treasurer, and all and every other officer or other person whatever, who shall be appointed

Security to be given for offices of trust.

to any office in any wise touching or concerning the receipt, management or expenditure of any sum of money collected for the purpose of any such Society, before he, she or they shall be admitted to take upon him, her or them the execution of any such office or trust, (if required so to do by the rules of such Society to which such officer shall belong,) shall become bound in a bond according to the form prescribed in the Schedule to this Act annexed, with two sufficient sureties, for the just and faithful execution of such office or trust, and for rendering a just and true account according to the rules of such Society, and in all matters lawful to pay obedience to the same, in such penal sum of money as by the major part of such Society, at any such meeting as aforesaid, shall be thought expedient, and to the satisfaction of such Society; and that every such Bond to be given by or on the behalf of such Trustee or Treasurer, or of any other person appointed to any other office or trust, shall be given to the Clerk of the Peace of the County where such Society shall be established, for the time being, without fee or reward; and in case of forfeiture, it shall be lawful to sue upon such Bond in the name of the Clerk of the Peace for the time being, for the use of the said Society, fully indemnifying and saving harmless such Clerk of the Peace from all costs and charges in respect of such suit.

XII. And be it enacted, That every such Society shall and may from time to time elect and appoint any number of the members of such Society to be a Committee, the number thereof to be declared in the rules of every such Society, and shall and may delegate to such Committee all or any of the powers given by this Act to be executed, who being so delegated, shall continue to act as such Committee for and during such time as they shall be appointed for such Society, for general purposes, the powers of such Committee being first declared in and by the rules of such Society, confirmed by the Justices of the Peace at their Sessions, and filed in the manner hereinbefore directed; and all acts and orders of such Committee, under the powers so delegated to them, shall have the like force and effect as the acts and orders of such Society, at any general meeting thereof, could or might have had in pursuance of this Act: Provided always, that the transactions of such Committee shall be entered in a Book belonging to such Society, and shall be from time to time and at all times subject and liable to the review, allowance or disallowance, and control of such Society, in such manner and form as such Society shall, by their general rules, confirmed by the Justices, and filed as aforesaid, have directed and appointed, or shall in like manner direct and appoint.

XIII. And be it enacted, That every person who shall have or receive any part of the monies, effects or funds of or belonging to any such Society, or shall in any manner have been or shall be intrusted with the disposal, management or custody thereof, or of any securities, books, papers, or property relating to the same, his or her executors, administrators and assigns respectively, shall upon demand made, or notice in writing given, or left at the last or usual place of residence of such persons, in pursuance of any order of such Society, or Committee to be appointed as aforesaid, give in his or her account at the usual meeting of such Society, or to such Committee thereof as aforesaid, to be examined and allowed or disallowed by such Society or Committee thereof, and shall, on the like demand or notice, pay over all the monies remaining in his or her hands, and assign and transfer or deliver all securities and effects, books, papers and property taken or standing in his or her name as aforesaid, or being in his or her hands or custody, to the Trustee or Treasurer for the time being, or to such other person as such Society, or Committee thereof, shall appoint; and in case of any neglect

Appointment of Committees.

Powers of Committees to be declared in rules of Society.

Treasurer to render Accounts and pay over balances, &c.

or refusal to deliver such account, or to pay over such monies, or to assign, transfer or deliver such securities and effects, books, papers, and property, in manner aforesaid, it shall and may be lawful to and for every such Society, in the name of the Trustees or Treasurer, or other principal officer thereof, as the case may be, to exhibit a petition to the Supreme Court of this Province, who shall and may proceed thereon in a summary way, and make such order therein, upon hearing all parties concerned, as to such Court, in their discretion, shall seem just, which order shall be final and conclusive; and all assignments, sales and transfers made in pursuance of such order, shall be good and effectual in law to all intents and purposes whatsoever.

Where Trustees are out of jurisdiction, or it be uncertain whether they are alive, or they refuse to convey, &c. the Supreme Court may appoint a person to convey.

XIV. And be it enacted, That when and so often as any person seized or possessed of any lands, tenements, or hereditaments, or other property, or any estate, or interest therein as a Trustee of any such Society, shall be out of the jurisdiction of, or not amenable to the process of the Supreme Court of this Province, or shall be idiot, lunatic, or of unsound mind, or it shall be unknown or uncertain whether he or she be living or dead, or such person shall refuse to convey, or otherwise assure such lands, tenements, hereditaments, or property, or estate, or interest, to the person duly nominated as Trustee of such Society in their stead, either alone or together with any continuing Trustee, as occasion shall require, then and in every or any such case, it shall be lawful for the Judges of the said Court to appoint such person as to such Court shall seem meet, on behalf and in the name of the person seized or possessed as aforesaid, to convey, surrender, release, assign or otherwise assure the said lands, tenements, hereditaments, or property, or estate, or interest, to such Trustee so duly nominated as aforesaid; and every such conveyance, release, surrender, assignment, or assurance, shall be as valid and effectual to all intents and purposes as if the person being out of the jurisdiction or not amenable to the process of the said Court, or not known to be alive, or having refused, or as if the person being idiot, lunatic, or of unsound mind, had been at the time of the execution thereof of sane mind, memory and understanding, and had by himself or herself executed the same.

No fee to be taken for any proceeding in such Court, &c.

XV. And be it enacted, That no fee, reward, emolument, or gratuity whatsoever, shall be demanded, taken or received by any officer of such Court for any matter or thing done in such Court in pursuance of this Act, and that upon the presenting of any such petition, it shall be lawful for the Judges of the said Court to assign Counsel learned in the Law, on behalf of such Society, who are hereby respectively required to do their duties therein without fee or reward.

Executors, &c. of officers to pay money due to the Society, before any other debts.

XVI. And be it enacted, That if any person who may hereafter be appointed to any office in any such Society, and being intrusted with the keeping of the accounts, or having in his hands or possession, by virtue of his said office or employment, any monies or effects belonging to such Society, or any deeds or securities relating to the same, shall die or become bankrupt, or insolvent, or have any execution or attachment or other process issued against his lands, goods, chattels, or effects, or property or estate, heritable or moveable, or make any disposition, assignment, or other conveyance thereof, for the benefit of his creditors, his heirs, executors, administrators, or assigns, or other person having legal right, or the Sheriff or other officer executing such process, shall within forty days after demand made in writing, by the order of any such Society or Committee thereof, or the major part of them assembled at any meeting thereof, deliver and pay over all monies and other things belonging to such Society, to such person as such Society or Committee shall appoint, and shall pay out of the estates, assets, or effects, heritable or moveable, of such persons, all sums of money remaining due,

due, which such person received by virtue of his said office or employment, before any other of his debts are paid or satisfied, or before the money directed to be levied by such process as aforesaid, or which may be recovered or recoverable under the same, is paid over to the party issuing such process, and all such assets, lands, goods, chattels, property, estates, and effects, shall be bound to the payment and discharge thereof accordingly.

XVII. And be it enacted, That all real and heritable property, monies, goods, chattels and effects whatever, and all titles, securities for money, or other obligatory instruments and evidences or muniments, and all other effects whatever, and all rights or claims belonging to or had by such Society, shall be vested in the Trustees or Treasurer of such Society for the time being, for the use and benefit of such Society, and the respective members thereof, their respective executors or administrators, according to their respective claims and interests; and after the death or removal of any Trustee or Treasurer, shall vest in the succeeding Trustee or Treasurer for the same estate or interest as the former Trustee or Treasurer had therein, and subject to the same trusts, without any assignment or conveyance whatever, and also shall for all purposes of action or suit, as well criminal as civil, in law or in equity, in any wise touching or concerning the same, be deemed and taken to be, and shall in every such proceeding, (where necessary,) be stated to be the property of the person appointed to the office of Trustee or Treasurer of such Society for the time being, in his or her proper name, without further description; and such person shall, and he or she is hereby respectively authorized to bring or defend, or cause to be brought or defended, any action, suit or prosecution, criminal as well as civil, in law or in equity, touching or concerning the property, right or claim aforesaid, of, or belonging to, or had by such Society; provided that such person shall have been thereunto duly authorized by the consent of the majority of members present at any meeting of the Society or Committee thereof; and such person so appointed shall and may in all cases concerning the property, right or claim aforesaid of such Society, sue and be sued, plead and be impleaded, in his or her proper name, as Trustee or Treasurer of such Society, without other description; and no such suit, action or prosecution shall be discontinued or abate by the death of such person, or his or her removal from the office of Trustee or Treasurer, but the same shall and may be proceeded in by the succeeding Trustee or Treasurer, in the proper name of the person commencing the same, any law, usage or custom to the contrary notwithstanding; and such succeeding Trustee or Treasurer shall pay or receive like costs as if the action or suit had been commenced in his or her name, for the benefit of or to be reimbursed from the funds of such Society.

Effects of Societies to be vested in Trustees or Treasurers for the time being, who may defend and bring actions.

XVIII. And be it enacted, That the Trustees or Treasurer, or any officer of any Society established under the authority of this Act, shall not be liable to make good any deficiency which may arise in the funds of such Society, unless such persons shall have respectively declared by writing, under their hands, deposited and registered in like manner with the rules of such Society, that they are willing so to be answerable, and it shall be lawful for each of such persons, or for such persons collectively, to limit his, her or their responsibility to such a sum as shall be specified in any such instrument or writing; provided always, that the said Trustee and Trustees, or Treasurer, and every the officer of any such Society, shall be, and they are hereby declared to be personally responsible and liable for all monies actually received by him, her or them, on account of, or to, or for the use of the said Society.

Limitation of responsibility of Trustees or Treasurer.

Payment to persons appearing to be next of kin declared valid.

**XIX.** And be it enacted, That whenever the Trustees of any Society established under this Act, at any time after the decease of any member, have paid and divided any sum of money to or amongst any person or persons who shall at the time of such payment appear to such Trustees to be entitled to the effects of any deceased intestate member, the payment of any such sum or sums of money shall be valid and effectual with respect to any demand of any other person or persons as next of kin of such deceased intestate member against the funds of such Society, or against the Trustees thereof, but nevertheless such next of kin or representative shall have remedy for such money so paid as aforesaid, against the person or persons who shall have received the same.

For payment of sums not exceeding £20 when members die intestate.

**XX.** And be it enacted, That in case any member of any Society shall die, who shall be entitled to any sum not exceeding twenty pounds, it shall be lawful for the Trustees or Treasurer of such Society, and they are hereby authorized and permitted, if such Trustees or Treasurer shall be satisfied that no will was made and left by such deceased member, and that no letters of administration will be taken out of the funds, goods and chattels of such depositor, to pay the same at any time after the decease of such member, according to the rules and regulations of the said Society; and in the event of there being no rules and regulations made in that behalf, then the said Trustees or Treasurer are hereby authorized and permitted to pay and divide the same to and amongst the person or persons entitled to the effects of the deceased intestate, and that without administration.

Justices may hear cases of fraud, and punish by fine or imprisonment.

**XXI.** And be it enacted, That for the more effectually preventing fraud and imposition on the funds of such Societies, if any officer, member, or any other person, being, or representing himself or herself to be a member of such Society, or the nominee, executor, administrator or assignee of any member of such Society, or any other person whatever, shall in or by any false representation or imposition, fraudulently obtain possession of the monies of such Society, or any part thereof, or having in his or her possession any sum of money belonging to such Society, shall fraudulently withhold the same, and for which offence no especial provision is made in the rules of such Society, it shall be lawful for any one Justice of the Peace residing within the County within which such Society shall be held, upon complaint made on oath by an officer of such Society, to summon such person against whom such complaint shall be made, to appear at a time and place to be named in such summons, and upon his or her appearance, or in default thereof, upon due proof upon oath of the service of such summons, it shall and may be lawful for any two Justices residing within the County aforesaid, to hear and determine the said complaint, according to the rules of the said Society, confirmed as directed by this Act; and upon due proof of such fraud, the said Justices shall convict the said party, and award double the amount of the money so fraudulently obtained or withheld, to be paid to the Treasurer, to be applied by him to the purposes of the Society so proved to have been imposed upon and defrauded, together with such costs as shall be awarded by the said Justices, not exceeding the sum of ten shillings; and in case such person against whom such complaint shall be made, shall not pay the sum of money so awarded to the person, and at the time specified in the said order, such Justices are hereby required by warrant under their hands and seals, to cause the same to be levied by distress and sale of goods of such person on whom such order shall have been made, or by other legal proceeding, together with such costs as shall be awarded by the said Justices, not exceeding the sum of ten shillings, and also the costs and charges attending such distress and sale, or other legal proceeding, returning the overplus (if any) to the owner; and in default of such distress being found, the said Justices of the Peace

Peace shall commit such person so proved to have offended to the Provincial Penitentiary, there to be kept to hard labour for such a period not exceeding three calendar months, as to them shall seem fit; provided nevertheless, that nothing herein contained shall prevent the said Society from proceeding by indictment or complaint against the party complained of; and provided also, that no party shall be proceeded against by indictment or complaint if a previous conviction has been obtained for the same offence under the provisions of this Act.

XXII. And be it enacted, That provision shall be made by one or more of the rules of every such Society, to be confirmed as required by this Act, specifying whether a reference of every matter in dispute between any such Society, or any person acting under them, and any individual member thereof, or person claiming on account of any member, shall be made to such of Her Majesty's Justices of the Peace as may act in and for the County in which such Society may be formed, or to arbitrators to be appointed in manner hereinafter directed; and if the matter so in dispute shall be referred to arbitration, certain arbitrators shall be named and elected at the first meeting of such Society, or Committee thereof, that shall be held after the enrolment of its rules, none of the said arbitrators being beneficially interested, directly or indirectly, in the funds of the said Society, of whom a certain number, not less than three, shall be chosen by ballot in each such case of dispute, the number of the said arbitrators and mode of ballot being determined by the rules of each Society respectively; the names of such arbitrators shall be duly entered in the Book of the said Society in which the rules are entered as aforesaid; and in case of the death, or refusal, or neglect of any or all of the said arbitrators to act, it shall and may be lawful to and for the said Society, or Committee thereof, and they are hereby required, at their next meeting, to name and elect one or more arbitrator or arbitrators as aforesaid, to act in the place of the said arbitrator or arbitrators so dying or refusing or neglecting to act as aforesaid; and whatever award shall be made by the said arbitrators, or the major part of them, according to the true purport and meaning of the rules of such Society, confirmed by the Justices according to the directions of this Act, shall be in the form to this Act annexed, and shall be binding and conclusive on all parties, and shall be final, to all intents and purposes, without appeal, or being subject to the control of one or more Justices of the Peace, and shall not be removed or removable into any Court of Law, or restrained or restrainable by the injunction of any Court of Equity; and should either of the said parties in dispute refuse or neglect to comply with or conform to the decision of the said arbitrators, or the major part of them, it shall and may be lawful for any one Justice of the Peace residing within the County within which such Society shall be held, upon good and sufficient proof being adduced before him of such award having been made, and of the refusal of the party to comply therewith, upon complaint made by or on behalf of the party aggrieved, to summon the person against whom such complaint shall be made to appear at a time and place to be named in such summons, and upon his or her appearance, or in default thereof, upon due proof upon oath of the service of such summons, any two Justices of the Peace may proceed to make such order thereupon as to them may seem just; and if the sum of money so awarded, together with a sum for costs, not exceeding the sum of ten shillings, as to such Justices shall seem meet, shall not be immediately paid, then such Justices shall, by warrant under their hands and seals, cause such sum and costs as aforesaid, to be levied by distress or by distresses, and sale of the monies, goods, chattels, securities and effects belonging to the said party or to the said Society, or other legal proceeding, together with all

Rules to be made directing how disputes shall be settled.

further

further costs and charges attending such distress and sale or other legal proceeding, returning the overplus (if any) to the said party or to the said Society, or to one of the Trustees or Treasurer thereof; and in default of such distress being found, or such other legal proceeding being ineffectual, then to be levied by distress and sale of the proper goods of the said party, or of the said Society so neglecting or refusing as aforesaid, by other legal proceedings, together with such further costs and charges as aforesaid, returning the overplus (if any) to the owner: Provided always, that when the rules of any Society provide for a reference to arbitrators of any matter in dispute, and it shall appear to any Justice of the Peace, on the complaint, on oath, of a member of any such Society, or of any person claiming on account of such member, that application has been made to such Society, or the Trustees or Treasurer, or other officer thereof, for the purpose of having any dispute so settled by arbitration, and that such application has not within forty days been complied with, or that the arbitrators have neglected or refused to make any award, it shall and may be lawful for such Justice to summon the Trustee, Treasurer, or other officer of the Society, or any one of them against whom the complaint is made, and for any two Justices to hear and determine the matter in dispute, in the same manner as if the rules of the said Society had directed that any matter in dispute as aforesaid, should be decided by Justices of the Peace, any thing herein contained to the contrary thereof notwithstanding.

Reference of disputes to Justices, if so directed by the rules of the Society.

XXIII. And be it enacted, That if by the rules of any such Society it is directed that any matter in dispute as aforesaid shall be decided by Justices of the Peace, it shall and may be lawful for any such Justice, on complaint being made to him of any refusal or neglect to comply with the rules of such Society by any member or officer thereof, to summon the person against whom such complaint shall be made, to appear at a time and place to be named in such summons, and upon his or her appearance, or in default thereof, upon due proof on oath of the service of such summons, it shall and may be lawful for any two Justices to proceed to hear and determine the said complaint, according to the rules of the said Society; and in case the said Justices shall adjudge any sum of money to be paid by such person against whom such complaint shall be made, and such person shall not pay such sum of money to the person, and at the time specified by such Justices, they shall proceed to enforce their award in the manner hereinbefore directed to be used, in case of any neglect to comply with the decision of the arbitrators appointed under the authority of this Act.

Orders of Justices to be final.

XXIV. And be it enacted, That every sentence, order and adjudication of any Justices under this Act, shall be final and conclusive to all intents and purposes, and shall not be subject to appeal, and shall not be removed or removeable into any Court of Law, or restrained or restrainable by the injunction of any Court of Equity, and that no suspension, advocacy or reduction shall be competent.

Minors may be members and have legal authority to act.

XXV. And be it enacted, That a minor may become a member of any such Society, and shall be empowered to execute all instruments, give all necessary acquittances, and enjoy all the privileges, and be liable to all the responsibilities appertaining to members of matured age, notwithstanding his or her incapacity or disability in law to act for himself or herself; provided always, that such minor be admitted into such Society by and with the consent of his or her parents, masters or guardians.

Societies shall make annual audits and statements of the funds of the members.

XXVI. And be it enacted, That the rules of every such Society shall provide that the Trustees, Treasurer, or other principal officer thereof, shall once in every year at least, prepare or cause to be prepared a general statement of the funds and effects of or belonging to such Society, specifying in whose custody or possession

possession the said funds or effects shall be then remaining, together with an account of all and every the various sums of money received and expended by or on account of the said Society since the publication of the preceding periodical statement; and every such periodical statement shall be attested by two or more members of such Society, appointed auditors for that purpose, and shall be countersigned by the Secretary of such Society, and every member shall be entitled to receive from the said Society a copy of such periodical statement, on payment of such sum as the rules of such Society may require, not exceeding the sum of six pence.

XXVII. And be it enacted, That on the trial of any action, indictment or other proceeding respecting the property of any Society enrolled under the authority of this Act, or in any proceedings before any Justice of the Peace, any member of such Society shall be a competent witness, and shall not be objected to on account of any interests he may have as such member in the result of such action, indictment or other proceeding.

Members of Societies may be witnesses.

XXVIII. And be it enacted, That it shall be lawful for the Trustees named in any mortgage made on behalf of such Societies, or the survivor or survivors of them, or for the Trustees for the time being, to endorse upon any mortgage or further charge given by any member of such Society to the Trustees thereof for monies advanced by such Society to any member thereof, a receipt for all monies intended to be secured by such mortgage or further charge, which shall be sufficient to vacate the same, and vest the estate of and in the property comprised in such security, in the person or persons for the time being entitled to the equity of redemption, without it being necessary for the Trustees of any such Society to give any reconveyance of the property so mortgaged, which receipt shall be specified in a schedule to be annexed to the rules of such Society, duly certified and deposited as aforesaid.

Receipt endorsed on Mortgage to be sufficient to discharge without reconveyance.

XXIX. Provided always, and be it enacted, That nothing herein contained shall authorize any Building Society established under this Act to invest its funds, or any part thereof, in any Savings' Bank.

No investment of funds in Savings' Banks.

XXX. And be it enacted, That all Building Societies hereafter to be established, shall be entitled to the protection and benefits of this Act, but no such Society shall be entitled thereto until their rules shall have been certified and deposited in the manner hereinbefore directed by this Act.

Benefit Act to extend to all Building Societies hereafter to be established.

XXXI. And be it enacted, That wherever in this Act, in describing or referring to any person, the word importing the singular number or the masculine gender only is used, the same shall be understood to include, and shall be applied to several persons or parties, as well as one person or party, and females as well as males, unless there be something in the subject or context repugnant to such construction.

Interpretation clause.

XXXII. And be it enacted, That this Act may be altered, amended or repealed at this present or any future Session of Assembly.

Act may be amended.

*Schedule referred to in this Act.*

FORM OF AWARD.

We, the major part of the arbitrators, duly appointed by the — Building Society, established at —, in the County of —, do hereby award and order, that A. B. (specifying by name the party or the officer of the Society) do on the — day of —, pay to C. D. the sum of —, (or we do hereby reinstate in, or expel A. B. from the said Society, as the case may be.)

Dated this — day of —, A. D. 18—.

E. F.  
G. H.

## FORM OF BOND.

Know all Men by these Presents, That we, A. B. of —, Treasurer (*or* Trustee, &c.) of the — Building Society, established at —, in the County of —, and C. D. of —, and G. H. of —, (as sureties on behalf of the said A. B.) are jointly and severally bound to E. F., the present Clerk of the Peace for the County of —, in the sum of —, to be paid to the said E. F. as such Clerk of the Peace, or his successor, Clerk of the Peace of the said County of — for the time being, or his certain Attorney, for which payment well and truly to be made, we jointly and severally bind ourselves, and each of us by himself, our and each of our heirs, executors, and administrators, firmly by these Presents. Sealed with our Seals. Dated the — day of —, in the year of our Lord one thousand eight hundred and —.

Whereas the above bounden A. B. hath been duly appointed Treasurer (*or* Trustee, &c.) of the — Building Society established as aforesaid, and he, together with the above bounden C. D. and G. H. as his sureties, have entered into the above written Bond, subject to the condition hereinafter contained. Now therefore the condition of the above written Bond is such, that if the said A. B. shall and do justly and faithfully execute his office of Treasurer (*or* Trustee, &c.) of the said Society established as aforesaid, and shall and do render a just and true account of all monies received and paid by him, and shall and do pay over all the monies remaining in his hands, and assign and transfer or deliver all securities and effects, books, papers, and property of, or belonging to the said Society, in his hands or custody, to such person or persons as the said Society shall appoint, according to the rules of the said Society, together with the proper or legal receipts or vouchers for such payments, and likewise shall and do in all respects well and truly and faithfully perform and fulfil his office of Treasurer (*or* Trustee, &c.) to the said Society, according to the rules thereof, then the above written Bond shall be void and of no effect, otherwise shall be and remain in full force and virtue.

A. B., *L. S.*

C. D., *L. S.*

G. H., *L. S.*

# Anno Octavo VICTORIÆ Reginae.

## CAP. CX.

An Act relating to certain Fees.

*Passed 27th March 1845.*

**6** WHEREAS there are certain Fees paid into the Office of the Secretary and Registrar of the Province for Marriage Licences, Commissions, Warrants, and other services performed in the said Office, a portion of which, being that part of the said Fees due to the Administrator of the Government, has, since the enactment of the Law for the support of the Civil Government of this Province, been paid over to the Receiver General of this Province: And whereas it is desirable that the Salary of the Secretary, Registrar and Clerk of the Crown in Chancery, should be fixed, and that all Fees received by him by virtue of any office he may hold, should be paid over to the Receiver General for the public use, and the Salary he receives from the Civil List should be in lieu of all Fees or emoluments whatever;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all Fees payable to or receivable by the Secretary of this Province for any public service, act, matter or thing done by him by virtue of the office of Secretary, Registrar or Clerk of the Crown in Chancery, shall be received by him and deemed and accounted as part of the Public Revenue of this Province, and by him paid over to the Receiver General of the Province in the manner hereinafter provided.

II. Be it enacted, That it shall be the duty of the Secretary of the Province quarterly on the thirty first day of December, March, and thirtieth days of June and September, in each and every year, to pay over to the Receiver General of the Province, for the public use, all such Fees as he shall have received since the last preceding quarter, together with a detailed account or return thereof, specifying the particular services for which such Fees have been paid; a copy of which return shall be kept filed in the Office of the said Secretary, for the purpose of being laid before the House of Assembly at the then or next Session of the Legislature.

III. And be it enacted, That this Act may be amended during this Session of the Legislature.

IV. And be it enacted, That this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared.

[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 27th day of August, 1846, and published and declared in the Province the 7th day of October, 1846.]

## CAP. CXI.

An Act to amend the Charter of King's College.

*Passed 27th March, 1845.*

Preamble.

‘ **W**HEREAS His Majesty King George the Fourth was graciously pleased  
 ‘ to issue His Letters Patent, bearing date at Westminster, the fifteenth  
 ‘ day of December, in the eighth year of His Reign, in the words following, viz :—

Recital of the  
Charter.

‘ “ Whereas the establishment of a College within our Province of New Brun-  
 ‘ swick, in North America, for the education of Youth in the principles of the  
 ‘ Christian Religion, and for their instruction in the various branches of Science  
 ‘ and Literature which are taught at our Universities in this Kingdom, would  
 ‘ greatly conduce to the welfare of our said Province : And whereas humble appli-  
 ‘ cation hath been made to us by many of our loving subjects in our said Province,  
 ‘ that we would be pleased to grant our Royal Charter for the more perfect estab-  
 ‘ lishment of a College therein, and for incorporating the Members thereof for the  
 ‘ purposes aforesaid : Now know ye, that we, having taken the premises into our  
 ‘ Royal consideration, and duly weighing the great utility and importance of such  
 ‘ an Institution, have of our special grace, certain knowledge, and mere motion,  
 ‘ ordained and granted, and do by these presents, for us, our heirs and successors,  
 ‘ ordain and grant that there shall be established at or near our Town of Fredericton,  
 ‘ in our said Province of New Brunswick, from this time, one College, with the  
 ‘ style and privileges of an University, as hereinafter directed, for the education and  
 ‘ instruction of Youth and Students in Arts and Faculties, to continue for ever, to  
 ‘ be called “ King’s College ;” And we do hereby declare and grant that our trusty  
 ‘ and well beloved the Right Reverend Father in God, John, Bishop of the Diocese  
 ‘ of Nova Scotia, or the Bishop for the time being of the Diocese in which the said  
 ‘ Town of Fredericton may be situate, in any future division or alteration of the  
 ‘ said present Diocese of Nova Scotia, shall for us and on our behalf be the Visitor  
 ‘ of the said College ; and that our trusty and well beloved Sir Howard Douglas,  
 ‘ Baronet, our Lieutenant Governor of our said Province, or the Governor, Lieu-  
 ‘ tenant Governor, or other person administering the Government of our said  
 ‘ Province for the time being, shall be the Chancellor of our said College ; And we do  
 ‘ hereby declare, ordain and grant, that there shall at all times be one President of  
 ‘ our said College, who shall be a Clergyman in Holy Orders of the United Church  
 ‘ of England and Ireland, and that there shall be such and so many Professors in  
 ‘ different Arts and Faculties, within our said College, as from time to time shall  
 ‘ be deemed necessary or expedient, and as shall be appointed by us or by the said  
 ‘ Chancellor of our said College on our behalf, and during our pleasure ; And we  
 ‘ do hereby grant and ordain that the Reverend George Best, Master of Arts,  
 ‘ Archdeacon of our said Province of New Brunswick, shall be the first President  
 ‘ of our said College, and the Archdeacon of our said Province for the time being,  
 ‘ shall, by virtue of such his office, be at all times the President of the said College ;  
 ‘ And we do hereby for us, our heirs and successors, will, ordain and grant, that  
 ‘ the said Chancellor and President, and the said Professors of our said College,  
 ‘ and all persons who shall be duly matriculated into and admitted as Scholars of  
 ‘ our said College, and their successors for ever, shall be one distinct and separate  
 ‘ Body Politic and Corporate, in deed and in name, by the name and style of *The*  
 ‘ *Chancellor, President and Scholars of King’s College, at Fredericton, in the Pro-*  
 ‘ *vince of New Brunswick ;* and that by the same name they shall have perpetual  
 ‘ succession, and a Common Seal ; and that they and their successors shall from time  
 ‘ to time have full power to alter, renew or change such Common Seal at their will  
 ‘ and

‘ and pleasure, and as shall be found convenient ; and that by the same name they,  
‘ the said Chancellor, President and Scholars, and their successors, from time to  
‘ time, and at all times hereafter, shall be able and capable to have, take and receive,  
‘ purchase, acquire, hold, possess, enjoy and maintain, to and for the use of the said  
‘ College, any messuages, lands, tenements and hereditaments, of what kind, nature  
‘ or quality soever, (situate and being within our said Province of New Brunswick,)  
‘ so as that the same do not exceed in yearly value the sum of fifteen thousand  
‘ pounds above all charges, and moreover to take, purchase, acquire, have, hold,  
‘ enjoy, receive, possess and retain all or any goods, chattels, charitable or other  
‘ contributions, gifts or benefactions whatsoever ; And we do hereby declare and  
‘ grant that the said Chancellor, President and Scholars, and their successors, by  
‘ the same name, shall and may be able and capable in law to sue and be sued,  
‘ implead and be impleaded, answer and be answered, in all or any Court or Courts  
‘ of Record within our United Kingdom of Great Britain and Ireland, and our said  
‘ Province of New Brunswick, and other our dominions, in all and singular actions,  
‘ causes, pleas, suits, matters and demands whatsoever, of what nature and kind so-  
‘ ever, in as large, ample and beneficial manner and form as any other Body Politic  
‘ and Corporate, or any other our liege subjects, being persons able and capable in  
‘ law, may or can sue, implead or answer, or be sued, impleaded or answered in  
‘ any manner whatsoever ; And we do hereby declare, ordain and grant, that there  
‘ shall be within our said College or Corporation, a Council, to be called and known  
‘ by the name of “The College Council ;” And we do will and ordain that the said  
‘ Council shall consist of the Chancellor and President for the time being, and of  
‘ seven of the Professors in Arts and Faculties of our said College, and that such  
‘ seven Professors shall be members of the United Church of England and Ireland,  
‘ and shall, previously to their admission into the said College Council, severally  
‘ sign and subscribe the thirty nine Articles of Religion, as declared and set forth  
‘ in the Book of Common Prayer ; and in case at any time there should not be  
‘ within our said College seven Professors of Arts and Faculties, being Members of  
‘ the Established Church aforesaid, then our will and pleasure is, and we do hereby  
‘ grant and ordain that the said College Council shall be filled up to the requisite  
‘ number of seven, exclusive of the Chancellor and President for the time being,  
‘ by such persons, being Graduates of our said College, and being Members of the  
‘ Established Church aforesaid, as shall for that purpose be appointed by the Chan-  
‘ cellor for the time being of our said College, and which members of Council  
‘ shall in like manner subscribe the thirty nine Articles aforesaid, previously to  
‘ their admission into the said College College : And whereas it is necessary to  
‘ make provision for the completion and filling up of the said Council at the first  
‘ institution of our said College, and previously to the appointment of any Pro-  
‘ fessors, or the conferring of any Degree therein ; Now we do further ordain and  
‘ declare that the Chancellor of our said College for the time being, shall, upon or  
‘ immediately after the first institution thereof, by Warrant under his hand, nomi-  
‘ nate and appoint seven discreet and proper persons, resident within our said  
‘ Province of New Brunswick, to constitute jointly with him, the said Chancellor,  
‘ and the President of our said College for the time being, the first or original  
‘ Council of our said College, which first or original Members of the said Council  
‘ shall, in like manner, respectively subscribe the thirty nine Articles aforesaid,  
‘ previously to their admission to the said Council ; And we do further declare and  
‘ grant, that the Members of the said College Council, holding within our said Col-  
‘ lege the offices of Chancellor, President, or Professor of any Art or Faculty, shall  
‘ respectively hold their seats in the said Council so long as they and each of them  
‘ shall

' shall retain such their offices aforesaid, and no longer ; and that the Members of  
 ' the said Council, not holding offices in our said College, shall from time to time  
 ' vacate their seats in the said Council when and so soon as there shall be an ade-  
 ' quate number of Professors in our said College, being Members of the Established  
 ' Church aforesaid, to fill up the said Council to the requisite number before men-  
 ' tioned ; And we do hereby authorize and empower the Chancellor for the time  
 ' being of our said College, to decide in each case what particular member of the  
 ' said Council, not holding any such office as aforesaid, shall vacate his seat in the  
 ' said Council, upon the admission of any new member of Council holding any such  
 ' office ; And we do hereby declare and grant, that the Chancellor for the time being  
 ' of our said College shall preside at all meetings of the said College Council which  
 ' he may deem it proper or convenient to attend, and that in his absence the  
 ' President of our said College shall preside at all such meetings, and that in the  
 ' absence of the said President the senior member of the said Council present at  
 ' any such meeting shall preside thereat, and that the seniority of the members of  
 ' the said Council, other than the Chancellor and President, shall be regulated  
 ' according to the date of their respective appointments ; provided always, that  
 ' the members of the said Council, being Professors in our said College, shall in the  
 ' said Council take precedence over and be considered as seniors to the members  
 ' thereof not being Professors in our said College ; And we do ordain and declare  
 ' that no meeting of the said Council shall be or be held to be a lawful meeting  
 ' thereof, unless five members at the least be present during the whole of every  
 ' such meeting, and that all questions and resolutions proposed for the decision of  
 ' the said College Council, shall be determined by the majority of the votes of the  
 ' members of Council present, including the vote of the presiding member, and  
 ' that in the event of an equal division of such votes, the member presiding at any  
 ' such meeting shall give an additional or casting vote ; And we do further declare,  
 ' that if any member of the said Council shall die or resign his seat in the said  
 ' Council, or shall be suspended or removed from the same, or shall, by reason of  
 ' any bodily or mental infirmity, or by reason of his absence from the said Province,  
 ' become incapable for three calendar months or upwards of attending the meet-  
 ' ings of the said Council, then and in every such case, a fit and proper person shall  
 ' be appointed by the said Chancellor to act as and be a member of the said Council  
 ' in the place and stead of the member so dying or resigning, or so suspended or  
 ' removed, or incapacitated as aforesaid ; and such new member succeeding to any  
 ' member so suspended or incapacitated, shall vacate such his office on the removal  
 ' of any such suspension, or at the termination of any such incapacity as aforesaid,  
 ' of his immediate predecessor in the said Council ; And we do further ordain and  
 ' grant, that it shall and may be competent to and for the Chancellor for the time  
 ' being of our said College, to suspend from his seat in the said Council any mem-  
 ' ber thereof for any just and reasonable cause to the said Chancellor appearing, pro-  
 ' vided that the grounds of every such suspension shall be entered and recorded  
 ' at length by the said Chancellor in the Books of the said Council, and signed by  
 ' him ; and every person so suspended shall thereupon cease to be a member of  
 ' the said Council, unless and until he shall be restored to and re-established in  
 ' such his station therein by any order to be made in the premises by us, or by the  
 ' said Visitor of our said College, acting in our behalf and in pursuance of any  
 ' special reference from us ; And we do further declare, that any member of the  
 ' said Council, who, without sufficient cause to be allowed by the said Chancellor by  
 ' an order entered for that purpose on the said Council Books, shall absent himself  
 ' from all the meetings thereof which may be held within any six successive calendar  
 ' months,

months, shall thereon vacate such his seat in the said Council; And we do by these presents, for us, our heirs and successors, will, ordain and grant, that the said Council of our said College shall have power and authority to frame and make statutes, rules and ordinances, touching and concerning the good government of the said College; the performance of Divine Service therein; the Studies, Lectures, Exercises, Degrees in Arts and Faculties, and all matters regarding the same; the residence and duties of the President of our said College; the number, residence and duties of the Professors thereof; the management of the revenues and property of the said College; the salaries, stipends, provisions and emoluments of and for the President, Professors, Scholars, Officers and Servants thereof; the number and duties of such Officers and Servants; and also touching and concerning any other matter or thing which to them shall seem good, fit and useful for the well being and advancement of our said College, and agreeable to this our Charter; and also from time to time, by any new statutes, rules or ordinances, to revoke, renew, augment, or alter all, every or any of the said statutes, rules and ordinances, as to them shall seem meet and expedient; provided always, that the said statutes, rules and ordinances, or any of them, shall not be repugnant to the Laws and Statutes of the United Kingdom of Great Britain and Ireland, or of our said Province of New Brunswick, or to this our Charter; provided also, that the said statutes, rules and ordinances shall be subject to the approbation of the said Visitor of the said College for the time being, and shall be forthwith transmitted to the said Visitor for that purpose; and that in case the said Visitor shall for us and on our behalf, in writing, signify his disapprobation thereof within two years of the time of their being so made and framed, the same or such part thereof as shall be so disapproved by the said Visitor, shall from the time of such disapprobation being made known to the said Chancellor of our said College, be utterly void and of no effect, but otherwise shall be and remain in full force and virtue; provided nevertheless, and we do hereby expressly save and reserve to us, our heirs and successors, the power of reviewing, confirming or revising, by any order or orders to be by us or them made in our or their Privy Council, all or any of the decisions, sentences or orders so to be made as aforesaid by the said Visitor for us and on our behalf, in reference to the said statutes, rules and ordinances, or any of them; And we do further ordain and declare, that no statute, rule or ordinance shall be framed or made by the said College Council, touching the matters aforesaid, or any of them, excepting only such as shall be proposed for the consideration of the said Council, by the Chancellor for the time being of our said College; And we do require and enjoin the said Chancellor thereof to consult with the President of our said College and the next senior member of the said College Council, respecting all statutes, rules and ordinances to be proposed by him to the said Council for their consideration; And we do hereby for us, our heirs and successors, charge and command that the statutes, rules and ordinances aforesaid, subject to the said provisions, shall be strictly and inviolably observed, kept and performed from time to time, in vigour and effect, under the penalties to be thereby or therein imposed or contained; And we do further will, ordain and grant, that the said College shall be deemed and taken to be an University, and shall have and enjoy all such and the like privileges as are enjoyed by our Universities of our United Kingdom of Great Britain and Ireland, as far as the same are capable of being had and enjoyed by virtue of these our Letters Patent; and that the Students in the said College shall have liberty and faculty of taking the Degrees of Bachelor, Master and Doctor in the several Arts and Faculties at the appointed times, and shall have liberty within themselves of performing all

'Scholastic

‘ Scholastic Exercises for the conferring such Degrees, in such manner as shall be  
 ‘ directed by the statutes, rules and ordinances of the said College ; And we do  
 ‘ further will, ordain and appoint, that no religious test or qualification shall be  
 ‘ required of or appointed for any persons admitted or matriculated as Scholars  
 ‘ within our said College, or of persons admitted to any Degree in any Art or  
 ‘ Faculty therein, save only that all persons admitted within our said College to  
 ‘ any Degree in Divinity, shall make such and the same declaration and subscrip-  
 ‘ tion, and take such and the same oaths as are required of persons admitted to  
 ‘ any Degree of Divinity in our University of Oxford ; And we do further will,  
 ‘ direct and ordain, that the Chancellor, President and Professors of our said Col-  
 ‘ lege, and all persons admitted therein to the Degree of Master of Arts, or to any  
 ‘ Degree in Divinity, Law or Medicine, and who from the time of such their  
 ‘ admission to such Degree, shall pay the annual sum of twenty shillings sterling  
 ‘ money, for and towards the support and maintenance of the said College, shall be  
 ‘ and be deemed, taken and reputed to be members of the Convocation of the said  
 ‘ University, and as such members of the said Convocation, shall have, exercise  
 ‘ and enjoy all such and the like privileges as are enjoyed by the members of the  
 ‘ Convocation of our University of Oxford, so far as the same are capable of being  
 ‘ had and enjoyed by virtue of these our Letters Patent, and consistently with the  
 ‘ provisions thereof ; And we will, and by these our presents, for us, our heirs and  
 ‘ successors, do grant and declare that these our Letters Patent, or the enrolment  
 ‘ or exemplification thereof, shall and may be good, firm, valid, sufficient and effec-  
 ‘ tual in the law, according to the true intent and meaning of the same, and shall  
 ‘ be taken, construed and adjudged in the most favourable and beneficial sense  
 ‘ for the best advantage of the said Chancellor, President and Scholars of our said  
 ‘ College, as well in our Courts of Record or elsewhere, and by all and singular  
 ‘ Judges, Justices, Officers, Ministers, and other subjects whatsoever, of us, our  
 ‘ heirs and successors, any mis-recital, non-recital, omission, imperfection, defect,  
 ‘ matter, cause or thing whatsoever to the contrary thereof in any wise notwith-  
 ‘ standing. In witness whereof, we have caused these our Letters to be made  
 ‘ Patent. Witness ourself, at Westminster, the fifteenth day of December,  
 ‘ in the eighth year of our Reign.”

‘ And whereas it is deemed advisable and necessary that certain alterations be  
 ‘ made in the said Charter for the more effectual extension of the benefits of the  
 ‘ Institution to all Denominations of Her Majesty’s Subjects in the Colony, and  
 ‘ that the said Charter may be rendered more productive of the benefits thereby  
 ‘ intended ;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council  
 and Assembly, That for and notwithstanding any thing in the said Charter con-  
 tained, His Excellency the Lieutenant Governor or Administrator of the Govern-  
 ment for the time being, shall be Visitor of the said College, in the place and  
 stead of the Visitor named in the said Charter ; that the Chief Justice of the  
 Supreme Court for the time being shall be Chancellor of the said College ; and  
 that the provisions of the Charter, “ that the President of the said College shall be  
 a Clergyman in Holy Orders of the United Church of England and Ireland,” and  
 “ that the Archdeacon of the Province for the time being, shall, by virtue of such  
 his office, be at all times the President of the College,” be annulled, and that the  
 President in future be appointed by Her Majesty, Her Heirs and Successors, or  
 by the Visitor on Her Majesty’s behalf.

II. And be it enacted, That the College Council shall be fifteen in number, as  
 follows, viz : The Chancellor, the President of the College, the Master of the

Rolls,

Administrator of  
 the Government to  
 be the Visitor.

The Chief Justice  
 to be Chancellor.

President to be ap-  
 pointed by Her Ma-  
 jesty, or the Visitor  
 on Her behalf.

College Council to  
 consist of fifteen  
 ex officio and other  
 members.

Rolls, the Speaker of the Assembly, the Secretary of the Province, the Attorney General, and nine other Members to be nominated by the Visitor, with the power of suspension in the Visitor, now vested by the said Charter in the Chancellor; and that seven Members of the said Council shall at all times constitute a quorum for the dispatch of business.

Seven to be the quorum for business.

III. And be it enacted, That it shall not be required that Members of the said Council be Graduates of the said College, or of any other University, nor shall any religious test be appointed for or required of any Members of the said Council, or of any Professor of the said College, save and except the Professor of Theology, who shall at all times be a Clergyman of the United Church of England and Ireland.

Members of Council and Professors, except of Theology, exempted from certain tests.

IV. And be it enacted, That from and after the passing of this Act, any person taking a Degree in Divinity, shall take the oaths now prescribed by the Charter, and shall be required to name and subscribe the following and no other declaration:—

Oaths and Declarations to be taken and made by persons taking a Degree in Divinity.

“I do hereby solemnly profess, testify and declare, that I believe in the authenticity and Divine inspiration of the Old and New Testaments, and in the Doctrine of the Holy Trinity.”

V. And be it enacted, That notwithstanding any thing in the said recited Charter contained, it shall and may be lawful for any Member of the said College Council, at any meeting thereof, to propose such modifications of, and additions to the Statutes, Rules and Ordinances of the said College, as he may deem proper, without first consulting with or obtaining the consent of the Chancellor for the time being.

Any Members of the Council may propose alterations in the Statutes without the consent of the Chancellor.

VI. And be it enacted, That from and after the passing of this Act, the power of appointment to Professorships be vested in Her Majesty, Her Heirs and Successors, or in the Visitor on Her Majesty's behalf.

Appointment to Professorships vested in Her Majesty.

VII. And be it enacted, That Divine Service shall at all times be performed in the said College, according to the order, rites and ceremonies of the United Church of England and Ireland.

Divine Service to be agreeable to the form of the United Church of England and Ireland.

VIII. And be it enacted, That the Registrar of the said College shall, within fourteen days after the meeting of the Legislature in each and every year, prepare and lay before the Assembly a full and detailed Account, duly attested, of the income and expenditure of the Institution for the previous year, together with a statement of the number and names of Professors, and the number and names of the Students.

Statements to be prepared by the Registrar and laid before the Legislature.

IX. And be enacted, That the said Charter shall still be and remain in full force and effect in all respects, except so far as the same is hereby altered and amended, and that nothing herein contained shall extend or be construed to extend to affect any right of action by or against the present Corporation, or to affect any contracts or agreements made by and with the same, or to affect the right, title, power or authority of the said Corporation, to the Corporate Lands, tenements and premises, or to the rents, duties and liabilities arising therefrom, or from any part thereof.

Charter to remain in force except as hereby altered.

Act not to affect rights of action, contracts, titles to lands, &c.

X. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

Act suspended until Her Majesty's approbation be declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 19th day of December, 1846, and published and declared in the Province the 3d day of February, 1847.*]



# Anno Nono VICTORIÆ Reginae.

## CAP. LXXI.

An Act to increase the Representation of the County of Albert.

*Passed 7th March 1846.*

**WHEREAS** it is deemed necessary to increase the Representation of the County of Albert; Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the County of Albert shall be entitled to send one additional Member to serve in the General Assembly of this Province, to be elected by the Freeholders in the said County, in like manner and subject to the like laws, rules and regulations under which Members are elected in the several Counties within this Province. County to send one additional Member to the General Assembly.

II. And be it enacted, That this Act shall not be of any force or effect until Her Majesty's assent thereto shall have been duly signified. Act void until her Majesty's assent be declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 6th day of July, 1846, and published and declared in the Province the 12th day of August, 1846.*]

## CAP. LXXII.

An Act to incorporate the Roman Catholic Bishop in New Brunswick.

*Passed 11th April 1846.*

**WHEREAS** it is deemed just and expedient to incorporate the Right Reverend William Dollard, Roman Catholic Bishop in the Province of New Brunswick, for the purpose of enabling him and his successors to hold and acquire Real Estate in this Province for religious purposes; Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Right Reverend William Dollard, and his successor and successors, being the Roman Catholic Bishop in the Province of New Brunswick, in communion with the Church of Rome, and being British born subjects, or duly naturalized, shall be and he is hereby declared to be a Body Corporate in his Diocese aforesaid; in deed and in name; and that the said William Dollard, and his successor and successors for the time being, by the name of *The Roman Catholic Episcopal Corporation for the Diocese of New Brunswick*, shall by the same name have perpetual succession, and a Common Seal, and shall have power from time to time (by and with the advice of his Coadjutor and senior Vicar General, or of two Clergymen for the time being, as hereinafter mentioned,) to alter and renew or change such Common Seal at pleasure; and shall by the name as aforesaid from time to time and at all times hereafter be able and capable in law to have, hold, purchase, acquire, possess and enjoy, for the general use and uses, eleemosynary, ecclesiastical or educational, of the said Church of Rome in his Diocese, or of the religious community, Roman Catholic Bishop in New Brunswick incorporated by the name of *The Roman Catholic Episcopal Corporation of New Brunswick.*  
Common Seal.  
Tenure and disposition of lands.

community, or of any portion of the same community within his Diocese, any lands, tenements or hereditaments within the Province of New Brunswick; and the same Real Estate, or any part thereof, for the purposes aforesaid, from time to time, by and with the advice and consent hereinafter mentioned, to let or demise by Indenture under the Seal of the said Corporation, for any period not exceeding twenty one years from the day of the making thereof, provided that upon any such lease the rent shall be reserved and payable to the said Corporation yearly and every year during the continuance of the said lease; and that no such lease shall be made without impeachment of waste; and that no fine or sum in gross shall under any pretence whatsoever be taken for the same, beyond such yearly rent so reserved as aforesaid, otherwise the said lease shall be utterly null and void to all intents and purposes whatsoever; and by the same name respectively, the said Roman Catholic Bishop, and his successor and successors, shall and may be able and capable in law to sue and be sued, implead and be impleaded, answer and be answered in all Courts of Law and Equity and places whatsoever, in as large, ample and beneficial a manner as any other Body Corporate, or as any other person may or can in law or equity sue or be sued, implead or be impleaded, answered or be answered unto, in any manner whatsoever; provided always, that the lands and premises so to be holden by the said Corporation shall not at any time exceed the annual value of five hundred pounds in any one Parish in this Province; and further provided, that the rents and profits arising from any such lands and premises shall be applied for the uses and purposes of the Church or Churches within the Parish where such lands are situate, and not elsewhere.

II. And be it enacted, That it shall be lawful for any person or persons within the said Diocese of the said Roman Catholic Bishop, in whom or in whose name or names any lands, tenements and hereditaments, situate, lying and being within the Province of New Brunswick, are now or shall or may be hereafter vested in trust or otherwise, for the benefit of the said Roman Catholic Church in the said Diocese, from time to time to convey, assign or transfer, by Deed under his hand and seal, or their hands and seals, in the usual legal way, all or any of the said lands, tenements and hereditaments unto the Roman Catholic Bishop for the time being of the said Diocese, by his Corporate name aforesaid, to be holden by the said Bishop and his successor and successors in his said Corporate name aforesaid, for the purposes aforesaid, as provided by this Act.

III. And be it enacted, That it shall not be lawful for the said Bishop, or for his successor or successors for the time being, to make or execute any indenture of lease as aforesaid, of the lands, tenements and hereditaments acquired or held, or to be hereafter acquired by him under and by virtue of this Act, without the consent in writing of his Coadjutor and senior Vicar General, or in case the said Coadjutor or Vicar General, or either of them, shall be incapacitated by sickness, infirmity, or any other cause, or shall happen to be necessarily absent at the time, then of two Clergymen to be selected or named by the Roman Catholic Bishop of the Diocese, such selection or nomination, and such consent to appear upon the face of the indenture or lease intended to be executed by the parties, and to be testified by the said Bishop and Coadjutor and senior Vicar General, or such two Clergymen as aforesaid, being made parties to and signing and sealing the said indenture of lease in the presence of two credible witnesses, as consenting parties thereto respectively.

IV. And be it enacted, That nothing in this Act contained shall extend or be construed to extend in any manner to confer any spiritual jurisdiction or ecclesiastical rights whatsoever upon the said Roman Catholic Bishop hereinbefore mentioned,

Lands held by individuals in trust for the Church may be conveyed to the Corporation.

Consent of the Coadjutor or senior Vicar General to be obtained to Indentures of Leases.

Act not to confer any spiritual jurisdiction, &c.

mentioned, or upon his successor or successors, or other ecclesiastical person of the said Church, in communion with the Church of Rome aforesaid.

V. And be it enacted, That in case the said Roman Catholic Bishop, or his successor or successors, shall from sickness, infirmity, or any other cause, become incapable of or be incapacitated from performing his or their duties in his Diocese, then his Coadjutor, or the person administering the Diocese, shall have the same powers as are by this Act conferred upon the Roman Catholic Bishop of the said Diocese.

Corporate powers to be exercised by the person administering the Diocese during any incapacity of the Bishop.

VI. And be it enacted, That nothing herein contained shall affect or be construed to affect in any manner or way the rights of Her Majesty, Her Heirs or Successors, or of any person or persons whomsoever, or of any Body Politic or Corporate, or of any Church Wardens, or Auditors of Accounts, in any Roman Catholic Church in this Province, or in any way to abridge, diminish or take away any of the rights, privileges and advantages now enjoyed and possessed by any pewholder, or any person having any right, title or interest in any pew or sitting in any Roman Catholic Church or Chapel in this Province, such only excepted as are hereinbefore mentioned and provided for.

Rights of Her Majesty, Church Wardens, Auditors of Accounts, &c. reserved.

VII. And be it enacted, That this Act shall not come in force or be in operation until Her Majesty's Royal approbation be thereunto had and declared.

Act suspended until Her Majesty's approbation be declared.

*[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 6th day of July, 1846, and published and declared in the Province the 12th day of August, 1846.]*

### CAP. LXXIII.

An Act relating to an exchange of Lands in Fredericton with the Ordnance Department.

*Passed 14th April 1846.*

**W**HEREAS it is desirable that greater facilities should be afforded for the 'accommodation of Her Majesty's Troops in the City of Fredericton, and it is agreed to surrender certain unenclosed Public Lands in the said City, in consideration for certain other Lands now held by the Ordnance Department, being vested in the Justices of the Peace in and for the County of York, for the use of the said City;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Principal Officers of Her Majesty's Ordnance in Great Britain for the time being, their agents and servants, to enter upon, take possession of, enclose, retain, and enjoy, for Military uses, all that certain parcel and tract of vacant public land, lying and being in front of the present Military Blocks in the said City, and lying between the said Blocks and the River Saint John, bounded on the upper or north west side by a line running east by the magnet from the northern corner of the fence enclosing Block B, and also all that part of Carleton Street lying between Queen Street and the River, and to enclose the same with fences, walls, gates, and other erections, and to erect a wharf or wharves at the Public Landing, as heretofore reserved at the terminus of Carleton Street; reserving, nevertheless, the Public Landing at the termination of Regent Street, from the easterly corner of the present enclosure of the "Officers' Parade," so called, extending upwards along the line of the said enclosure two hundred and thirty five feet, and thence at right angles down to the River; and also reserving to the public, a right of way on the said Land between the edge of the bank and low water mark, for persons on foot and with horses, carts and wagons, except when such wharf or wharves shall be erected as aforesaid; and provided that sufficient gates

Ordnance Department authorized to take possession of and enclose part of Carleton Street and described lands in front of the Military Blocks.

Reservations.

gates be put up on the present line of Carleton Street, to form a communication with the River, which are to be always opened to the public in case of fire in the said City; and further provided, that nothing herein contained shall extend or be construed to extend, to authorize the said Principal Officers of Her Majesty's Ordnance, or their successors, to interfere with the free navigation of the said River, and the right of approach to the shore in front thereof, by boats, vessels or other craft, in any other way than by the erection of a wharf or wharves as aforesaid.

Described lands vested in the Ordnance Department for Military purposes.

II. And be it enacted, That from and after the passing of this Act, the above described lands and premises, subject to the exception before mentioned, shall be, and become, and remain, and continue vested in the Principal Officers of Her Majesty's Ordnance in Great Britain, for the time being, and their successors in the said office, in trust for Her Majesty, Her Heirs and Successors, for the service of the said Ordnance Department, or for such other Military service or services, as to the said Principal Officers, or their successors in the said office, shall from time to time order and direct.

Certain lands held by the Ordnance Department vested in the Justices of the Peace for York County in trust for the inhabitants of Fredericton.

III. And be it enacted, That from and after the passing of this Act, the following tracts and parcels of Land, now held by the said Principal Officers of Her Majesty's Ordnance Department for Military uses, that is to say: all those six several lots and parcels of Land in Block number three, and all that other piece and parcel of Land called and known as the "Hospital Lot," and fronting partly on Westmorland Street, shall be, and they are hereby vested in the Justices of the Peace for the County of York, and their successors, for and in trust for the use, benefit and advantage of the inhabitants of the City of Fredericton.

Suspending clause.

IV. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 1st day of August, 1846, and published and declared in the Province the 9th day of September, 1846.*]

#### CAP. LXXIV.

An Act to amend an Act, intituled *An Act to amend the Charter of King's College.*

*Passed 14th April 1846.*

Preamble.

8th Vict. c. 111.

**W**HEREAS in and by the fourth section of an Act made and passed in the eighth year of the Reign of Her present Majesty, intituled *An Act to amend the Charter of King's College*, it is provided, that any person taking a Degree in Divinity shall be required to make and subscribe the following and no other declaration: "I do hereby solemnly profess, testify and declare, that I believe in the authenticity and Divine inspiration of the Old and New Testaments, and in the doctrine of the Holy Trinity;"

4th sect. of 8 V. c. 111, not to extend to Graduates being Members of the Church of England.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That nothing in the said fourth section of the said in part recited Act, shall extend or be construed to extend to any Graduate in the said University being a Member of the Church of England.

Act suspended until Her Majesty's approbation be declared.

II. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 19th day of December, 1846, and published and declared in the Province the 3d day of February, 1847.*]

## CAP. LXXV.

An Act to incorporate the New Brunswick Railway Company.

*Passed 14th April 1846.*

**W**HEREAS the construction of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, would be of great public utility, and it is deemed advisable to grant encouragement to such enterprising persons as may be desirous and willing, at their own costs and charges, to make and maintain a Railway in the direction aforesaid, by granting to them an Act of Incorporation, with power of establishing Branches to any part of the Province, as also of plying Steam Vessels on any part of the River Saint John or its Branches, and on such of the Lakes in this Province, as also in the Bay of Fundy, as the Company may deem desirable ;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Honorable John Saunders, the Honorable John Robertson, the Honorable George Shore, the Honorable Robert L. Hazen, the Honorable Thomas Baillie, the Honorable Lemuel A. Wilmot, William H. Street, John Duncan, Alfred Smithers, Leveret H. DeVeber, John Wishart, James Kirk, Edward L. Jarvis, Edward Allison, John V. Thurgar, William Wright, John Ambrose Street, Charles Fisher, James Taylor, William J. Bedell, Benjamin Wolhaupter, Spafford Barker, Thomas Pickard, Charles M'Pherson, Jeremiah M. Connell, Charles Perley, Richard English, Charles Connell, William Carvill, James Poyntz, Isaac Woodward, Thomas Gilbert, John R. Partelow, and Alfred L. Street, Esquires, and such other persons as shall from time to time become proprietors of shares in the Company hereby established, their successors and assigns, shall be and they are hereby declared, ordained and constituted to be a Corporation, Body Politic and Corporate, by the name of *The New Brunswick Railway Company*, and shall by that name have perpetual succession, and a Common Seal; and shall and may by the said name sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in all Courts and places whatsoever; and shall also have power and authority to purchase, hold and enjoy lands, tenements and hereditaments, for them and their successors and assigns, for making the said Railway, and for settlers on the line of the said Railway, and generally for the purposes of carrying the provisions of this Act into effect; and also, that they, the said Company, shall from time to time, and at all times, have full power and authority to constitute, make, ordain, and establish such bye laws, regulations and ordinances as may be deemed necessary for the good rule and government of the said Company, provided that such bye laws, regulations and ordinances as may be deemed necessary, be not contradictory or repugnant to the Laws of this Province.

Company incorporated by the name of *The New Brunswick Railway Company*.

Power to sue and be sued;

hold lands, and

make bye laws.

II. And be it enacted, That the Capital Stock of the Company hereby established, shall be one million five hundred thousand pounds, to be paid in current money of this Province; the whole amount of the said Capital Stock to be divided into sixty thousand shares of twenty five pounds each; which shares shall be vested in the persons hereinbefore named, and such other persons as may take shares in the said Company, their successors or assigns; and upon taking such shares, they shall deposit in the British North American Bank in England, or any of its Branches in the British North American Colonies, the sum of two pounds ten shillings per share, current money aforesaid; and the remaining amount of such shares shall be called in as the work progresses, in such parts and amount per share as the Directors of the said Company may deem necessary; provided

Capital to be £1,500,000, currency, and divided into 60,000 shares of £25 each.

Periods &amp; amounts of payments.

always,

always, that two pounds ten shillings per share shall be the greatest amount per share of any one call which the said Directors may make on the shareholders, and two months at the least shall be the interval between successive calls; and sixty days previous notice of payment being required for any one call shall be given in the London Gazette, the Royal Gazette at Fredericton, and in one or more of the Newspapers published in the City of Saint John; and on demand of the holder of any share, the Company shall cause a certificate of the proprietorship of such share to be delivered to such shareholder, and the same may be according to the Form in the Schedule A to this Act annexed, or to the like effect; and every of the said shares shall be deemed personal estate, and transferable as such, and shall not be deemed or taken to be of the nature of real property; and every such share shall entitle the holder thereof to a proportionate part of the profits and dividends of the said Company; provided also, that the money so to be raised as aforesaid, shall be laid out in the making, completing, and maintaining the said Railway, and other the purposes therewith connected, mentioned in this Act, and in payment of the legal and other expenses incurred in and about the incorporating and establishing the said Company, and to no other use or purpose whatsoever.

Shares to be personal estate.

Interest may be paid previous to the Railway being completed.

Proviso for shares in arrear.

Evidence of property in shares.

No shares to be transferred while in arrear.

Company not bound to see to the execution of trusts in respect of shares.

Subscribers to the stock and their representatives to pay as appointed by the Directors.

III. And be it enacted, That it shall be lawful for the Directors of the said Company, until the said Railway shall be completed and opened to the public, to pay interest at any rate not exceeding four pounds per centum per annum, on all sums called up in respect of the shares, from the respective days on which the same shall be paid, such interest to accrue and be paid at such times and places as the said Directors shall appoint for that purpose; provided always, that no interest shall accrue to the proprietor of any share upon which any call shall be in arrear in respect of such shares or any other share to be holden by the same proprietor during the period while such call shall remain unpaid.

IV. And be it enacted, That the certificate of the proprietorship of any share in the said Company shall be admitted in all Courts as *prima facie* evidence of the title of any shareholder, his executors, administrators, successors, or assigns, to the share therein specified; nevertheless the want of such certificate shall not prevent the holder of any share from disposing thereof.

V. And be it enacted, That no shareholder shall be entitled to transfer any share after any call shall have been made in respect thereof, until he or she shall have paid all calls for the time being due on every share held by him or her.

VI. And be it enacted, That the said Company shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any of the said shares may be subject; and the receipt of the party in whose name any such share shall stand in the Books of the said Company, or if it stands in the name of more parties than one, the receipt of one of the parties named in the Register of Shareholders, shall from time to time be a sufficient discharge to the said Company for any dividend or other sum of money payable in respect of such share, notwithstanding any trusts to which such share may then be subject, and whether or not the said Company have had notice of such trusts; and the said Company shall not be bound to see to the application of the money paid upon such receipt.

VII. And be it enacted, That the several persons who have or shall hereafter subscribe any money towards the said undertaking, or their legal representatives respectively, shall pay the sums respectively so subscribed, or such portions thereof as shall from time to time be called for by the Directors of the said Company, at such times and places as shall be appointed by the said Directors; and with

with respect to the provisions in this Act contained for enforcing the payment of calls, the word "Shareholder," shall extend to and include the personal representatives of such shareholder.

Term "Shareholders" to include representatives.

VIII. And be it enacted, That it shall be lawful for the Directors of the said Company, from time to time, to make such calls of money upon the respective shareholders, in respect of the amount of capital respectively subscribed or owing by them, as they shall deem necessary, provided that sixty days notice at the least be given of each call as aforesaid, and that no call exceed the prescribed amount aforesaid, and that successive calls be not made at less than the prescribed interval aforesaid; and every shareholder shall be liable to pay the amount of the call so made, in respect of the shares held by him, to the persons and at the times and places from time to time appointed by the said Company, or the Directors thereof.

Power to make calls upon the shareholders for money, and compel payment.

IX. And be it enacted, That if before or on the day appointed for payment, any shareholder do not pay the amount of any call to which he is liable, then such shareholder shall be liable to pay interest for the same, at the rate allowed by law, from the day appointed for the payment thereof to the time of the actual payment.

Interest to be paid on over-due instalments.

X. And be it enacted, That it shall be lawful for the said Company, if they think fit, to receive from any of the shareholders willing to advance the same, all or any part of the monies due upon their respective shares beyond the sums actually called for; and upon the principal monies so paid in advance, or so much thereof as from time to time shall exceed the amount of the calls then made upon the shares in respect of which such advance shall be made, the Company may pay interest at such rate not exceeding the legal rate of interest for the time being as the shareholder paying such sum in advance and the said Company may agree upon.

Power to receive advances from shareholders on interest.

XI. And be it enacted, That if at the time appointed by the said Company, or the Directors thereof, for the payment of any call, any shareholder fail to pay the amount of such call, it shall be lawful for the said Company to sue such shareholder for the amount thereof in any Court of Law or Equity having competent jurisdiction, and to recover the same, with lawful interest from the day on which such call was payable.

Power to sue defaulting shareholders.

XII. And be it enacted, That in any action or suit to be brought by the said Company against any shareholder to recover any money due for any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one share or more in the said Company, (stating the number of shares) and is indebted to the said Company in the sum of money to which the calls in arrear shall amount, in respect of one call or more upon one share or more, (stating the number and amount of each of such calls) whereby an action hath accrued to the said Company by virtue of this Act.

Declaration in suits to recover money due on calls.

XIII. And be it enacted, That on the trial or hearing of such action or suit, it shall be sufficient to prove that the defendant, at the time of making such call, was a holder of one share or more in the said undertaking, and that such call was in fact made, and such notice thereof given, as is directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever; and thereupon the said Company shall be entitled to recover what shall be due upon such call, and interest thereon, unless it shall appear either that any such call exceeds the prescribed amount aforesaid, or that due notice of such call was not given, or that the prescribed interval between two successive calls had not elapsed as aforesaid.

Proof of call and of Defendant having been a stockholder at the time, sufficient.

register of Shareholders to be *prima facie* evidence.

XIV. And be it enacted, That the production of the Register of Shareholders shall be *prima facie* evidence of such defendant being a shareholder, and of the number and amount of his shares.

Shares in arrear may be declared forfeited.

XV. And be it enacted, That if any shareholder fail to pay any call payable by him, together with the interest, if any, that shall have accrued thereon, the Directors of the said Company, at any time after the expiration of two months from the day appointed for payment of such call, may declare the share, in respect of which such call was payable, forfeited, and that whether the said Company have sued for the amount of such call or not.

Notice to be given of intention to declare shares forfeited.

XVI. And be it enacted, That before declaring any share forfeited, the Directors of the said Company shall cause notice of such intention to be left or transmitted by the post to the usual or last place of abode of the person appearing by the Register of Shareholders to be the proprietor of such share; and if the holder of any such share be beyond the limits of this Province, or if his usual or last place of abode be not known to the said Directors, by reason of its being imperfectly described in the Shareholders' Address Book, or otherwise; or if the interest in any share shall be known by the said Directors to have become transmitted otherwise than by transfer, and so the address of the parties to whom the said share or shares may for the time being belong shall not be known to the said Directors, the said Directors shall give public notice of such intention in the London Gazette, the Royal Gazette at Fredericton, and also in one or more of the Newspapers published in the City of Saint John; and the several notices aforesaid shall be given twenty one days at least before the said Directors shall make such declaration of forfeiture.

Forfeiture of shares to be confirmed at a general meeting of the Company.

XVII. And be it enacted, That the said declaration of forfeiture shall not take effect so as to authorize the sale or other disposition of any share until such declaration shall have been confirmed at the next general meeting of the said Company to be held after such notice of intention to make such declaration of forfeiture shall have been given, and it shall be lawful for the said Company to confirm such forfeiture at any such meeting, and by an order at such meeting, or at any subsequent general meeting, to direct the share or shares so forfeited to be sold or otherwise disposed of.

Forfeited shares may be sold.

XVIII. And be it enacted, That after such confirmation as aforesaid, it shall be lawful for the said Directors to sell the forfeited share by public auction, and if there be more than one forfeited share, then either separately or together, as to them shall seem fit; and any shareholder may purchase any forfeited share so sold as aforesaid.

Evidence of proprietorship in purchased shares.

XIX. And be it enacted, That an affidavit by some credible person not interested in the matter, sworn before any Justice, or before any Commissioner for taking affidavits in the Supreme Court, that the call in respect of a share was made, and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was declared and confirmed in manner hereinbefore required, shall be sufficient evidence of the facts therein stated; and such affidavit, and the receipt of the Treasurer of the said Company for the price of such share, shall constitute a good title to such share; and a certificate of proprietorship shall be delivered to such purchaser, and thereupon he shall be deemed the holder of such share, discharged from all calls due prior to such purchase, and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

XX. And be it enacted, That the said Company shall not sell or transfer more of the shares of any such defaulter than will be sufficient, as nearly as can be ascertained at the time of such sale, to pay the arrears then due from such defaulter on account of any calls, together with interest and the expenses attending such sale and declaration of forfeiture; and if the money produced by the sale of any such forfeited shares be more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, with the proof thereof, and certificate of proprietorship to the purchaser, the surplus shall, on demand, be paid to the defaulter.

No more shares to be sold than are sufficient to pay off arrears and expenses.

XXI. And be it enacted, That if payment of such arrears of calls, and interest and expenses, be made before any share or shares so forfeited and vested in the said Company shall have been sold by public auction as aforesaid, such share or shares shall revert to the party or parties to whom the same belonged before such forfeiture, in such manner as if such calls had been duly paid.

On payment of arrears before sale, share to revert to the party.

XXII. And be it enacted, That so soon as three hundred thousand pounds of the Capital Stock of the said Company shall have been subscribed, and the deposit of two pounds ten shillings per share shall have been actually paid as aforesaid, and not before, it shall be lawful for the said Company, and they are hereby authorized and empowered, by themselves, their deputies, agents, officers, and workmen, to make, construct, and finally complete, alter, and keep in repair, a Railway, with one or more sets of rails or tracks, with all suitable bridges, archways, tunnels, viaducts, turn-outs, culverts, drains, and all other necessary appendages, and to erect such wharves, buildings, warehouses, and stores, on the line of the said Railway, and to purchase and acquire such stationary or locomotive Steam Engines, and carriages, wagons, and other machinery and contrivances, and real or personal property, as may be necessary for the making and maintaining the said Railway, and for the transport of passengers and merchandize thereon, and for other purposes of this Act, and may hold and possess the land over which the said Railway is to pass, and such adjoining lands as may be required; which Railway is to run from some point or place in or contiguous to the City of Saint John, and from thence to the Boundary Line of the Province of Canada, or until it comes in connexion with a Railway to be constructed from Quebec to such Boundary Line; the said Railway from the City of Saint John to be made and constructed to pass through Fredericton, thence to Woodstock, and from thence to the Grand Falls of the River Saint John, on such route as the Directors of said Company, in the exercise of their best judgment and discretion, shall deem most favorable and best calculated to promote the public convenience; provided always, that it shall be in the discretion of the Directors of the said Company to determine at which of the aforesaid stations of Saint John, Fredericton, Woodstock, and the Grand Falls, the work of making the said Railway shall commence, and in what direction on the aforementioned route, the same shall be extended from the place of commencement; provided also, that a map or plan of the route determined upon shall be deposited in the Office of the Secretary of this Province.

On subscription of £300,000, and deposit of 10 per cent. Company authorized to construct and maintain a Rail Road from St. John to the Boundary line of the Province of Canada.

Proviso as to point of commencement.

XXIII. And be it enacted, That the said Company shall be and are hereby invested with all the powers, privileges and immunities which are or may be necessary to carry into effect the intentions and objects of this Act; and for this purpose the said Company, their successors, deputies, agents and assistants, shall have the right to enter and go into and upon the lands and grounds of all and every description lying in the said route and general direction as aforesaid, for

Company invested with all necessary powers.

Power to enter on lands to make surveys,

the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Railway; and it shall and may be lawful for the said Company, and their successors, to take and hold so much of the land and other real estate as may be necessary for the laying out, making and constructing, and convenient operation of the said Railway, and shall also have the right to take, remove, and use, for the necessary construction and repair of said Railway and appurtenances, any earth, gravel, stone, timber, or other materials, on or from the land so taken, without any previous agreement with the owner or owners, tenant or tenants, of the land, and upon which such surveys, examinations, or other arrangements, may be made, or through which the said Railway may be explored, laid out, worked, made and constructed, or on which materials and other things shall be laid for the purposes of the said Railway; provided always, that the said land so taken shall not exceed six rods in width, except where greater width is necessary for the purpose of excavation or embankment; and where the said Railway shall pass through any wood lands or forests, the said Company shall have the right to fell or remove any trees standing thereon to the distance of four rods from either side of the said Railway, which by their liabilities to be blown down, or from their natural falling, might obstruct or impair said Railway; provided always, that in all cases the said Company shall pay for such lands or estate so taken and used, (in case the owner thereof demand it,) such price as the said Company and the owner or respective owners thereof may mutually agree on; and in case the said parties should not agree, then it shall be lawful for the said Company to apply to two of Her Majesty's Justices of the Peace in the County wherein the said lands may be situate, for a Warrant, which Warrant shall be in the form set forth in the Schedule B to this Act annexed, and shall be directed to the High Sheriff, his Deputy, or any Constable within the said County, commanding such High Sheriff, Deputy, or Constable, to summon a Jury of five disinterested freeholders or occupiers of land in the said County, who shall be sworn to examine the site of the said Railway; and in case the said Railway shall pass through or extend upon any improved lands, or shall occasion the removal of any buildings or fences, then and in all such cases, the damages shall be ascertained and assessed by such Jury; provided nevertheless, that the said Jury, in assessing the said damages, are authorized and empowered, and shall take into consideration the enhancement in value of the land by the passage of the Railway, in regard to the increased facilities of access to the different stations and termini of the said Railway, in diminution of the damages; and in all cases where the Jury shall assess damages to be paid to the owner or owners of any land over which the said Railway may be laid out, the Justices who issued the Warrant shall lay the said assessments before the next annual meeting of the said Company, under the authority of this Act, who are hereby required to pay the amount set forth in the said assessment, into the hands of the persons for whom such damages may have been assessed, within twenty one days next after such annual meeting of the said Company, together with the costs and charges of assessing such damages, which shall be agreeably to a scale in Schedule C of this Act; and in default of such payment, it shall and may be lawful for the said Justices, or either of them, (in case of the death or absence of the other,) at the instance of the said party or parties to whom such damages are payable, by Warrant under the hands and seals of the said Justices, or one of them, (in case aforesaid,) to levy the same, with costs, by distress and sale of the goods and chattels of the said Company; provided also, that nothing in this Act contained shall be construed to affect the rights of the Crown in any ungranted lands

Take lands.

Materials.

Extent limited.

Company to pay for lands taken.

In case of disagreement, a Jury to be summoned to assess the damages.

Assessment to be laid before the next meeting of the Company, and amount paid:

On default may be levied with costs.

lands within this Province, or to authorize the said Company to enter upon or take possession of any such land without the previous permission of the Executive Government of the Province.

XXIV. And be it enacted, That when the said Company shall take any land or estate of any body corporate, aggregate or sole, guardians, committees, executors or administrators, or other trustees whatsoever, held for and on behalf of those whom they represent, whether corporations, infants, idiots, lunatics, feme covert, persons deceased or beyond seas, or other person or persons whatsoever, who are or shall be possessed of or interested in the said land or estate, the respective contracts, agreements and sales of the said corporations, guardians, committees, executors, administrators, or other trustees whatsoever, shall be valid and effectual in law to all intent and purposes whatsoever, and their respective receipts shall be good and valid releases and discharges therefor, and it shall be lawful for them respectively to agree and settle with the said Company for damages, (if any) by reason of taking such land or estate aforesaid, and in case of disagreement, such damage to be ascertained and settled as provided by the twenty third section of this Act.

Agreements with and discharges by Corporations and Trustees for lands taken to be valid.

XXV. And be it enacted, That the said Company, their superintendents, engineers, agents, and workmen, may enter upon the land adjoining the said Railway, and from thence take and carry away any timber, stone, gravel, sand and earth, or material necessary for the construction of the said Railway; and in case of any slip happening, or being apprehended to any cutting, embankment, or other work belonging to the said Railway, the said agents and workmen shall at all times hereafter have full egress and regress into and upon such adjoining lands, for the purpose of repairing and preventing such accident, and to do such works as may be necessary for the purpose; provided always, that such works shall be as little injurious to the said adjoining land as the nature of the operations will admit of, and shall be executed with all possible dispatch, in all which cases the damage incurred, if the parties cannot agree, shall be ascertained and paid in like manner in all respects as provided for in the twenty third section of this Act.

Power to enter on lands and take materials for the construction or repair of the Railway.

XXVI. And be it enacted, That the said Company shall and may (if they deem it expedient) make Branch Railways to every or any part of the Province, and manage such Branch Railways, and procure and own such Steam Boats or Vessels as may be necessary to ply in the waters of any part of the River Saint John or its Branches, or on the Lakes contiguous thereto, or in the Bay of Fundy, any or either of them, in connexion with the said Railway, and for that purpose shall exercise and possess all the powers, privileges and authorities necessary for the management of the same, in as full and ample a manner as they are hereby authorized to do with respect to the said Railway.

Power to make Branch Railways and own Steam Boats to ply in connexion with the Railway.

XXVII. And be it enacted, That the said Company, at their own proper costs and charges, shall erect and maintain on each side of the said Railway, sufficient fences wherever the same may be necessary, in order to protect the public, or wherever any cleared or cultivated land occurs on the line of the said Railway; and for neglect or failure to erect and maintain such necessary fences, the said Company shall be liable to be indicted at any Court of Oyer and Terminer or General Sessions for the County where such fences shall be insufficient, and to be fined in such sum as shall be then and there adjudged, and such fine shall be expended for the erection or repair of said fences, and for compensation of individual damage, as the case may be; and it shall and may be lawful for the Justices of the said Court of Oyer and Terminer or General Sessions, to make such order for levying the said fine on the property of the said Company, or otherwise,

Fences to be maintained on each side of the Railway.

Liability to indictment and fine for neglect.

otherwise, as to them shall seem most proper to the exigencies of the case, which said fine shall be exclusive of any claim for damages which any party may sustain by any such neglect or failure as aforesaid.

Gates to be main-  
tained across high-  
ways.

XXVIII. And be it enacted, That whenever the said Railway, or any of its Branches, cross or shall hereafter cross any highways, turnpike road, statute labour or private road, for carriages of any discription within this Province, the said Company shall make and maintain good and sufficient gates across each end of such highway, turnpike or other road, which gates shall be constantly closed, except during the time when horses, cattle, carts or carriages, passing along such turnpike or other road, shall have to cross such Railway; and such gates shall be of such dimensions, and so constructed, as when closed across the ends of such turnpike or other road, to fence in the Railway and prevent cattle or horses passing along the road from entering upon the Railway; provided always, that it shall be lawful (in case it shall be more conducive for the public safety) for the said Company, at their own expense, to carry such turnpike or other road over or under such Railway, by means of a bridge or archway, in lieu of crossing of the same on the level.

Proviso.

Company affairs to  
be managed by a  
Board of fifteen  
Directors.

XXIX. And be it enacted, That the immediate government and management of the affairs of the said Company shall be vested in fifteen Directors, who shall be proprietors of at least twenty shares each, and who shall be chosen by the shareholders of the said Company in the manner hereinafter provided, and shall hold their offices until others shall have been duly elected and qualified to take their places; that not less than five Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or necessary absence, in which case the Directors present may choose one of their number as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for and against any question before them, the President shall have the casting vote.

Quorum.

Votes.

Number of votes to  
be given by share-  
holders ascertained.

XXX. And be it enacted, That the number of votes which each shareholder shall be entitled to on every occasion when in conformity to the provisions of this Act the votes of the shareholders are to be given, shall be in the following proportions, that is to say: for one share, and not more than three, one vote; for every two shares above two, and not exceeding ten, one vote, making five votes for ten shares; for every four shares above ten, and not exceeding thirty, one vote, making ten votes for thirty shares; for every six shares above thirty, and not exceeding sixty, one vote, making fifteen votes for sixty shares; and for every eight shares above sixty, and not exceeding one hundred, one vote, making twenty votes for one hundred shares; which said number of twenty votes shall be the greatest that any shareholder shall be entitled to have: and all shareholders may vote by proxy if they shall see fit, provided such a proxy be a shareholder, and do produce from his constituent whom he shall represent, or for whom he shall vote, an appointment in the form set forth in the Schedule D to this Act annexed, or to the like effect; and whatever question of election of public officers, or other matters or things shall be proposed, discussed or considered, in any public meeting of the said Company under the authority of this Act, shall be determined and decided by the majority of votes and proxies then and there present; provided always, that the same person shall not vote as proxy for any number of persons who together shall be proprietors of more than one hundred shares.

Votes by proxy.

XXXI. And be it enacted, That whenever three hundred thousand pounds of the said Capital Stock shall have been subscribed, and the deposits paid as aforesaid, the first general meeting of the shareholders shall take place at the City of Saint John, to be called by notice in the London Gazette, the Royal Gazette at Fredericton, and in one or more of the Newspapers published in Saint John, sixty days previous to such meeting, in order to organize the said Company, and to choose the Directors thereof, who shall continue in office until re-elected or others chosen and appointed in their stead, at any meeting to be held under the authority of this Act; that the shareholders present or appearing by proxy, shall choose the Directors of the said Company by a majority of votes, and the Directors so chosen, shall choose out of their number one who shall be President of the said Company; and in case of the death, resignation, removal, disqualification by sale of stock, or incompetency of any Director, the remaining Directors, if they think proper so to do, may elect in his place some other shareholder duly qualified to be a Director, and the shareholder so elected to fill up any such vacancy, shall continue in office as a Director so long only as the person in whose place he shall have been elected would have been entitled to continue if he had remained in office.

First general meeting of the shareholders to organize the Company.

Shareholders to choose the Directors: Directors the President.

Supply of vacant Directorships.

XXXII. And be it enacted, That the said Directors shall have the power of nominating and appointing all and every the Officers and Engineers, and other persons connected with the said Railway, at such salaries or rates of remuneration, as to the said Directors shall seem proper, subject to the bye laws, rules and regulations of the said Company; and the shareholders shall have the power from time to time to alter and amend, or to make such new rules, bye laws and regulations for the good government of the said Company, and of the said Railway, and of the works and property hereinbefore mentioned, and for the well governing of the Engineers, workmen, and other persons employed by the said Company, as to the major part of the said shareholders shall seem meet; which said rules, bye laws and regulations, being put into writing under the Common Seal of the said Company, shall be published in the London Gazette, the Royal Gazette at Fredericton, and also in one or more of the Newspapers published in the City of Saint John, shall be binding upon and observed by all parties, and shall be sufficient in any Court of Law to justify all persons who shall act under the same.

Directors to appoint Officers and Engineers.

Shareholders may amend and make bye laws.

XXXIII. And be it enacted, That the said shareholders shall meet annually at the City of Saint John, on the first Tuesday in June in each year; at which meeting, the shareholders present, personally or by proxy, may either continue in office the Directors before appointed, or any number of them, or may elect a new body of Directors to supply the places of those not continued in office; provided always, that the omission to meet shall work no forfeiture, but the shareholders may be afterwards called together for that purpose, by the Directors of the said Company for the time being.

Annual general meeting to be held at St. John on 1st Tuesday in June.

XXXIV. And be it enacted, That it shall be lawful for any number of shareholders, holding in the aggregate five hundred shares, by writing under their hands, at any time to require the said Directors to call an extraordinary meeting of the said Company, and such requisition shall fully express the object of the meeting required to be called, and shall be left at the office of the said Company, or given to at least three Directors, or left at their last or usual places of abode; and forthwith upon the receipt of such requisition, the said Directors shall convene a meeting of the shareholders; and if for twenty one days after such notice the Directors fail to call such meeting, the shareholders aforesaid, qualified as aforesaid,

Call of extraordinary meetings of the Company.

aforesaid, may call such meeting by giving sixty days public notice thereof in the Gazettes and Newspapers hereinbefore in this Act mentioned.

Sixty days notice by advertisement to be given of all meetings of the Company.

XXXV. And be it enacted, That sixty days public notice, at the least, of all meetings, whether general or extraordinary, shall be given by advertisement in the Gazettes and Newspapers hereinbefore in this Act mentioned, which shall specify the place, the day and the hour of meeting, and every notice of an extraordinary meeting shall specify the purpose for which the meeting is called.

Toll granted to the Company on transport of passengers and property.

XXXVI. And be it enacted, That a toll be and is hereby granted for the sole benefit of the said Company on all passengers and property of all descriptions which may be conveyed or transported upon such Railway, any of its Branches, or in the Steam Boats or Vessels connected therewith, as aforesaid, at such rates per mile as may be established from time to time by the Directors of the said Company; the transportation of persons and property, the construction of cars and carriages, the weight of loads, and all other matters and things in relation to the use of the said Railway and its Branches, shall be in conformity to such rules, regulations and provisions, as the said Directors shall from time to time prescribe and direct; and such Railway and its Branches may be used by any person or persons who may comply with such rules and regulations; provided always, that if, after the completing the said Railway, the rates, tolls or dues that may be established by the said Company under and by virtue of this Act, shall be found excessive, it shall and may be lawful for the Legislature to reduce the said rates, tolls or dues, so as that the same shall not produce to the said Company a greater rate of clear annual profits, divisible upon the subscribed and paid up Capital Stock of the said Company, than fifteen pounds annually for every hundred pounds of such capital; and in order that the true state of the said Company shall be known, it shall be the duty of the President and Directors thereof to file in the Office of the Secretary of this Province, for the information of the Legislature, at the expiration of seven years after the said Railway shall have been completed as aforesaid, a just and true statement and account of the monies by them disbursed and laid out in making and completing the said Railway in manner aforesaid, and also of the amount of tolls and revenues of the said Railway, and of the annual expenditure and disbursements in maintaining and keeping up the same during the said seven years; the said several accounts and statements to be signed by the President and Treasurer of the said Company, and by such President and Treasurer attested to on oath before any one of Her Majesty's Justices of the Peace for any County in this Province; and provided also, that it shall be the duty of the said President and Directors of the said Company, once in each and every year after the expiration of the said seven years, to file in the said Office of the Secretary of the said Province, for the information of the Legislature, a like statement and account, verified on oath by the President and Treasurer as aforesaid.

Scale of Tolls established by the Company may be revised by the Legislature.

Statement of expenses and receipts to be filed in the Provincial Secretary's Office for the information of the Legislature.

Right of purchasing the Railway and its appurtenances reserved to Her Majesty's Government.

XXXVII. And be it enacted, That whatever may be the rate of divisible profits on the said Railway, it shall be lawful for Her Majesty's Government, if it shall think fit, subject to the provisions hereinafter contained, at any time after the expiration of the term of twenty one years, to purchase the said Railway, with all its hereditaments, stock and appurtenances, in the name and on behalf of Her Majesty, upon giving to the said Company three calendar months' notice, in writing, of such intention, and upon payment of a sum equal to twenty five years purchase of the annual divisible profits estimated on the average of the seven then next preceding years; provided that if the average rate of profits for the said seven years shall be less than the rate of fifteen pounds in the hundred,

it shall be lawful for the Company, if they should be of opinion that the said rate of twenty five years purchase of the said average profits is an inadequate rate of purchase of such Railway, reference being had to the prospects thereof, to require that it shall be left to arbitration, in case of difference, to determine what (if any) additional amount of purchase money shall be paid to the said Company; provided also, that such option of purchase shall not be exercised, except with the consent of the Company, while any such revised scale of tolls, fares and charges shall be in force.

XXXVIII. And be it enacted, That it shall be lawful for the Postmaster General, or his chief Deputy in this Province, by notice in writing under his hand, or under the hand of such Deputy as aforesaid, delivered to the said Company, to require that the Mails or Post Letter Bags shall from and after the day to be named in such notice, (being not less than twenty eight days from the delivery thereof,) be conveyed and forwarded by the said Company on their Railway, either by the ordinary trains of carriages, or by special trains, as need may be, at such hours or times in the day or night, as the Postmaster General or his said Deputy shall direct, together with the guards appointed and employed by the Postmaster General or his said Deputy, in charge thereof, and any other officers of the Post Office; and thereupon the said Company shall from and after the day to be named in such notice, at their own costs, provide sufficient carriages and engines on the said Railway for the conveyance of such Mails and Post Letter Bags, to the satisfaction of the Postmaster General or his said Deputy, and receive and take up, carry and convey, by such ordinary or special train of carriages, or otherwise, as need may be, all such Mails or Post Letter Bags as shall for that purpose be tendered to them, or any of their officers, servants, or agents, by any officer of the Post Office, and also receive, take up, carry and convey, in and upon the carriage or carriages carrying such Mail or Post Letter Bags, the guards in charge thereof, and any other officer of the Post Office, and shall receive, take up, deliver, and leave such Mails or Post Letter Bags, guards and officers, at such places in the line of such Railway, on such days and such hours or times in the day or night, and subject to all such reasonable regulations and restrictions as to speed of travelling, places, times and durations of stoppages, and times of arrival, as the Postmaster General or his said Deputy, shall in that behalf from time to time order or direct; provided always, that the rate of speed be required shall in no case exceed the maximum rate of speed prescribed by the Directors of the said Company for the conveyance of passengers by their first class train, nor shall the Company be responsible for the safe custody or delivery of any Mail Bags so sent.

XXXIX. And be it enacted, That the said Company shall be entitled to such reasonable remuneration to be paid by the Postmaster General or his Deputy, for the conveyance of such Mails, Post Letter Bags, Mail Guards and other officers of the Post Office, in manner required by such Postmaster General, his Deputy, or by such other officer of the Post Office as he shall in that behalf nominate as aforesaid, as shall (either prior to or after the commencement of such service) be fixed and agreed on between the Postmaster General or his Deputy and the said Company; or in case of difference of opinion between them, the same shall be referred to the award of two persons, one to be named by the Postmaster General or his Deputy, and the other by the said Company; and if such two persons cannot agree on the amount of such remuneration or compensation, then to the umpirage of some third person to be appointed by such two first named persons, previously to their entering upon the inquiry; and the said award or umpirage,

Mails, Guards, &c. to be forwarded on the Railway under the direction of the Post Master General.

Compensation for carrying the Mails to be fixed by agreement or arbitration.

as the case may be, shall be binding and conclusive on the said parties and their respective successors and assigns.

Nomination of arbitrators and umpires.

**XL.** And be it enacted, That in all references to be made under the authority of this Act, the Postmaster General, his Deputy, or the said Company, as the case may be, shall nominate his or their arbitrators within fourteen days after notice from the other party, or in default, it shall be lawful for the arbitrator appointed by the party giving notice to name the other arbitrator, and such arbitrators shall proceed forthwith in the reference and make their award therein within twenty eight days after their appointment, or otherwise the matter shall be left to be determined by the umpire, and if such umpire shall refuse or neglect to proceed and make his award for the space of twenty eight days after the matter shall have been referred to him, then a new umpire shall be appointed by the two first named arbitrators, who shall in like manner proceed and make his award within twenty eight days, or in default be superseded, and so *toties quoties*.

Obligation to transport Troops along the line at contract rates.

**XLI.** And be it enacted, That whenever it shall be necessary to move any of the Officers or Soldiers of Her Majesty's Forces of the Line, Ordnance Corps, Marines, Militia, or Police Forces; by the said Railway, or any of its Branches, the Directors thereof shall, and are hereby required to permit such Forces respectively, with their Baggage, Stores, Arms, Ammunition, and other necessaries and things, to be conveyed at the usual hours of starting, at such prices or upon such conditions as may from time to time be contracted for, between the Secretary of War, or such officer duly authorized for that purpose, and the said Company, for the conveyance of such Forces, on the production of a route or order for their conveyance, signed by the proper authorities.

Obligation to permit a line of Electrical Telegraph to be laid down by Her Majesty's Government.

**XLII.** And be it enacted, That the said Company, on being required so to do by Her Majesty's Government, shall be bound to allow any person or persons duly authorized by Her Majesty's Government, with servants and workmen, at all reasonable times to enter into or upon the lands of the said Company, and to establish and lay down upon such lands adjoining the line of the said Railway, or any of its Branches, a line of Electrical Telegraph for Her Majesty's Service, and to give to him and them every reasonable facility for laying down the same, and for using the same for the purpose of receiving and sending messages on Her Majesty's Service, subject to such reasonable remuneration to the Company as may be agreed upon between the Company and Her Majesty's Government; provided always, that subject to a prior right of use thereof for the purposes of Her Majesty, such Telegraph may be used by the Company for the purposes of the Railway, upon such terms as may be agreed upon between the parties, or in the event of differences, as may be settled by arbitration.

Yearly dividends of the profits to be made.

**XLIII.** And be it enacted, That the Directors of the said Company shall make yearly dividend of the tolls, income and profits arising to the said Company, first deducting thereout the annual costs, charges and expenses of the said Company, as well of the repairs of the works belonging to them as for the salaries and allowances of the several officers and servants, and for such other purposes connected with the said Company, as may be deemed proper by the said Directors, consistent with the bye laws, rules and regulations of the said Company.

Receipts of Guardians of Minors and Committees of Lunatics to be good discharges.

**XLIV.** And be it enacted, That if any money be payable from the said Company to any shareholder or other person being a minor, idiot, or lunatic, the receipt of the guardian of such minor, or the receipt of the Committee of such lunatic, shall be a sufficient discharge to the said Company for the same.

A portion of the profits may be reserved before declaring dividends.

**XLV.** And be it enacted, That before apportioning the profits to be divided among the shareholders, the said Directors may, if they think fit, set aside thereout such

such sum as they may think proper, to meet contingencies, or for enlarging, repairing or improving the works connected with the said Railway or its Branches, or any part of the said undertaking, and may divide the balance only among the shareholders.

XLVI. And be it enacted, That no dividend shall be paid in respect of any share until all calls then due in respect of that and every other share held by the person to whom such dividend may be payable shall have been paid.

No dividends to be paid on shares in arrears.

XLVII. And be it enacted, That the joint stock or property of the said Company shall alone be responsible for the debts and engagements of the said Company, and that no person or persons who shall or may have dealings with the said Company, shall on any pretence whatsoever have recourse against the separate property of any of the individual shareholders of the said Company, or against their person or persons, further than may be necessary for the faithful application of the funds of the said Company; provided also, that no shareholder of the said Company shall be liable for or charged with the payment of any debt or demand due from the said Company beyond the extent of his share in the capital of the said Company not then paid up.

Joint stock to be alone responsible for the Company debts.

XLVIII. And be it enacted, That no suit or action at law or equity shall be brought or prosecuted by any person or persons for any act, matter or thing done under the authority of this Act, unless such suit or action shall be commenced within six months next after the offence shall have been committed, or cause of action accrued, and the defendant or defendants in such suit or action may plead the general issue, and give this Act and the special matter in evidence under the said plea, and that the same was done in pursuance and by the authority of this Act.

Time for bringing actions for anything done under this Act limited.

XLIX. And be it enacted, That if any person or persons shall wilfully and maliciously, and to the prejudice of the undertaking, break, injure or destroy any of the works to be made by virtue of this Act, every such person or persons shall be judged guilty of felony; and every person so offending, and being thereof lawfully convicted, shall be liable to the punishment prescribed for felony in an Act made and passed in the first year of the Reign of His late Majesty William the Fourth, intituled *An Act for improving the administration of Justice in Criminal cases*.

Punishment for malicious acts, destroying works, &c.

L. And be it enacted, That if any other Railway Company, incorporated by law, shall build and construct any other Railway from any place or places in this Province, it shall be lawful for the said Railway Company so building and constructing the said other Railway, to form a junction with the main trunk, or any branch thereof, which may be built and constructed by the said New Brunswick Railway Company, at such point or points, place or places as may be desired, or considered most advantageous by such Railway Company; and the said New Brunswick Railway Company shall convey and transport all passengers, goods, chattels and merchandize of every kind so arriving at the said junction, onwards and backwards, at all convenient and usual times, on the said trunk, or any branch thereof, without any unnecessary delay or hinderance, to their respective destination, subject to the payment of such rates, tolls or dues per mile, as may be paid in similar cases to the said New Brunswick Railway Company.

Power to form junctions given to other Railway Companies.

LI. And be it enacted, That nothing herein contained shall be deemed or construed to exempt the Railway by this Act authorized to be made, from the provisions of any general Act relating to this Act, or of any general Act relating to Railways in this Province, which may hereafter pass during the present or any future Session of the Legislature, or from any future alteration or repeal of this Act, under the authority of the Legislature.

Railway not exempted from the future Acts of the Legislature.

LII.

Railway from the City of Fredericton to the Grand Falls to be completed within ten years or privilege to cease.

LII. And be it enacted, That the said Company, to entitle themselves to the privileges, benefits and advantages to them granted by this Act, shall, and they are hereby required to make and complete the said Railway from the City of Fredericton to the Grand Falls within ten years from the passing of this Act, and if the same shall not be so made and completed within the period before mentioned, so as to be used for the conveyance and carriage of passengers, goods, chattels, wares and merchandize thereon, then this Act, and every matter and thing therein contained, shall cease and be utterly null and void.

Act suspended till Her Majesty's approbation be declared.

LIII. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto had and declared.

SCHEDULE A.

Form of Certificate.

FORM OF CERTIFICATE OF SHARE.

The New Brunswick Railway Company.

Number —

This is to certify, that A. B., of —, is the proprietor of the Share (or Shares,) number — of the New Brunswick Railway Company, subject to the Regulations of the said Company.

Given under the Common Seal of the said Company, the — day of — in the year of our Lord one thousand eight hundred and —.

SCHEDULE B.

Warrant to summon Jury.

FORM OF WARRANT TO SUMMON JURY.

To the Sheriff, Deputy Sheriff, or any Constable of the County of —. You are hereby commanded to summon a Jury of five disinterested Freeholders of your County, of no way akin to the party aggrieved, to appear at —, in the said County, on the — day of —, at — of the clock in the — noon, and then and there to assess the damages (if any) which A. B. alleges he has sustained by reason of the works and operations of the New Brunswick Railway Company through and upon his land.

Given under our Hands and Seals the — day of —, A. D. one thousand eight hundred and —.

SCHEDULE C.

Fees.

*Scale of Fees in proceedings before Justices, upon assessing damages under the foregoing Act.*

Warrant to summon Jury, ....	£0	2	6
For every Subpœna, ....	0	0	6
For every copy thereof, ....	0	0	3
Every adjournment made at the instance of either party, ....	0	1	0
Trial and Judgment, ....	0	2	6
Swearing each Witness and Constable, ....	0	0	3
Swearing Jury, ....	0	1	0
Execution or Distress Warrant, ....	0	1	6

*To Sheriff or Constable.*

Summoning Jury, ....	0	5	0
Attendance on inquiry, ....	0	1	0
For all other services, same as fixed by law in civil cases before Justices of the Peace.			

*Witnesses.*

*Witnesses.*

Attendance and travel, same as in civil cases before Justices  
of the Peace.

*To Jurors.*

Each Juror sworn on inquiry, .... £0 2 6

## SCHEDULE D.

## FORM OF PROXY.

Form of Proxy.

I, A. B., of —, do hereby nominate, constitute and appoint C. D. of —, to be my proxy, in my name and in my absence to vote or give any assent to or dissent from any business, matter, or thing, relative to "The New Brunswick Railway Company," in such manner as he, the said C. D. shall think proper, and for the benefit of the said Company. In witness whereof, I, the said A. B., have hereunto set my hand (or if a Corporation, say the Common Seal of the Corporation,) the — day of —, A. D. one thousand eight hundred and —.

A. B.

[*This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 19th day of December, 1846, and published and declared in the Province the 3d day of February, 1847.*]

## CAP. LXXVI.

An Act to facilitate the making of a Railway from the City of Saint John, through Fredericton and Woodstock, to the Grand Falls of the River Saint John, and from thence to the Boundary Line of the Province of Canada, by the New Brunswick Railway Company.

*Passed 14th April 1846.*

**W**HEREAS a Bill to incorporate the New Brunswick Railway Company Preamble.  
has been passed by the Legislature of this Province, during its present Session, subject to the Royal sanction: And whereas it is an object of great public importance that a Railway should be established and brought into operation on the line specified in the said Act of Incorporation, and more especially that part of the said line from Fredericton, via Woodstock, to the Grand Falls: And whereas it is deemed expedient to afford every facility and encouragement to the said Company, as an inducement to establish and bring into operation the said Railway, so soon as the same can be accomplished, and in the first place that part of the said line from Fredericton to the Grand Falls, via Woodstock;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That His Excellency the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, is hereby fully authorized and empowered to grant unto the said New Brunswick Railway Company, their successors, deputies, agents, and assistants, full right to enter and go in and upon the ungranted lands and grounds of Her Majesty of all and every description, lying in the said route or line of the said Railway, or of any of its Branches that may be hereafter established, for the purpose of making surveys, examinations, or other necessary arrangements for fixing the site of the said Railway, or any of its Branches, through and upon such ungranted lands of Her Majesty; and it shall and may be lawful for the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice aforesaid, and he is fully authorized and empowered to grant unto the said Company so much of the Crown Lands aforesaid as may be necessary for the laying out, making and constructing, and convenient operation

Governor in Council authorized to grant the Corporation right of entering upon Crown Lands to make surveys, the fee of Lands necessary for the Railway, and gravel, timber, &c. necessary for its construction.

operation of the said Railway, and also to grant to the said Company the right to take, remove, and use, for the necessary construction and repair of the said Railway, its Branches, Station Houses and appurtenances, any earth, gravel, stone, timber, or other materials on or from the Crown Lands in this Province, free from any duties or charges therefor.

Authority given to grant lands free of any expense except the survey, for Railway Track, Station Houses, and Depots.

Proviso.

£3,750 granted for seven years from the completion of the Road between Woodstock and the Grand Falls.

£3,750 granted in like manner on the completion of the Road from Fredericton to Woodstock.

Act suspended until Her Majesty's approbation be declared.

II. And be it enacted, That the said Lieutenant Governor or Administrator of the Government for the time being, by and with the advice aforesaid, be and he is hereby authorized and empowered to grant to the said Company, free of any charge for the same, except the expense of the survey, such quantity of the vacant Crown Lands as the said Company may require to lay down the Railway Track, Station Houses and Depots: Provided always, that any lands which may be granted to the said Company under and in pursuance of this Act, shall be held and taken to be granted on the express condition of the completion of the said Rail Road, according to the terms of this Act; and if not so completed, the grant or grants thereof shall become null and void, and shall revert to the Crown as fully to all intents and purposes as if no such grant or grants of land had been made.

III. And be it enacted, That so soon as that part of the contemplated line which lies between Woodstock and the Grand Falls shall be completed, and in efficient operation for the transportation of passengers and merchandize, the said Company shall receive annually from the Province Treasurer, for the term of seven years, to be computed from the time of such completion, the sum of three thousand seven hundred and fifty pounds, to be paid by Warrant of His Excellency the Lieutenant Governor or Administrator of the Government for the time being, who is hereby authorized and required, by and with the advice of Her Majesty's Executive Council, to grant his Warrant annually for the same; the first annual payment to be made within one month from the time of such Railway being completed and in operation as aforesaid; provided that during every year for the said seven years, the said line be efficiently kept up for the transportation of passengers and merchandize; and that so soon as that part of the line which lies between Woodstock and Fredericton be also completed and in full operation, as hereinbefore mentioned in reference to that part of the line which lies between Woodstock and the Grand Falls, the said Company shall also annually receive from the Province Treasurer, on the like Warrant of the Lieutenant Governor, by and with the advice aforesaid, a like sum of three thousand seven hundred and fifty pounds for seven years, to be computed as aforesaid, upon the fulfilment of the provisions prescribed as aforesaid for the last mentioned line between Woodstock and the Grand Falls.

IV. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

*[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 19th day of December, 1846, and published and declared in the Province the 3d day of February 1847.]*

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