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ACTS

OF

THE GENERAL ASSEMBLY

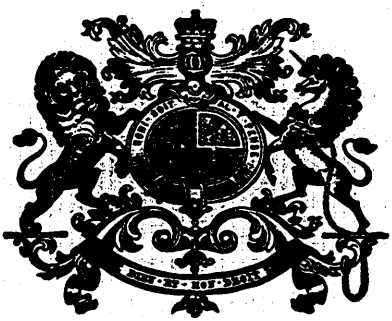
OF

HER MAJESTY'S PROVINCE

OF

NEW BRUNSWICK,

PASSED IN THE MONTHS OF MARCH, APRIL, AND JULY, 1866.



FREDERICTON.

G. E. FENETY, PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

1866.

2 Sess. 20

ACTS

OF

THE GENERAL ASSEMBLY.

29° VICTORIÆ, A. D. 1866.

CAP. I.

An Act to revive and continue Chapter 15, Title iii, of the Revised Statutes, 'Of the Export Duty on Lumber.'

Cap. 15, Title iii, of the Revised Statutes, revived and continued.

Passed 15*th March*, 1866.

BE it enacted by the Lieutenant Governor, Legtslative Council, and Assembly, as follows:—

1. That Chapter 15, Title iii, of the Revised Statutes 'Of the Export Duty on Lumber,' be and the same is hereby revived and continued in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty seven; and any money heretofore paid on Export Duty, is hereby declared to have been paid by authority of Law.

2. That the said Chapter shall be construed in all Courts of Law in this Province as if the same had not expired.

CAP. II.

An Act to make better provision for the Naval Defence of this Province.

Section.
1. Armed ships, how provided.
2. Number of men whose services may be accepted.
3. Officers, how appointed.
4. Pay of officers and men.
5. Officers and men, to what regulations subject.
6. Act how long to remain in force.

Passed 16*th April*, 1866.

WHEREAS by an Act of the Imperial Parliament passed in the twenty eighth year of Her present Majesty's Reign, intituled "An Act to make better provision for the Naval Defence of the Colonies," it was, among other things, enacted that it should be lawful for the proper legislative authority in any Colony, with the approval of Her Majesty in Council, from time to time to make provision for providing, main-

taining and using a Vessel or Vessels of War, subject to such conditions and for such purposes as Her Majesty in Council from time to time approves, for raising and maintaining Seamen and others entered on terms of being bound to serve as ordered in any such Vessel; for appointing Commissioned, Warrant, and other Officers, to train and command or serve with any such men ashore or afloat, on such terms and subject to such regulations as Her Majesty in Council from time to time approves; for enforcing good order and discipline among the men and officers aforesaid while ashore or afloat within the limits of the Colony; and for making the men and officers aforesaid while ashore or afloat within the limits of the Colony, or elsewhere, subject to all enactments and regulations for the time being in force for the discipline of the Royal Navy: And whereas it is expedient that provision should be made for the Naval Defence of this Province against hostile aggression;—

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

1. That it shall and may be lawful for the Lieutenant Governor in Council to provide, commission, and employ armed ships, not exceeding four in number, in the name and on behalf of Her Majesty, subject to such conditions and for such purposes as Her Majesty in Council may from time to time approve.

2. It shall be lawful for the Lieutenant Governor in Council to accept the services of a force of not exceeding two hundred men for service on board the said vessels.

3. It shall be lawful for the Lieutenant Governor of New Brunswick to issue Commissions, under his hand and seal, appointing officers of the said force.

4. The officers and men of such force shall receive such pay as may be determined upon from time to time by the Governor in Council.

5. Such officers and men shall be subject to all enactments, rules and regulations from time to time in force for the regulation of the Royal Navy; provided always, that no officer or seaman of such force shall be subject to any corporal punishment, except death or imprisonment, for any contravention of such enactments, rules, and regulations; and provided also, that the Governor in Council may direct that any pro-

vision of the said laws and regulations shall not apply to such force.

6. This Act shall remain in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty seven, and no longer.

CAP. III.

An Act to empower Justices of the several Courts and of the Peace in this Province to act in certain cases relative to Parishes and Counties for the Rates and Taxes of which they are rated or chargeable.

Powers of Justices in certain cases.

Passed 16*th April*, 1866.

WHEREAS doubts have arisen whether, according to the Laws and Statutes now in force, the Justices of the several Courts and of the Peace in this Province may lawfully act in any case relating to the Parishes, Cities, or Counties, to the Rates or Taxes of which such Justices respectively are rated or chargeable;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That it shall and may be lawful to and for all and every Justice or Justices of any Court or of the Peace in this Province, to make, do and execute all and every act, matter or thing appertaining to their office as Justice or Justices aforesaid, whether in Court or vacation, so far as the same relates to the laws for the relief and maintenance of poor persons, for managing and punishing vagrants, for repair of the highways, or to any other laws concerning Parish, City or County taxes, levies, or rates, or any other matter within their jurisdiction, notwithstanding any such Justice or Justices is, are, or may be rated to or chargeable with the taxes, levies or rates within any such Parish, City, County, or place affected by any such act or acts of such Justice or Justices as aforesaid.

CAP. IV.

An Act to establish additional Polling places in the County of York.

Section.
1. Additional Polling places appointed.
Section.
2. Registry, when and how made out.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the following shall be additional Polling places in the County of York, for the election of Members to serve in the General Assembly; That is to say—At or near William Miller's, in the Parish of Queensbury, for all the electors who reside or are entitled to vote in that part of the said Parish which lies northwest of the northwesterly line of the Grant to William M'Kean, and its southwesterly prolongation to the rear line of the Grant to Adam Allen and others, and northeast of the rear line of the granted lands fronting on the River Saint John; such part of the said Parish to be distinguished as District number two, and the remaining part as number one: At or near Nortondale Corner, in the Parish of Southampton, for all the electors who reside or are entitled to vote in that part of the said Parish which lies in the rear or northeast of the southwest boundary line of the Grant to Michael Knapp and others, and its southeasterly and northwesterly prolongation; such part of the said Parish to be distinguished as District number two, and the remaining part as District number one: At or near Hugh M'Minn's, in the Parish of Canterbury, for all the electors of the said Parish who reside or are entitled to vote in that part of the said Parish which is bounded easterly by Eel River and first and second Eel River Lakes, as also the part of the aforesaid Parish lying to the westward of a line running magnetic south from the most southerly end of second Eel River Lake, to strike the northern bank or shore of the Grand Schoodic Lake; such parts of the said Parish to be distinguished as District number three: At or near Daniel Ford's, in the Parish of Kingsclear, in the Hanwell Settlement, so called, for all the electors who reside or are entitled to vote in that part of the said Parish which lies south and southwest of the Kingsclear Grant to Stephen Jarvis and others; such part of the said Parish to be distinguished as District number two, and the remaining part as District number one.

2. Immediately after the passing of this Act, it shall be the duty of the Secretary Treasurer of the Municipality of York, with the Warden of the said County, and the Councillors of the Parishes of Queensbury, Southampton, Canterbury and Kingsclear respectively, or any two of them for each Parish, to make up from the Register on file in his office for the year, a separate list of the electors for each of the Districts in each

Parish, into which such Parish is divided by this Act or any other Law in force; which shall be respectively signed by the Warden, and shall be the Register of electors for the said respective Parishes for this year, and duplicates of each shall be given to the Parish Clerk of the said respective Parishes.

CAP. V.

An Act to alter the place for Polling at Elections in the Parish of Hampton, in King's County.

New Polling place, where established.

Passed 16*th April*, 1866.

WHEREAS the place established by Law for taking the Votes at Elections in the Parish of Hampton, in King's County, is found inconvenient;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That from and after the passing of this Act, at or near Washington Alden's at the Nawigewak Station of the European and North American Railway, in the Parish of Hampton, in King's County, be established and fixed for holding the Poll at every Election holden in the said County, instead of "at or near Campbell's," as provided by the Act of Assembly made and passed in the eighteenth year of the Reign of Her present Majesty, intituled *An Act to regulate the Election of Members to serve in the General Assembly.*

CAP. VI.

An Act to establish a Board of Health for the City of Fredericton.

Section.
1. Board of Health, how appointed.
2. Who shall constitute the Board.
3. Regulations, how made.
4. & 5. Powers of Board.
6. Hospitals, &c. how provided.
7. Infected or sick persons, how dealt with.
8. Penalties, how recovered.
9. When this Act may be extended to Town of Woodstock.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Governor in Council may establish a Board of Health for the City of Fredericton, and at any time dissolve or renew the same, or add to its numbers.

2. The Mayor, and one Alderman of the said City, with so many residents of the said City as may be appointed by the

Governor in Council, shall be members of such Board: the Mayor, or in his absence the said Alderman, or in the absence of both, any other member nominated by the Board, shall be Chairman thereof: every member of the Board, immediately after his appointment, shall be sworn to the faithful discharge of his duty before any Magistrate resident in said City, and shall sign a roll kept for that purpose; any three members of the Board shall be a sufficient number to proceed to business; the Board may appoint a Clerk or Secretary, and the Orders and Regulations of the Board, signed by the Chairman and Clerk or Secretary, shall be valid.

3. The Board may make regulations for the preservation of the public health and prevention of disease within its jurisdiction, under penalties for the breach thereof, not in any case exceeding the sum of two hundred dollars, and enforce any Quarantine Laws which may be made by the Mayor and Aldermen of the said City.

4. The members of the Board, or other persons by them appointed, may enter into any house, building, yard, enclosure or land not enclosed, within the jurisdiction of the Board, remove any obnoxious or offensive matter therefrom, cleanse, fumigate, or use any proper means for purifying the same, and cause any street or other passage-way to be enclosed and prevent all persons from entering therein.

5. The Board may regulate or prohibit the intercourse between the District under its jurisdiction, or any portion thereof, and any other part of the Province; and may cause any persons who violate its regulations or prohibitions to be apprehended and conveyed to the vessel or place whence they last came, or elsewhere beyond the District for which the Board is appointed, or to an hospital or other place within the same; and may adopt prompt measures to prevent the spread of disease or communication with any vessel, house, family or place infected; and may exercise such powers as in the opinion of the Board the circumstances of the case and the public good may require.

6. The Board may build or hire hospitals, furnish the same, employ proper persons to attend the sick placed therein, do whatever is necessary with regard thereto, and provide for the interment of the dead; may appoint Committees of one or more of the Board to execute its orders; which Committees

may sue and be sued for any contract or engagement entered into by them in fulfilment of their duties; and in order to defray the expenses, the Governor in Council may grant a Warrant on the Provincial Treasurer for payment thereof, but for no larger amount in any one year than the sum of two thousand dollars, and no money shall be expended by the Board without the sanction of the Governor in Council.

7. The Board may, within its jurisdicton, remove to the hospital, or other fit place, any infected or sick person, and keep him there until cured or sufficiently recovered to discharge with safety; and if any person shall violate the orders of the Board, or resist, oppose, or obstruct any of its Committees, or any person acting in their aid, he shall be guilty of a misdemeanor, and be liable to a penalty not exceeding two hundred dollars, nor less than twenty dollars for each offence.

8. Prosecutions for the recovery of penalties shall be brought by and in the name of the Board of Health of the City of Fredericton, (or as the case may be) and the offender, when the penalty exceeds eighty dollars, may be held to bail as in Civil causes, by the order of a Judge of the Court where the action may be brought, and all penalties when recovered, after deducting expenses, shall be paid to the Treasurer for the use of the Province.

9. The provisions of this Bill may apply to the Town of Woodstock, in the County of Carleton, upon being accepted by the Town Council.

CAP. VII.

An Act to incorporate the Aberdeen Iron Company.

Section.

1. Company incorporated.
2. Capital.
3. First meeting, when held.
4. Votes, how apportioned.
5. Shareholders, for what liable.
6. Assessments, how levied & collected.
7. Shareholder not to vote unless all calls are paid up.
8. Company not liable for any trust to which share may be liable.
9. Suit against shareholder, how brought.
10. On trial, what proof is sufficient.
11. Production of Register prima facie evidence.
12. Dividends, how and when paid.
13. Joint stock alone liable.
14. Time and place of holding meetings.
15. Amount to be subscribed within two years.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That Charles Connell, Robert A. Hay, George H. Connell, Charles P. Connell, M. D., William M. Connell, their associates, successors and assigns, shall be and they are hereby declared to be a body corporate and politic, by the name of "The Aberdeen Iron Company," and by that name shall and may have full power and authority to have, hold, own and enjoy in any way, real estate in this Province in fee simple or otherwise, and may alienate, encumber, lease, sell, or otherwise deal with the same in any way, and shall by that name have all the general rights, powers and privileges, and be subject to all the liabilities incident to Corporations by Act of Assembly in this Province, for the purpose of digging and mining ore and converting the same into iron, and vending the same, and such other business as may be incidental thereto, and for establishing and maintaining wharves, buildings, erections, furnaces, forges, engines, machinery, implements and things as may be necessary and convenient for carrying on said business and operations; provided nevertheless, that the aggregate value of real estate to be held by the said Corporation in this Province at any one time, shall in no case exceed the value of one hundred thousand dollars.

2. The capital stock of the said Corporation shall be twenty thousand dollars of current money of the Province of New Brunswick, divided into one thousand shares of twenty dollars each; provided however, that the said Corporation shall have power to increase the said capital stock to a sum not exceeding two hundred thousand dollars.

3. The first meeting of the said Corporation for the organization thereof, shall be called by the said George H. Connell, or in case of his death, neglect, or refusal, by any one of the parties named in the first Section of this Act, at such time and place as he may appoint, by publishing notice of the same in two public Newspapers published in the County of Carleton, for ten days previous to the day of such meeting, provided that such notice shall be published within three years after the passing of this Act.

4. Each and every person owning a share in the capital stock of the said Company shall be a member thereof, and shall be entitled to vote at all meetings of the said Company, and members may give as many votes as they own shares, and may vote by proxy, such proxy being a stockholder and authorized in writing.

5. Each and every shareholder in the said Corporation shall be and be held liable to the said Company for each and every call or assessment made, not however to exceed in amount the stock subscribed by him, for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or for the purposes of, or to carry on the operations for which the said Company is incorporated, which call or assessment may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

6. The Company, or the Directors if empowered by the bye laws of the Corporation, shall have power from time to time to levy and collect assessments upon the shares, or upon such of them on which the amount subscribed has not been paid up, of such sums of money as may be deemed necessary for carrying on the business, or for the purpose or operations of the said Company; and whenever any assessment shall be made as aforesaid, it shall be the duty of the Secretary or Treasurer of the said Company to give notice thereof in a public Newspaper printed in the County of Carleton, requiring payment of the same within not less than thirty days; and if any stockholder shall neglect or refuse to pay to the Secretary or Treasurer the amount of such assessment upon his shares, or any part of such amount, at the time in such notice prescribed, the same may either be sued for and recovered in the manner prescribed in the last preceding Section, or the Secretary or Treasurer may advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale, by publishing a notice thereof in some one public Newspaper published in the County aforesaid; and all shares on which the assessment or any part thereof is not paid, with interest from the time such assessment became due, may be sold to the highest bidder; and after retaining the amount due on such assessment, and all interest due thereon, and all expenses of advertising and selling, the residue (if any) of the moneys for which such shares shall be sold, shall be paid over to the former owner or owners thereof, and a new Certificate or Certificates of the shares so sold shall be made and delivered to the purchaser or purchasers thereof.

7. No shareholder shall be entitled to transfer or vote upon 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 them.

8. The said Company shall not be bound to see to the execution of any trust whatever, express, implied, or constructive, to which any of the said shares may at any time 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 any one of the parties in whose name the same shall stand in the Register of the stockholders, 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 shall have notice of such trust, and notwithstanding the owner or owners of such share or shares shall not have joined in such receipt; and that the said Company shall not be in any way bound to see to the application of the money paid upon such receipt.

9. 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 any special matter, but it shall be sufficient for the said Company to declare that the defendant is the holder of one or more shares 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.

10. On the hearing of such action or suit, it shall be sufficient to prove that the defendant, at the time of making such call, was the holder of one or more shares in the said Company, 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 Directors by whom such call was made, nor any other matter whatever, and thereupon the said Company shall be entitled to recover what shall be due upon such call, and interest thereon, unless it shall happen either that any such call exceeds the prescribed amount aforesaid, or that due notice of such call was not given.

11. The production of the Register of the shareholders

shall be *prima facie* evidence that the parties whose names are therein entered as owners of shares are shareholders, and of the number and amount of their respective shares.

12. No dividend shall be paid in respect of any share, until all calls and assessments then due and unpaid, in respect of that and every other share held by the person to whom such dividend may be payable, shall have been fully paid.

13. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the said Company.

14. The time and place of holding annual or semi-annual, and all special or other meetings of the said Corporation, as also the number, eligibility, duties and powers of Directors, officers and servants, their continuance in office, removal, or disqualification, the filling up of vacancies, the time and manner of election or appointment, and any and every other matter and thing whatsoever, connected with the objects and purposes for which the said Company is incorporated, may be established or regulated by bye laws of the said Company, to be made at any meeting of the said Company, or adjournment thereof, which bye laws, not inconsistent with this Act of Incorporation, they are empowered to make.

15. Unless fifteen per cent. of the capital stock of the said Company shall be subscribed and paid in within two years after the passing of this Act, the operations of this Act shall cease, and the existence of the said Company shall terminate.

CAP. VIII.

An Act to amend the Act to incorporate the Albert Railway Company.

Section.
1. Time extended.
2. Annual meeting, when held.
3. Construction of Act.

Passed 16th April, 1866.

WHEREAS it is found desirable to amend the Act made and passed in the twenty seventh year of Her present Majesty's Reign, intituled *An Act to incorporate the Albert Railway Company*;—

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

1. That the time fixed in and by the fourteenth Section of the said recited Act, for the bona fide commencement to

build the said Railway, be extended for a further period of two years from the time of the passing of this Act, and that the time fixed for the completion of the said Railway shall also be extended for the period of five years from the time of the passing of this Act.

2. That the annual meeting of the said Corporation shall be held on the first Thursday in June, as provided for in the eighth Section of the said Act, notwithstanding any alterations of the time for holding such annual meeting, which heretofore have been made by any bye law of said Company; and that the adjournment of the meeting of the said Corporation, made on its organization, shall be deemed to be made to the first Thursday in June next at the place mentioned in the bye law.

3. The provisions of this Act shall not be construed to prevent any other Company or body corporate from undertaking the construction of the said line of Railway, and from receiving all the benefits and having all the privileges provided by law in aid of the construction of Railways.

CAP. IX.

An Act to provide more effectually for the repairing the Roads, Streets and Bridges in a part of the Parish of Newcastle, in the County of Northumberland.

Section.
1. Middle District, how described.
2. Commissioner to be specially appointed for Middle District.
3. Statute labour, how assessed; proviso.
4. When road list is completed, Commissioner for Middle District to make up his list.
5. Moneys collected and fines recovered, how expended.
6. Public landings and slips, what declared to be.
7. Duties of Commissioner of Middle District.
8. Commissioner of Middle District to act till another is appointed.
9. Commissioner only to expend money collected while he is in office.

Passed 16*th April*, 1866.

WHEREAS it is desirable that the Roads, Streets and Bridges in a part of the Parish of Newcastle hereinafter described, should be repaired and upheld by a Tax payable in money instead of labour;—

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

1. That part of the Parish of Newcastle, in the County of Northumberland, lying between the upper and lower Mill Coves in the said Parish, and extending in the rear to the

full extent of the Parish, be and the same is hereby declared to be a separate and distinct District, to be known as the Middle District of the said Parish of Newcastle, for the purposes hereinafter mentioned.

2. One of the three Commissioners of Highways to be annually elected or appointed for the said Parish under the laws now in force, or any law that may hereafter be in force in this Province relating to Highways, shall at the time of election or appointment be elected or appointed specially for the said Middle District, as other Parish officers are elected or appointed; and such Commissioner shall, before entering upon the duties of his office, give a Bond with two sureties to the Queen, to be approved by two Justices resident in the said District, in such sum as the Sessions shall from time to time prescribe, conditioned for the faithful performance of the duties of his office, and the due accounting of all moneys that he shall collect or receive as such Commissioner, which Bond shall be filed in the office of the Clerk of the Peace within one month after such election or appointment; such Commissioner may retain ten per cent. of the moneys by him annually collected, as compensation for collecting and expending thereof.

3. The male inhabitants of the said District, of the age of twenty one years and upwards, and the property of such inhabitants, as also the real estate within the said District, of non-residents, females, and minors, liable to perform Statute labour, or to be assessed therefor under any law now in force or that may hereafter be in force relating to Highways, shall be assessed the number of days according to the scale prescribed in the law now in force, or that may hereafter be in force relating to Highways, and the amount of such assessment shall be payable in money only, at the rate of thirty cents for each and every day such person and property shall be assessed; provided always, that the real estate situate in the said District only shall be liable to be assessed against the owners thereof.

4. So soon as the Commissioners of Highways for the said Parish shall have completed the Road List in each year, the Commissioner for the said Middle District shall, in conjunction with the other Commissioners, make therefrom a list of the persons and property in his District liable to be assessed

under this Act, such list to contain as well the number of days as the amount to be paid by such persons and property respectively, as provided by the third Section of this Act, and shall within ten days thereafter file a copy of such list in the office of the Clerk of the Peace; and the said Commissioner of Highways for the said Middle District, shall in his own name forthwith collect the said assessment from the inhabitants over twenty one years of age assessed in such District, residing in the said County, in the same manner as Parish rates and taxes are by law collected; non-residents, females and minors assessed on real estate within the said District, neglecting or refusing to pay such assessment in money as aforesaid, shall be proceeded against, and the same shall be recovered in the way and manner provided by the laws now in force, or that may at any time hereafter be in force relating to Highways; provided that any person or persons shall have the same right of appeal as in other cases of Parish rates.

5. The moneys as collected under any such assessment, and all fines and forfeitures imposed and recovered within the said District under the laws relating to Highways, shall be expended by the Commissioner of the said Middle District in the repairing and upholding of the roads, streets, bridges and public landings in the same, between the first day of May and the first day of September in each year; the said repairs and work to be from time to time let out at public auction to the lowest bidder, except in cases where immediate repairs are absolutely necessary, six days previous public notice to be given of the time and place of every such sale.

6. All the public landings and slips within said District are hereby declared to be parts of the public highways in the said District, and shall be subject and liable to the provisions of this Act, and to the laws in force from time to time relating to Highways.

7. The Commissioner for the said District shall, within the said District, perform all the duties required by law to be performed by Surveyors of Roads, and shall have all the powers and authorities, and shall perform all the other duties within the said District authorized and required by the laws now in force or that may hereafter be in force relating to Highways.

8. The Commissioner elected for the Middle District of the

said Parish at the last annual meeting in the said Parish, shall be the Commissioner for the said District under this Act until another Commissioner shall be elected or appointed and has qualified.

9. Such Commissioner shall only expend the moneys which he shall collect during the year he is in office, and shall not incur any debt or liability respecting the repair of roads, to be paid out of the road collections of the succeeding year.

CAP. X.

An Act to change the name of the Parish of Palmerston in the County of Kent.

Passed 16th April, 1866.

WHEREAS it is desirous to alter the name of the Parish of Palmerston in the County of Kent: And whereas it would be more suitable if the said Parish were called Saint Louis;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That from and after the passing of this Act, the Parish in the said County of Kent, now called "Palmerston," shall be called and known by the name of "Saint Louis," any law to the contrary notwithstanding.

CAP. XI.

An Act to incorporate the Saint Andrews Friendly Society.

Section.
1. Society incorporated.
2. When meeting shall be called, by whom, and for what purpose.
3. General annual meeting, when held.
4. Property to be under control of Society.
5. Property of Society not liable for debts of members.
6. Property of Society alone responsible for debts of same.
7. Treasurer of Society to invest surplus funds.
8. If three members object, Society not to be dissolved nor funds appropriated.

Passed 16th April, 1866.

WHEREAS an Association has been in operation in the Town of Saint Andrews since the year one thousand eight hundred and fifty five, for the purpose of raising a fund for the mutual assistance and benefit of the members thereof in case of sickness or accident: 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;—

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

1. That C. E. O. Hatheway, J. Lochary, Junior, J. Doherty, John Bradford, J. S. Magee, P. Quain, C. O. Neil, E. Lorimer, and Robert Ross, 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 Friendly 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 or accident, and for that purpose only.

2. A meeting of the said Corporation shall be called by J. Lochary, Junior, 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, 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 or 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.

3. A general meeting of the members of the said Society shall be held on the second Thursday 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.

4. 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.

5. No property of any kind whatsoever belonging to the said Society shall be subject to the payment 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 members of the said Society.

6. The property of the said Society shall alone be responsible for the debts and engagements of the same.

7. 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 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, by investing the same in real estate or the public stocks or funds, in the name of the said Corporation, and from time to time, with such consent as aforesaid, to sell and transfer such securities, real estate and funds respectively.

8. 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.

CAP. XII.

An Act in amendment of an Act intituled *An Act to incorporate the Digdeguash Lakes and Stream Driving Company.*

Passed 16th April, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the eighth Section of an Act made and passed in the twenty eighth year of Her present Majesty's Reign, intituled *An Act to incorporate the Digdeguash Lakes and Stream Driving Company*, be and the same is hereby repealed; and in lieu thereof, be it enacted as follows:—When any sum or sums of money shall be expended in the improvement of said Lakes or Streams, for

the purpose of facilitating the driving of Lumber thereon, the sum to be assessed in any one year, as described in Section seven of the above recited Act, shall not be over thirty three and one third (33⅓) per cent. of the sum so expended.

CAP. XIII.

An Act in amendment of the Act to incorporate the Newcastle Gas Company.

Section.
1. What deemed preferential stock.
2. Holders of preferential stock to receive first dividends.
3. Balance of profits, how divided.
4. Holders of preferential stock liable to same calls as others.

Passed 16*th April*, 1866.

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

1. That so much of the capital stock authorized to be raised under the Act made and passed in the twenty fourth year of the Reign of Queen Victoria, intituled *An Act to incorporate the Newcastle Gas Company*, as has not yet been subscribed for or paid, not exceeding the sum of four thousand dollars, shall, when hereafter subscribed for and paid up, be deemed and taken to be preferential stock of the said Company.

2. That the stockholders who shall subscribe and pay the said new stock to the said sum of four thousand dollars, shall hold such stock as preferential stock, and the said stockholders thereof shall, out of the annual profits of the said Company, be paid dividends on the amount of the said preferential stock to the extent of six per cent. per annum thereon, before any portion of the said annual profits shall be declared and paid as a dividend on the stock of the first stockholders in the said Company.

3. That after deducting and paying from the annual profits of the said Company the said dividend of six per cent. on the amount of the said preferential stock paid up, the balance of such annual profits may be declared and paid as a dividend on the whole of the said stock, original and preferential, paid up, by a due and equal pound rate on the amount of the said paid up stock.

4. That all the provisions of the said Act for making calls of the said new or preferential stock, and all the rights and remedies for enforcing payment thereof, shall in every respect be applied to the said preferential stock.

CAP. XIV.

An Act to incorporate the Fredericton Railway Company.

Section.
1. Company incorporated.
2. Capital Stock.
3. First meeting, by whom called.
4. Who may vote at first meeting.
5. Toll on passengers and property, by whom established.
6. Stock and property of Company alone liable.
7. Directors may subject and charge Railroad.
8. Actions against Company, when to be brought.
9. Company not to enter upon lands reserved for Naval or Military purposes.
10. Railway to be commenced within four years and completed within seven years.

Passed 16*th April*, 1866.

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

1. That David Pugh, Robert Robertson, Clarence Grosvenor, James Henry, Thomas F. Barker, Bernard Elliott, Charles H. Clowes, Addison Sterling, John T. Bailey, Abraham Bailey, Adam Noble, Thomas Dowling, William Segee, S. D. M'Pherson, William Grieves, James M'Causland, George L. Hatheway, John J. Fraser, William H. Needham, Charles Fisher, John Glasier, and William E. Perley, their associates, successors and assigns, be and they are hereby made and constituted a body politic and corporate by the name of "The Fredericton Railway Company," and by that name shall have all the powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of constructing a Line of Railway from some point on the line leading from the City of Saint John, by the Douglas Valley to the State of Maine, to the City of Fredericton, and for the providing the necessary station houses, and rolling and other stock, and appliances thereof, and for the maintaining, managing and working the same.

2. The capital stock of the said Corporation shall be two hundred thousand dollars, to be divided into five thousand shares of forty dollars each, with power to increase it to six hundred thousand dollars by additional shares or increasing the amount of each share.

3. The first meeting of the said Corporation shall be called by Charles Fisher, Esquire, or in case of his neglect or refusal, then by any two of the Corporators by giving at least fifteen days notice of the time and place of such meeting in some Newspaper published in Fredericton.

4. No person shall be entitled to attend or vote at such first meeting unless he shall have previously deposited in the People's Bank, to the credit of the Corporation, three per cent. on the amount of stock which he claims to hold, and produce and file with the Scretary of the said meeting the deposit receipt therefor.

5. The Directors of the said Company may from time to time fix, establish and impose a toll upon all passengers and property of every description which may be conveyed or transported by the said Corporation on the said road.

6. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the said Company.

7. The Directors of the said Company may from time to time, in such manner as they see fit, subject and charge the said Railroad, and the lands, goods, effects, and property, toll, income and profits of the said Company, or any guarantee of interest, grant of money or land, or other aid, benefit or advantage, or such part thereof as they may think fit, and every such charge shall be as binding and obligatory on the Company as if the provision thereof were herein expressly enacted.

8. No suit or action at Law or in 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 authority of this Act.

9. Nothing in this Act contained shall authorize the said Company or their Contractors to enter upon any lands reserved for Naval or Military purposes without the consent of Her Majesty.

10. Unless the construction of the Railway shall be commenced *bona fide* within four years from the passing of this Act, and completed within seven years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels, then this Act and the powers and privileges herein granted shall cease and become void.

CAP. XV.

An Act for the purpose of winding up the affairs of the Caledonia Mining and Manufacturing Company.

Section.
1. When transfer of property of Company may be made.
2. Upon transfer Company to cease; proviso.
3. Directors to settle claims.
4. No transfer to be made without sanction of Directors.

Passed 16*th April*, 1866.

WHEREAS the Caledonia Mining and Manufacturing Company have been unable, from want of capital and other circumstances, to carry on their business, and it has been proposed to sell their property and effects to a new Company which is about to be formed, having a sufficient cash capital to establish and carry on the necessary works: And whereas the stockholders of the Caledonia Mining and Manufacturing Company, at a meeting called for the purpose of considering such proposal, have requested a Legislative enactment to carry out the same;—

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

1. That when and so soon as parties owning in all two-third parts of the stock of the Caledonia Mining and Manufacturing Company, shall have sold and assigned their stock to a Company about to be formed for the manufacture of oil from shale, such transfer being shewed by a certificate or certificates under the hands of such stockholders or their authorized agents, the Directors of the Caledonia Mining and Manufacturing Company, or a major part of them, may authorize and empower the President to sell, assign and transfer to such new Company the real and personal estate, mining leases, and all other the property and effects, rights and privileges of the Caledonia Mining and Manufacturing Company, receiving in payment therefor shares of paid up capital stock in such new Company, in the name and for the use and benefit of such of the stockholders of the Caledonia Mining and Manufacturing Company as shall not have transferred their stock to such new Company, in the proportion of five dollars of current money of the United States of America for every share of stock in the Caledonia Mining and Manufacturing Company so remaining not transferred, or for such other sum in stock of the new Company as the Directors of the Caledonia Mining and Manufacturing Company shall deem reasonable.

2. That upon such sale and transfer being completed the Caledonia Mining and Manufacturing Company shall cease to exist, except so far as may be necessary for collecting, recovering and receiving the debts due to the Company, and collecting, recovering and receiving the debts and sums of money payable by the Company to other parties; provided that the property of the said Caledonia Mining and Manufacturing Company which, under the provisions of this Act, may be assigned to any such new Company, shall still remain liable for the debts and engagements of the said Caledonia Mining and Manufacturing Company, in the same manner and extent as if this Act had not passed.

3. That such persons as shall be Directors of the Caledonia Mining and Manufacturing Company at or before the time of such assignment, or the major part of them, shall be authorized to settle and adjust all claims against the Company, and all claims of the Company against other parties, and to pay and receive the same accordingly; and if after realizing their assets and paying their debts, so far as such assets shall extend, there shall be any moneys remaining due and owing by the Company, it shall be lawful for such Directors, or the major part of them, to procure payment thereof by the new Company, and in case of such payment, the moneys so paid shall be borne proportionately by the stock issued to the late stockholders in the Caledonia Mining and Manufacturing Company, and shall be a lien upon such stock; and such persons as shall be Directors of the Caledonia Mining and Manufacturing Company at the time of such transfer, or the major part of them, are hereby authorized and empowered to make and enter into such agreement with the new Company as they shall think reasonable, for the purpose of paying the said debts and enforcing the said lien, which agreement shall be binding upon the holders of stock in the new Company, issued in lieu of or in payment for the stock in the Caledonia Mining and Manufacturing Company.

4. That no transfer of stock in the Caledonia Mining and Manufacturing Company shall be valid, unless the calls and assessments due and payable thereon shall have been first paid, or otherwise settled to the satisfaction of the said Directors of the Caledonia Mining and Manufacturing Company.

CAP. XVI.

An Act to aid in the construction of the Woodstock Railway.

Section.
1. Additional powers to Company.
2. Debentures to be a first charge, (rights of Crown excepted.)
3. Debentures, by whom signed.
4. Redemption of Debentures, how provided for.
Form of Debentures.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That in addition to the powers heretofore conferred on the Woodstock Railway Company, in and by an Act passed in the twenty seventh year of the Reign of Her present Majesty, intituled *An Act to incorporate the Woodstock Railway Company*, it shall and may be lawful for the said Company, from time to time, to issue Debentures or Certificates in the form specified in Schedule A, of Debt, bearing interest, such interest payable semi-annually with Coupons at six per cent. per annum, in such number and in such denominations as they may see fit, such Debentures to be numbered consecutively, beginning with number one, and payable in not exceeding twenty years; provided nevertheless, that the aggregate amount of such Debentures so to be issued by authority of this Act, shall in no case exceed the sum of sixty thousand dollars, and such Debentures, with the interest, shall be made payable at such time and place as the said Company may direct.

2. The Debentures to be issued under the authority of this Act shall constitute a lien, incumbrance and first charge on the property of the said Company, saving and excepting the rights of the Crown, and whenever issued, a schedule thereof shall be forthwith filed by the President of the said Company in the office of the Registrar of Deeds and Wills in and for the County of Carleton, and entered in a book to be kept by the Registrar for that purpose, and also recorded in a book to be kept for that purpose by the Secretary of the said Company.

3. All Debentures issued under the provisions of this Act shall, with the Coupons, be signed by the President and countersigned by the Secretary of the said Company.

4. That to aid in the redemption and payment of such Debentures as may be issued by the said Company under

the provisions of this Act, the said Company is hereby authorized and required to form a sinking fund of one and one half per centum on the amount of such Debentures.

SCHEDULE A.

Woodstock Railway Company.

No..... $.....

The Woodstock Railway Company promises to pay at the Office of the said Company in Woodstock, to , or bearer, the sum of dollars currency, years after date, likewise the interest from the same date at the rate of six per cent. per annum, to be paid half yearly on the presentation of the proper Coupons for the same, as hereto annexed, on the day of and the day of in each year, at Woodstock.

In witness whereof the said Woodstock Railway Company has hereunto affixed its seal this day of A. D. 18 .

A. B., *President.*

C. D., *Secretarg.*

[L. S.]

Debenture No..... $..... Currency.

dollars currency will be paid to , or bearer of this Coupon, on presentation at the Office of the Woodstock Railway Company in Woodstock, in , six months interest on the Debentures numbered due the day of A. D. 18 .

A. B., *President.*

C. D., *Secretary.*

CAP. XVII.

An Act to enable the Town of Woodstock to aid the Woodstock Railway Company.

Section.
1. Town Council may take stock.
2. Amount of loan from Council.
3. Money for stock, how raised by Council.
4. Sinking fund, how established.
5. Dividends, how appropriated.
6. Deficiency of interest on loan, how paid.
7. Rate payers to elect one Director.
8. Directors, how elected.
9. County Council not to assess Town of Woodstock.
10. Liability of Town of Woodstock.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Town Council of the Town of Woodstock may take and hold stock, for and in the name of the said Town, in the Woodstock Railway, to the amount of twenty thousand dollars, and they may assign, transfer and dispose of the same for the benefit of the said Town at a price of not less than the par value thereof.

2. The Town Council of the Town of Woodstock may also loan the said Woodstock Railway Company such sum not exceeding twenty thousand dollars as they may deem advisable, for which the said Town shall receive bonds or certificates of debt of the Railway Company.

3. The Town Council may raise money for the purpose of taking the said stock, and of providing for the said loan, by issuing Certificates of Debt called Debentures, payable with interest semi-annually, at a rate not exceeding six per cent. per annum, redeemable in such periods as they may prescribe, not exceeding thirty years, which shall be in the form prescribed in Schedule A of this Act.

4. The Town Council shall establish a sinking fund for the purpose of paying off the debt incurred by the said Debentures, which shall be equal to at least one per cent. annually on the whole sum raised under the authority of this Act, and shall be invested in Provincial Debentures, or in the purchase of Debentures issued by the said Town of Woodstock.

5. The dividends received from the stock of the said Company held by the said Town, shall be appropriated towards the fund created for the payment of the interest, or for the extinguishment of the debt contracted by the said Debentures.

6. The Town Council shall annually raise such sums of money as shall be required to pay any deficiency in the interest on the loan contracted under the authority of this Act, and to provide for the sinking fund, which sum shall be levied, assessed and collected in the same manner in all respects as other Town rates (under the Act incorporating the said Town) are levied, assessed and collected by any law then in force, with the exception of the tax upon the poll, which in every assessment made for the purposes of this Act, shall be not less than five shillings upon every male

inhabitant of the Town, of the age of twenty one years or upwards, not being a pauper.

7. The rate payers of the said Town of Woodstock shall annually at the annual election of the Mayor and Councillors of the said Town, or at such other time as the Town Council by bye law may prescribe, elect one of the inhabitants, being a rate payer on property in the said Town, a Director of the said Railway, to represent the stock held by the Town in the said Company, with all the powers and privileges of any Directors of the said Company, who shall be in lieu and in the stead of one of the Directors provided to be elected in the Act to incorporate the Woodstock Railway Company, and shall also represent the stock of the said Town in all meetings of the stockholders of the said Company, and shall be entitled to vote according to the number of shares held by the said Town in the said Company.

8. Until the next annual meeting of the stockholders of the Woodstock Railway Company, no Director shall be elected under the authority of this Act, but at such annual meeting, and for ever thereafter, the said stockholders shall elect only six Directors, which six, together with the Director elected by the rate payers of the said Town, shall be and continue to be the Directors of the said Company.

9. Notwithstanding the provisions of an Act made and passed in the twenty eighth year of the Reign of Her present Majesty, intituled *An Act to facilitate the construction of a Branch Railway to Woodstock*, the County Council of the County of Carleton shall have no power to levy, assess or collect any sum or sums of money for the purpose of aiding in any way in the construction of the said Railway, upon the inhabitants of the said Town of Woodstock, for and in respect of any property whatever within the limits of the said Town of Woodstock, so that the said Town of Woodstock shall be exempted from taxation under the said Act, or any other Act to enable the said Municipality to aid in constructing the said Railway.

10. The Town of Woodstock shall not be liable, nor shall the property thereof, nor the inhabitants of the said Town, be liable in any way by reason of taking stock in the said Woodstock Railway Company, beyond the payment of any stock authorized to be taken by this Act.

SCHEDULE A.

Town of Woodstock, New Brunswick.

No..... $.....

The Town of Woodstock promise to pay at [*here prescribe place*] to or bearer, the sum of , years after date, with interest thereon, at the rate of six per cent. per annum, payable half yearly on presentation of proper Coupons therefor, on the day of , and the day of in each year, at .

In testimony whereof, the said Town Council have affixed the Seal of the said Town, and the Mayor of the said Town Council hath hereunto subscribed his name.

[L. S.] L. P. F., *Mayor.*

J. H. J., *Secretary.*

Debenture No.....

$ currency, will be paid to , or bearer of this Coupon, on presentation at the office of the Treasurer of the Town of Woodstock , being six months interest on the Debenture numbered , due the day of , A. D. 18 .

L. P. F., *Mayor.*

J. H. J., *Secretary.*

CAP. XVIII.

An Act to authorize the Woodstock Railway Company to issue Debentures.

Section.
1. Debentures, by whom issued; amount.
2. When issued, statement to be filed in the Provincial Secretary's Office.
3. Payment of Debentures, how provided; proviso.
Form of Debenture.

Passed 16*th April*, 1866.

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

1. That the Woodstock Railway Company, in addition to the powers heretofore granted, may issue Debentures or Certificates of Debt, in such sums and of such denomination as the said Company shall deem advisable, not to exceed however in the whole the sum of one hundred and ten thousand dollars, the said Debentures or Certificates to be made payable in not exceeding three years from the date of

issue, signed by the President and countersigned by the Secretary.

2. Whenever the said Company shall issue any Debentures or Certificates of Debt under the provisions of this Act, it shall be the duty of the said Company and it is hereby required to file a statement containing the number, date, amount, and the name of the person or persons to whom the said Debenture or Certificate of Debt are made payable, in the office of the Provincial Secretary.

3. That in order to provide for the payment of the said Certificates of Debt, authorized to be issued under the provisions of this Act, the said Company are hereby authorized to assign and make over to the holder or respective holders of the said Certificates of Debt, the subsidy provided to be paid under the provisions of an Act made and passed in the twenty seventh year of the Reign of Her present Majesty, intituled *An Act in aid of the construction of Railways*, or any part or parts of such subsidy, which assignment or respective assignments shall be executed under the seal of the said Corporation; and the respective holders of the said Certificates of Debt shall have all the rights and privileges for payment of any moneys that may become due and payable to the said Company under the provisions of the said last mentioned Act, as fully as the said Company would have been if no such assignment had been made, and on production and discharge of the said respective Certificates of Debt by the respective holder or holders thereof at the office of the Provincial Secretary, the Governor in Council may order and direct the Provincial Treasurer to pay the amount to the respective holders of the said Certificates of Debt and assignments of the said subsidy, to the amount of the said Certificates and assignments respectively; and such payment to the respective holders of the said Certificates of Debt and assignment of the said subsidy, shall be an absolute discharge of the claims of the said Company to such subsidy, to the extent of the payments made under such Certificates of Debt and assignments thereof; provided always, that the holders of such Certificates or assignments thereof shall have no claim whatever to any part of the said subsidy, until the requirements of the said Subsidy Act shall be in every respect complied with to the satisfaction of the Governor in Council, and approved by them accordingly.

FORM OF DEBENTURE.

No. ..... $.....

[L. S.] *Woodstock Railway Company.*

The Woodstock Railway Company promise to pay to or his assigns, the sum of dollars, current money of New Brunswick, in years from the date hereof.

In testimony whereof, we, the President and Secretary of the said Company, have hereunto set our hands and affixed the seal of the said Company, this day of A. D. 18

A. B., *President.*

C. D., *Secretary.*

CAP. XIX.

An Act to authorize the Trustees of Saint Andrews Church, in the City of Saint John, to sell certain Lands in the Parish of Salisbury.

Section.
1. Trustees authorized to sell.
Section.
2. Proceeds, how applied.

Passed 16th April, 1866.

WHEREAS the Trustees of Saint Andrews Church, in the City of Saint John, are possessed of two certain lots of land in the Parish of Salisbury, in the County of Westmorland, granted to the said Trustees by Letters Patent under the Great Seal of the Province, dated the seventeenth day of March, A. D. 1853: And whereas the said Trustees are desirous of making the land more available for the benefit and advantage of the said Church, by selling the same and investing the proceeds in such manner as may be deemed most beneficial to the said Saint Andrews Church;—

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

1. That the Trustees of Saint Andrews Church, in the City of Saint John, for the time being, be and they are authorized to sell and dispose of the said lots of land, either in one or in separate parcels, by public or private sale, for the best price or prices that they can obtain for the same, and to grant to the purchaser or purchasers thereof, or any part thereof, a good and sufficient title in fee simple under the Corporate Seal and the hands of the Chairman and Secretary of the said Trustees for the time being.

2. That the proceeds of said land, after deducting the necessary expenses of sale and conveyance thereof, or any

part thereof, from time to time as the same may be received, shall be applied by the said Trustees and their successors for the use and benefit of said Saint Andrews Church, as by them and their successors may be deemed most beneficial and advisable.

CAP. XX.

An Act to amend the Law relating to the widening of Cross Street in the City of Saint John.

Sections 1 & 2.—Assessments, how and by whom apportioned.

Passed 16*th April*, 1866.

WHEREAS by the tenth Section of an Act of the General Assembly of this Province, passed in the eighteenth year of the Reign of Her present Majesty, Chapter 10, provision is made for the widening of Cross Street in the City of Saint John, in the manner expressed in said Act: And whereas certain buildings on the west side of said Cross Street have been lately destroyed by fire, and it is expedient to proceed with the widening of said Street: And whereas it is desirable to change the proportion of the assessment to be made for that purpose to one half part on the parties interested, and one half part on the City, and bring within the assessment lands in the vicinity of said Street;—

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

1. The Commissioners appointed or to be appointed for the widening of Cross Street in the City of Saint John, between Church and King Streets, under the provisions of an Act passed in the eighteenth year of the Reign of Her present Majesty, intituled *An Act to authorize the opening of a Street from Church Street to Princess Street in the City of Saint John*, shall, notwithstanding any thing contained in said Act, and instead of the proportion of seven-eighths mentioned in the third Section of said Act, assess and apportion one half part of the amount of the estimated value of the lands, tenements and hereditaments required for the widening of said Cross Street, upon all the parties owning or interested in any lands, tenements or hereditaments fronting on said Street, or lying in the vicinity thereof, and in the discretion and opinion of the Commissioners benefited thereby.

2. The residue, being one half part of all the moneys which may be due for or on account of the sums or estimates of compensation and recompense that may be reported by the Commissioners in favour of the respective persons or parties deemed to be entitled thereto, and any sum of money for making and finishing the said Street, and also all expenses, disbursements and charges which may arise and be incurred under the provisions of the law relating to the widening of said Street, shall and may be assessed upon that part of the City of Saint John on the eastern side of the Harbour; and the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, are hereby authorized and required to order and direct the said residue, being one half part of the said moneys, and the expenses hereinbefore mentioned, together with the charges of assessing, levying and collecting the same, to be assessed, levied and collected in the manner provided by the Saint John City Assessment Act of one thousand eight hundred and fifty nine, and the several Acts in force in amendment thereof.

CAP. XXI.

An Act to facilitate the construction of a Deep Sea Wharf at or near the southeastern end of Water Street in the Town of Saint Andrews, in the County of Charlotte.

Section.
1. Justices authorized to contract loan.
2. Debentures, when and by whom issued; proviso.
3. Issue of Debentures not to exceed $10,000.
4. Sinking fund, how formed.
5. Sessions may assess District for payment of sums borrowed.
6. Debentures, by whom signed and countersigned. Seal of Sessions to be affixed.
7. Public meeting to be held and votes taken whether this Act be adopted.

Passed 16*th April*, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Justices of the Peace for the said County of Charlotte are hereby authorized to contract a loan on the credit of that part of the Parish of Saint Andrews which lies south and southeasterly of the Saint John Road, commencing at Chamcook Bridge and extending westerly to the shore of the River Saint Croix, in the said Parish of Saint Andrews, for an amount not exceeding ten thousand dollars, which sum, or any part thereof, when obtained, shall be applied by

the said Justices as they shall deem most advisable for the interests of the said District, in aiding and facilitating by loan, bonus, donation, or otherwise, in the construction of a Deep Sea Wharf at or near the southeastern end of Water Street in the said Town of Saint Andrews, in the County of Charlotte.

2. Certificates of Debt to be called Debentures, payable in current money of this Province, to be numbered consecutively, commencing with number one, with Coupons annexed, bearing interest at six per cent. payable annually, at such place as shall be specified therein, may be issued from time to time as the work of construction proceeds, in such form, authenticated as hereinafter directed, payable at such periods, in such amounts, and on such conditions, as the said Justices of the Peace at any General or Special Sessions may prescribe, the principal of such Debentures to be paid in full at a period not exceeding twenty years to the holder thereof; and the real estate, personal property and incomes in said District, liable to be assessed for ordinary County and Parish rates, may be assessed from year to year as the said Justices may at any General or Special Sessions order and direct, for all the purposes of this Act, provided the amount so to be assessed under the provisions hereof, shall not in any one year exceed the sum of fifteen hundred dollars.

3. The amount of Debentures that may be issued under the provisions of this Act shall not exceed the sum of ten thousand dollars.

4. In case the said Justices of the Peace shall obtain any money under any of the provisions of this Act, they are hereby authorized and required to form a sinking fund of one and one-half per cent. on the amount of the Debentures issued to aid in the redemption of said Debentures, and the interest accruing thereon; the amount arising from such sinking fund to be annually invested in the purchasing in of said Debentures, or in Provincial Debentures, together with all interest arising from said fund.

5. All sums of money and the interest thereon, authorized to be raised, borrowed, loaned or obtained under any of the provisions of this Act, may be assessed upon said District by any General or Special Sessions, and levied and collected in the same manner in all respects as other Parish and County

rates, and shall be paid as the said Justices of the Peace may direct for the purposes of this Act.

6. All Debentures issued under the provisions of this Act shall be signed by the Chairman of the General or Special Sessions which orders their issue, and countersigned by the Clerk of the Peace for the said County for the time being, and have the Seal of the General Sessions of the said County affixed thereto; the number, date and amount of all Debentures issued under this Act shall be entered in the Records of the said Sessions.

7. Any two of Her Majesty's Justices of the Peace of the said County of Charlotte, and resident in the Parish of Saint Andrews, by public notice in one or more of the public Newspapers published in the Town of Saint Andrews, and also by printed handbills, to be by them posted in three or more of the most public places in the said District, shall make known to the public that they call together and will hold a public meeting of all persons liable to be assessed under the provisions of this Act, at a time and place to be in such notice specified, and which time shall not be less than ten days from the time of posting up and publishing such notices; and on the day and hour, and at the place in such notices mentioned, the said two Justices shall hold such meeting and shall preside at the same, and from notices in writing to be furnished to them, and then and there by parties present and liable to be assessed under the provisions of this Act, they shall then and there make a list containing the names so liable and present, with columns thereon on which to enter opposite such names "yea" or "nay," as the vote may be; and not before four of the clock in the afternoon of the same day, shall then and there openly and publicly put the question to the parties present whose names shall have been entered in the said lists, whether this Act shall be adopted by them, and shall take the votes of the parties present whose names are so entered on the said list, and none others; and if it shall appear to the said Justices that the parties present and voting in the affirmative, represent two-thirds of the real and personal property and incomes so represented by the parties present at such meeting and liable to be assessed under this Act, to be estimated by the Parochial assessment last made, then the said two Justices

shall forthwith certify the same to the Lieutenant Governor and Council, and His Excellency the Lieutenant Governor in Council shall thereupon announce the same by Proclamation in the Royal Gazette, whereupon this Act shall be *ipso facto* in full operation, force, and effect; and in case of any dispute as to the qualification of any person to be entered by name on the said list, the said Justices shall and may decide the same on the oath of the parties, or any other evidence, which oath the said Justices are hereby authorized to administer.

CAP. XXII.

An Act to revive and continue an Act intituled *An Act for the regulation of Benefit Building Societies.*

Section.
1 Act 10 Vic. cap. 83, revived.
2. Saint John Building Society, &c. protected by said Act.
3, Acts done by New Brunswick Benefit Building Society, &c., and St. John Building Society, &c., when valid.

Passed 16*th April*, 1866.

WHEREAS the Act of Assembly made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act for the regulation of Benefit Building Societies*, hath by Chapter 162, Title xli, of the Revised Statutes, 'Of the promulgation and repeal of Statutes', been repealed: And whereas at the time of the repeal of the said Act "The New Brunswick Benefit Building Society and Savings Fund" was in existence, but has since been closed, and divers mortgages made to the Trustees of the said Society cancelled: And whereas since the repeal of the said Act "The Saint John Building Society and Investment Fund" hath been formed, and hath been in existence four years and upwards: And whereas, as is recited in and by the said repealed Act, it is desirable to afford encouragement and protection to the Societies commonly called Benefit Building Societies, and the property obtained therewith in this Province;—

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

1. The said Act of Assembly made and passed in the tenth year of the Reign of Her present Majesty, intituled *An Act for the regulation of Benefit Building Societies*, shall be and the same is hereby revived and declared to be and continue in

full force and operation from the time of the passing of this Act.

2. The Society now established or existing in the City of Saint John, under the name and style of "The Saint John Building Society and Investment Fund," and all Benefit Building Societies hereafter to be established within this Province, shall be entitled to the protection and benefits of the said revived Act.

3. All the proceedings and business transactions of the said "New Brunswick Benefit Building Society and Savings Fund," and of and connected with the Saint John Building Society and Investment Fund, since the time of the repeal of the said Act hereby revived, (so far as the same shall have been in accordance with the provisions of the said Act,) shall be and shall be held to be and to have been as valid and effectual in all respects as if the said "Act for the regulation of Benefit Building Societies" had not been repealed, but had continued in force until the passing of this Act; and all mortgages cancelled by the acting Trustees of the said "New Brunswick Benefit Building Society and Savings Fund," in accordance with the rules of the said Society and the said Act hereby revived, shall be held to have been duly cancelled and discharged; and the rules and regulations adopted by the members of the said "Saint John Building Society and Investment Fund," (so far as the same shall be in accordance with the terms of the said revived Act,) shall be held to have been and shall continue and remain in full force and effect; and the officers of the said Society shall respectively continue until such time as they may be displaced and others appointed in their room pursuant to the said rules; and all moneys, securities for money, books, writings, property and effects, belonging to or made or taken in the name of such Society, or the Trustees thereof, shall vest in the persons now acting as Trustees of the said "Saint John Building Society and Investment Fund," to the use and for the benefit, and subject to the liabilities of the said Society, and so from time to time in the succeeding Trustees thereof, and the said securities shall in all respects be valid and effectual according to the tenor thereof; and the said "Saint John Building Society and Investment Fund" shall, from its commencement, be held and taken to

have been and from henceforth shall be a valid Benefit Building Society under the terms of the said Act hereby revived and continued.

CAP. XXIII.

An Act to incorporate the President, Directors and Company of the Northern Bank.

Section.

1. Company incorporated.
2. Capital Stock.
3. Power of Corporation to hold lands; proviso.
4. When mortgages may be taken.
5. When general meeting may be held; notice of such meeting to be given.
6. Time when general annual meeting shall be held.
7. Appointment of Officers, and power of Directors.
8. What shall constitute a Board.
9. Directors to receive no salary; President may.
10. Qualification of Directors.
11. Cashier, &c., to give Bonds.
12. Apportionment of votes.
13. Stockholders may vote by proxy; proviso.
14. Subscription for shares; proviso.
15. Vacancy, how filled up.
16. When Bank shall commence operations; proviso.
17. Commissioners, how appointed.
18. Shares transferable.
19. Business Bank may transact.
20. Stockholders individually liable in proportion to their stock; proviso.
21. Form of Note, Bill, &c.; proviso.
22. Limit of liabilities; proviso.
23. Dividends, when to be declared.
24. Books, &c., subject to inspection of Directors.
25. Notes, by whom signed and countersigned; proviso.
26. Corporation to pay full original amount of altered Note.
27. Bank, where established.
28. General statement, when to be made; proviso.
29. Loan not to be made on pledge of stock.
30. Committee appointed by Legislature to examine books and vaults of Bank.
31. When stockholders may call meeting.
32. On dissolution of Corporation, duty of Directors; notice of dissolution, when to be given.
33. Debts due to Bank from Directors, limit of.
34. Cashier to send semi-annual statements to Office of Provincial Secretary. Form of statement.
35. Delinquent sheet, when and by whom made.
36. Director, when disqualified to sit as such.
37. No action to be brought before Bill has been presented for payment.
38. Stock to be deemed personal estate.
39. Shares taken on execution, how sold; proviso.
40. Capital, how and when increased.
41. Additional shares, how disposed of.
42. Notice to be given of time of sale.
43. Premium, (if any) how divided.
44. Additional stock, to what rules, &c., subject.
45. Limit of Act.

Passed 16*th April*, 1866.

WHEREAS it is thought that the establishment of a Bank at Miramichi, in the County of Northumberland, would promote the interest of the Province by increasing the means of circulation ;—

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

1. That William Muirhead, George H. Russell, Edward Williston, George Burchill, Jabez B. Snowball, Hugh Bain, Alexander M'Laggan, Adam D. Shereff, Francis E. Winslow, George Kerr, Allan A. Davidson, Richard Hocken, Henry Cunard, Robert Brown, Peter Morrisson, the Honorables

Peter Mitchell, John Ferguson, William Hamilton, and James Davidson, their associates, successors or assigns, be and they are hereby declared to be a body corporate, by the name of "The President, Directors and Company of the Northern Bank," and they shall be persons capable and able in law to have, get, receive, take, possess, and enjoy houses, lands, tenements, hereditaments, and rents, in fee simple or otherwise, and also goods and chattels, and all other things, real, personal, or mixed, and also to give, grant, let or assign the same or any part thereof, and to do and execute all other things in and about the same, as they shall think necessary for the benefit and advantage of the said Corporation; and also that they be persons able and in law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law and Equity, or any other places whatsoever, in all and all manner of actions, suits, complaints, demands, pleas, causes and matters whatsoever, in as full and ample a manner as any other person or persons are in law capable of sueing and being sued, pleading and of being impleaded, answering and of being answered unto; and also that they shall have one common seal to serve for the ensealing all and singular their grants, deeds, conveyances, contracts, bonds, articles of agreement, assignments, powers and warrants of Attorney, and all and singular their affairs and things touching and concerning the said Corporation; and also that they, the said President, Directors, and Company, or the major part of them, shall from time to time, and at all times, have full power and authority and licence to constitute, ordain, make, and establish such laws and ordinances as may be thought necessary for the good rule and government of the said Corporation, provided that such laws and ordinances be not contradictory or repugnant to the laws or statutes of that part of the United Kingdom of Great Britain and Ireland called England, or repugnant or contrary to the laws or statutes of this Province.

2. The capital stock of the said Corporation shall consist of current gold and silver coins of the Province to the amount of eighty thousand dollars; the sum of forty thousand dollars, one half part thereof, to be paid in current gold and silver coins of the Province of New Brunswick, within one

year from the passing of this Act, and the further sum of forty thousand dollars within two years from the passing of this Act, the whole amount of the said stock to be divided into shares of one hundred dollars each, making in the whole eight hundred shares.

3. The said Corporation shall have full power and authority to take, receive, hold, possess and enjoy in fee simple, any lands, tenements, real estate, and rents, to any amount not exceeding sixteen thousand dollars; provided nevertheless, that nothing herein contained shall prevent or restrain the said Corporation from taking or holding real estate to any amount whatsoever, by mortgage taken as collateral security for the payment of any sum or sums of money advanced by, or debts due to the Corporation; provided further, that the said Corporation shall on no account lend money upon mortgage, or upon lands or other fixed property, nor shall such be purchased by the said Corporation upon any pretext whatsoever, unless by way of additional security for debts contracted with the said Corporation in the course of its dealings.

4. No mortgage shall be taken upon lands or other fixed property, by the said Corporation, as collateral security, except for debts previously contracted with the said Corporation in the course of its legitimate banking business, and all such mortgages shall be collected or disposed of, and converted into money by the Corporation, within a period not exceeding five years from the date of every such mortgage, or from the time the same came into the possession of the said Corporation; this not to affect the rights of an assignee.

5. Whenever four hundred shares of the said capital stock shall have been subscribed, a general meeting of the members and stockholders of the said Corporation, or the major part of them, may take place by notice in one or more of the public Newspapers published in this Province, thirty days previous to such meeting, for the purpose of making, ordaining, and establishing such bye-laws, ordinances and regulations for the good management of the affairs of the said Corporation, as the members and stockholders of the said Corporation shall deem necessary, and also for the purpose of choosing five Directors, being members and stockholders of the said Corporation, under and in pursuance of the rules

and regulations hereinafter made and provided, which Directors so chosen shall serve until the first annual meeting for choice of Directors, and shall have full power and authority to manage the affairs of the said Corporation, and shall commence the operations of the said Bank, subject nevertheless to the rules and regulations hereinafter made and provided; at which general meeting the members and stockholders of the said Corporation, or the major part of them, shall determine the amount of payments to be made on each share, also the mode of transferring and disposing of the stock and profits thereof, which being entered on the books of the said Corporation, shall be binding on the said stockholders, their successors and assigns.

6. There shall be a general meeting of the stockholders and members of the said Corporation, to be annually holden on the first Monday in May in each and every year, at Chatham, in the County of Northumberland, at which annual meeting there shall be chosen by a majority of the said stockholders and members of the said Corporation, five Directors, each of whom shall be a resident of the said County, and 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 rules hereinafter mentioned, and the Directors when chosen, shall at their first meeting after their election, choose out of their number a President.

7. The Directors for the time being shall have power to appoint such officers, clerks and servants as they or the major part of them shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services as to them shall appear reasonable and proper; all which, together with the expense of buildings, house rent, and all other contingencies, shall be defrayed out of the funds of the Corporation; and the said Directors shall likewise exercise such other powers and authority for the well regulating the affairs of the said Corporation as shall be prescribed by the bye laws and regulations of the same.

8. Not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in the case of sickness or necessary

absence, in which case the Directors present may choose one of their Board as Chairman in his stead; 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 a casting vote; provided always, that no bill or note offered for discount at the said Bank shall be refused or excluded by a single vote.

9. No Director shall be entitled to any salary or emolument for his services; but the stockholders and members of the said Corporation may make such compensation to the President as to them shall appear reasonable and proper.

10. No person shall be eligible as a Director unless such person is a stockholder, and holding not less than ten shares of the capital stock of the said Corporation; provided always, that the stockholder so otherwise qualified be not a Director in any other Banking Company in this Province.

11. Every Cashier and Clerk of the said Corporation before he enters upon the duties of his office, shall give bonds with two or more sureties, to be approved of by the Directors, that is to say, every Cashier in a sum not less than twenty thousand dollars, with a condition for his good and faithful behaviour, and every Clerk with the like conditions and sureties in such sum as the Directors shall deem adequate to the trusts reposed in them.

12. 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 proportion, that is to say: for one share and not more than four shares, one vote; for every four shares above four and not exceeding twenty, one vote, making five votes for twenty shares; for every eight shares above twenty and not exceeding sixty, one vote, making ten votes for sixty shares; which said number of ten votes shall be the greatest number that any stockholder shall be entitled to have.

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

14. No member of the said Corporation during the first

three months, to be accounted from and after the passing of this Act, shall be entitled to hold and subscribe for more than forty shares of the said capital stock; and if the whole of the said capital stock shall not have been subscribed within the said three months so to be accounted as aforesaid, then and in such case it shall be lawful for any stockholder or stockholders to increase his or their subscriptions to eighty shares; provided always, that no stockholder shall be permitted to hold more than one hundred shares in the whole, unless the same be acquired by purchase after the said Bank shall have commenced its operations; and provided also, that no stockholder in the said Bank at any one time shall hold more than twenty per cent. of the capital stock.

15. The Directors are and they are hereby authorized to fill up any vacancy that shall be occasioned in the Board by the death, resignation, or absence from the Province for three months, of any of its members; but in the 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, and the person so chosen by the Directors or the stockholders shall serve until the next succeeding annual meeting of the stockholders.

16. Before any stockholder shall be required to make payment of any instalment upon the amount of his subscription, thirty days previous notice shall be given by the Directors in two of the Newspapers published in this Province, of the time and place of payment; and the Directors shall commence with the business and operations of the Bank of the said Corporation; provided always, that no bank bills or bank notes shall be issued or put in circulation, nor any bill or note discounted at the said Bank, until the said sum of forty thousand dollars shall be actually paid in and received on account of the subscriptions to the capital stock of the said Bank.

17. As soon as the sum of forty thousand dollars shall have been paid in current gold and silver coins, and shall then be in the vaults of the said Bank, the President shall give notice thereof to the Secretary of the Province, for the information of the Governor, 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 vaults, and to ascertain by the oaths of the majority of the Directors, that half the amount of its capital has been paid in by the stockholders towards payment of their respective shares, and not for any other purpose, and that it is intended to have it there remain as part of the capital stock of the said Bank; which investigation is hereby declared indispensable, and shall be made at the periods prescribed by the second Section of this Act when paying in the capital stock of the said Bank.

18. The shares or capital stock shall be assignable and transferable according to the rules and regulations that may 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, nor until such person or persons so making the same, shall previously discharge all debts actually due and payable to the said Corporation; in no case shall any fractional part of a share, or other than a complete share or shares be assignable or transferable, and whenever any stockholder shall transfer in manner aforesaid, all his stock or shares in the said bank, to any other person or persons whatever, such stockholder shall cease to be a member of the said Corporation.

19. The said Company shall not directly or indirectly deal in any thing excepting bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or in the sale of stock pledged for money lent and not so redeemed; which said goods and stock so pledged, shall be sold by the said Corporation at public sale, at any time not less than thirty days after the period for redemption; and if, upon such sale of goods or stock, there shall be a surplus, after deducting the money lent, together with the expenses of sale, such surplus shall be paid to the proprietors thereof respectively.

20 The holders of the stock of the said Bank shall be chargeable in their private and individual capacity, and shall be holden for the payment and redemption of all bills which may have been issued by the said Corporation, and also for the payment of all debts at any time due from the said Cor-

poration, in proportion to the stock they respectively hold; provided always, that in no case shall any one stockholder be liable to pay a sum exceeding the amount of stock actually then held by him; provided nevertheless, that nothing herein previously 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.

21. Every bond, Bank bill or Bank note, or other instrument, by the terms or effects of which the said Corporation may be charged or held liable for the payment of money, shall specially declare in such form as the Board of Directors shall prescribe, that payment shall be made out of the joint funds of the said Corporation; provided nevertheless, that nothing herein contained shall be construed to alter, change or diminish the responsibilities or liabilities imposed on stockholders in their individual capacities by the nineteenth Section of this Act.

22. The total amount of the debts (deposits excepted) which the said Corporation shall at any time owe, whether by bond, bill, or note, or other contract whatsoever, shall not exceed twice the amount of the capital stock actually paid in by the stockholders; and in case of any excess, the Directors under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities; provided always, that the lands, tenements, goods and chattels of the said Corporation shall also be liable for such excess.

23. The Directors shall make half-yearly dividends of all profits, rents, premiums and interests of the said Corporation, payable at such time and place as the Directors shall appoint, of which they shall give thirty days notice in two Newspapers published in this Province.

24. The books, papers, correspondence and funds of the said Corporation shall at all times be subject to the inspection of the Directors; but no stockholder not a Director shall inspect the account of any individual with the said Corporation.

25. All bills or notes issued by the said Corporation shall be signed by the President for the time being, and countersigned and attested by the Cashier, and shall be printed and made in steel plates; and all bills and notes so signed and

countersigned shall be binding on the said Corporation, and payable in specie at the said Bank, provided no note shall be issued by the said Corporation for a less sum than one dollar.

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

27. The said Bank shall be kept and established in the Parish of Chatham, and County of Northumberland, or at such other place as the Board of Directors may think it necessary to remove the said Bank on account of any great emergency for the security thereof.

28. The Directors shall at the general meeting to be held on the first Monday in May in every year, lay before the stockholders for their information, an exact and particular statement of the amount of debts due to and by the said Corporation, the amount of Bank notes then in circulation, the amount of gold and silver in hand, and the amount of such debts as are in their opinion bad or doubtful; also the surplus or profits (if any) remaining after deduction of losses and provision for dividends; which statement shall be signed by the Directors and attested by the Cashier; and a duplicate statement so signed and attested, shall be transmitted to the Secretary of the Province for the information of the Governor and 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 account of any individual or individuals with the said Corporation.

29. No loan shall be made by the said Bank on the pledge of its own stock.

30. 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 free access to all the books and vaults of the same.

31. Any number of stockholders, not less than twelve, who together shall be proprietors of three hundred shares, shall have power at any time by themselves or their proxies to call a general meeting of the stockholders, for purposes

relating to the business of the said Corporation, giving at least thirty days previous notice in two Newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the objects thereof; and the Directors, or any three of them, shall have the like power at any time, upon observing the like formalities, to call a general meeting as aforesaid.

32. On any dissolution of the said Corporation, immediate and effectual measures shall be taken by the Directors then in office 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; and in case any bills issued by the said Corporation shall remain unpaid, the holders of stock in the said Corporation, as well as those who were stockholders at the time of the notice of the said dissolution, which said notice shall take place by a publication of their intention so to do in the Royal Gazette twelve months previous to the said Corporation being allowed to carry the same into effect, shall be chargeable in their private and individual capacity for the payment and redemption thereof, in proportion to the stock they respectively held or hold, subject however to the proviso mentioned in the twentieth Section of this Act; provided however, that this liability shall continue for two years only from and after the notice of such dissolution.

33. The aggregate of all the debts due to the said Bank from the Directors thereof, as principals, endorsers, or sureties, shall not at any time exceed twenty per centum of the capital stock.

34. The Cashier of the said Bank shall semi-annually, that is to say, on the first Monday in January and the first Monday in July in each and every year, make a return in triplicate of the state of the said Bank as it existed at three of the clock in the afternoon of the said days respectively, and shall forthwith transmit the same to the office of the Secretary of the Province; which return shall specify the amount due from the Bank, designating in distinct columns the several particulars included therein; and shall also specify the resources of the said Bank, designating in distinct columns the several particulars included therein; and the return shall be made in the following form:—

FORM OF RETURN.

State of the Northern Bank on the day of 18
3 *o'clock*, P. M.

DUE FROM THE BANK.

Bills in circulation, - - - - - - $
Net profits on hand, - - - - - - -
Balance due to other Banks, - - - - -
Cash deposits, including all sums whatever due from the Bank not bearing interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, - - - - - - -
Cash deposits bearing interest, - - - - -

Total amount due from the Bank, - $

RESOURCES OF THE BANK.

Gold, Silver, and other coined Metals in its Banking House, - - - - - - - $
Real Estate, - - - - - - - -
Bills of other Banks incorporated in this Province,
Balances due from other Banks, - - - - -
Amount of all Debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except the Balances due from other Banks, - - - - - - -

Total amount of the Resources of the Bank, $

Date and amount of the last Dividend, and when declared, - - - - - - - $
Amount of Reserved Profits at the time of declaring the last Dividend, - - - - - -
Amount of Debts due and not paid, and considered doubtful, - - - - - - - -

Which return shall be signed by the Cashier of said Bank, who shall make oath or affirmation before any Justice of the Peace to the truth of the said return, according to the best of his knowledge and belief; and the Cashier of the said Bank shall also make return, under oath, whenever required by the Legislature, of the names of the stockholders, and the amount of the stock owned by each; and a majority of the Directors of the said Bank shall certify and make oath or affirmation before any Justice of the Peace as the said

Cashier, that the Books of the said Bank indicate the state of the facts so returned by their Cashier, and that they have full confidence in the truth of the returns 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 any Session thereof as practicable, one of such respective returns as he may have received since the then last previous Session.

35. The Cashier, or acting Cashier for the time being, shall on each and every discount day, furnish a true list to the President or Chairman of the said Bank, of all delinquent promissors, endorsers, and sureties, made up to three o'clock on the day preceding the discount day; which list shall be called a delinquent sheet, and it shall be the duty of the President or Chairman on each and every discount day as aforesaid, to read the name or names contained in such delinquent sheet, to the Board of Directors, and in case the name of any Director shall appear in any such delinquent sheet, either as promissor, endorser, or surety, it is hereby declared illegal for such Director to sit at the Board, or take any part in the management of the affairs of the said Bank, during the continuance of such delinquency.

36. In the event of any Director continuing a delinquent as aforesaid for ninety consecutive days at any one time, such continued delinquency shall disqualify such Director from holding his seat; and it shall be the duty of the President and other Directors forthwith to proceed in filling up the vacancy in the manner prescribed in the fourteenth Section of this Act, as in the case of death or absence from the Province.

37. No action shall be brought or maintained upon any Bank bill or Bank note which shall be issued by the said Corporation, before such bill or note shall have been presented at the Bank for payment, and default in payment shall thereupon take place.

38. All and every the shares in the capital stock of the said Bank, and all the profits and advantages of such shares respectively, shall be deemed and considered to be of the nature of and shall be personal estate, and transmissible as such accordingly.

39. The shares in the capital stock of the said Bank shall

be liable to be seized and taken in execution, and sold in like manner with other personal property; provided always, that the Sheriff or other officer executing such execution, shall leave a copy of such execution, certified by the Sheriff or his Deputy, with the Cashier of the said Bank; and the shares in the capital stock of the said Bank so liable to such execution, shall be deemed to be seized in execution when such copy is so left, and the sale shall be made within thirty days after such seizure; and on production of a bill of sale from the Sheriff, the Cashier of the said Bank shall transfer the number of shares sold under such execution to the purchaser or purchasers thereof, and such transfer shall be valid and effectual nothwithstanding there may be any debt due to the said Bank from the person or persons whose shares may be seized and sold; provided also, that the Cashier shall, upon the exhibiting to him of such certified copy of the execution, be bound to give to such Sheriff or other officer a certificate of the number of shares in the said capital stock held by the judgment debtor named in such execution, and the shares of such judgment debtor in the capital stock shall be bound by such execution only from the time when such copy of the execution shall be so left with the Cashier.

40. And in case it should hereafter be found necessary at any time after the payment in, and certificate of such first mentioned capital, and within seven years from the time of passing this Act, to increase the capital stock of the said Bank, the same may be effected by resolution of the Directors or the major part of them for the time being, sanctioned and approved of by a majority of the votes of the shareholders present, in person or by proxy, at a general meeting convened after special notice of the same and its intended object; such additional capital stock may be raised by the issue of additional shares severally of the value before mentioned, provided that the whole of such additional stock shall not exceed one hundred and twenty thousand dollars, thereby making the utmost amount of capital stock of the said Bank two hundred thousand dollars, and in the whole two thousand shares.

41. Such additional shares shall be sold at public auction in separate lots of four shares each as follows, that is to say: twenty thousand dollars, making two hundred shares, at

such time as the Directors shall appoint; and the residue of such increased additional capital at such times as the Directors may from time to time determine; but not less than twenty thousand dollars to be sold at any one time.

42. The said Directors shall give at least forty days notice of the time of sale of any such increased stock, in some Newspaper published in this Province, in which notice shall be specified the time when such additional stock, with the advance or premium thereon, will be required to be paid into the said Bank.

43. The whole of such advance or premium, (if any) first deducting the charges of sale, shall be divided in equal proportions among the shares in the stock of such Bank, as well the old as the new stock, and such dividend of the said premium shall be declared and paid by the Directors immediately after the payment into the Bank of the purchase money of the said additional shares; and banking operations may take place upon each respective amount of such additional stock sold as aforesaid, when the Directors or a majority of them, together with the Cashier of the said Bank, shall have signed and verified by oath, and filed in the Office of the Secretary of the Province, a certificate that such amount of capital stock at any time called in, has actually been paid into the said Bank in current gold and silver coins of the Province, and not before.

44. The said additional shares shall be subject to all the rules, regulations and provisions to which the original stock is subject or may hereafter be subject by any law of this Province.

45. This Act shall continue and be in force until the first day of May in the year of our Lord one thousand eight hundred and eighty six.

ANNO VICESIMO OCTAVO VICTORIÆ REGINÆ.

CAP. LXI.

An Act to authorize the exchange of certain Public Lands in the City of Fredericton.

Section.
1. Land to be exchanged.
2. War Department not to erect buildings.
3. Land to be vested in Corporation in lieu of the above.
4. Improvements by Corporation confined to Wharves, &c.
5. Amount to be expended by War Department.
6. Suspending clause.

Passed 8th June, 1865.

WHEREAS the citizens of Fredericton and the War Department have agreed to exchange certain Lands in the City of Fredericton, upon the terms hereinafter mentioned;—

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

1. The triangular piece of Land in the said City, bounded easterly by a straight line running from the easterly angle of the Officers' Barrack Square, so called, to the centre of the Willow Tree situate near the upper boundary of Regent Street landing, and on the northeasterly line of the enclosure in front of the said Officers' Barracks, is hereby vested in Her Majesty's Principal Secretary of State for the War Department.

2. It shall not be lawful for Her Majesty's said Principal Secretary of State, or for the War Department, to build, erect, or place on any part of the Land described in and transferred by the preceding Section, any building or erection, except a fence and ornamental trees.

3. The Land described as follows, to-wit:—All the Land lying northeasterly of the present Barrack fence between the head of the landing at Regent Street and the Public Wharf at the termination of York Street, is hereby vested in the Mayor, Aldermen and Commonalty of the City of Fredericton, in fee simple, for the use of the said City.

4. It shall not be lawful for the Mayor, Aldermen and Commonalty for the said City of Fredericton, at any time to put, place, erect, or build any building or erection on any part of the Land described in the third Section of this Act; but all improvements made thereon by the said Mayor,

Aldermen and Commonalty, shall be confined to constructing wharves, landings, and roads, all of which shall be available for Her Majesty's use, whenever so required, free of charge.

5. The sum of one hundred sovereigns shall be expended by the War Department, for the purpose of securing in the first place the present fence between the Willow Tree aforesaid and York Street aforesaid; and in the second place, to assist in improving the Land hereby conveyed to the said Mayor, Aldermen and Commonalty, by wharfing or otherwise, as shall be agreed upon by and between Her Majesty's Principal Secretary of State for the War Department, and a Commissioner to be appointed by the said Mayor, Aldermen and Commonalty for that purpose.

6. 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 third day of November* 1865, *and published and declared in this Province the thirteenth day of December* 1865.]

ANNO REGNI VICTORIÆ BRITANNIARUM REGINÆ TRICESIMO.

At the General Assembly of the Province of New Brunswick begun and holden at Fredericton on the twenty first day of June *Anno Domini* one thousand eight hundred and sixty six, in the thirtieth year of the Reign of Our Sovereign Lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, being the First Session of the Twenty first General Assembly convened in the said Province.

ACTS

OF

THE GENERAL ASSEMBLY.

30° VICTORIÆ, A. D. 1866.

CAP. I.

An Act relating to the imposition of Duties for raising a Revenue.

Section.

1. Table of Duties.
2. Imposes Duties for purposes of Railway fund.
3. Duty on Tobacco manufactured increased.
4. Duty on Furs, Skins, and Tails, undressed, &c., imposed.
5. Imposes a Duty on Rum, &c.
6. Exempts Cotton Wool and Hides.
7. Duties, how levied and collected.
8. Continues former Acts, except so far as inconsistent with this Act.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. There shall be collected and paid unto the Queen, for the use of the Province, upon the goods, chattels and things brought into the same, named in the subjoined "Table of Duties," the several Duties set forth in the said Table, according to the value, number or quantity thereof, whether from any part of the British Empire, or Foreign place, or which may be saved from any wreck or stranded vessel, viz:

TABLE OF DUTIES.

Pork and Beef, salted, per barrel,	$1 00
Pork and Beef, fresh, for every hundred pounds,	1 00
Hams, smoked or dried, per pound,	0 01
Rock or Coal Oil, Benzole, and Paraffine, per gallon,	0 06
Horses, Mares, Geldings, and Oxen, each,	8 00
Neat Cattle, three years old or upwards, each,	4 00
Cows and other Cattle, under three years old, each,	2 00
Hogs, alive, over one hundred pounds weight, each,	2 00
Under one hundred pounds, each,	0 50
Sheep, each,	0 75
Dried Fruit, when imported from the United States of America, per pound,	0 02

2. In addition to the specific duty made payable on the articles specified in the Table of Duties, there shall be collected and paid on every hundred dollars of the true and real value of such articles, three dollars, for the purposes of the Railway Fund.

3. Instead of the Duty imposed on "Tobacco manufactured," by an Act made and passed in the twenty second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act imposing Duties for raising a Revenue," there shall be collected and paid on Manufactured Tobacco, five cents per pound.

4. There shall be collected and paid upon Furs, Skins, and Tails, undressed, Tobacco unmanufactured, and Coals, from the United States, upon every hundred dollars of the true and real value thereof, three dollars, for the purposes of the Railway Fund.

5. Instead of the Duty imposed by the said recited Act, intituled "An Act imposing Duties for raising a Revenue," upon Rum and all other Spirits not therein enumerated, there shall be paid and collected upon all such Rum and other Spirits not therein enumerated, being either below proof, or of the strength of proof of Sykes' Hydrometer, thirty five cents per gallon; and for all Spirits being over proof by Sykes' Hydrometer, such Duty of thirty five cents shall be increased in proportion for any greater strength as may be indicated by the said Hydrometer, per gallon.

6. Notwithstanding the provisions of an Act made and passed in the nineteenth year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to levy an Impost for Railway purposes," Cotton Wool and Hides shall be exempted and free from Duty.

7. The Duties imposed by this Act shall be levied, collected, received and paid in the same manner in all respects as is prescribed in the said recited Act, intituled "An Act imposing Duties for raising a Revenue," and subject to all the provisions and penalties therein contained.

8. The Act made and passed in the twenty second year of the Reign of Her present Majesty Queen Victoria, intituled "An Act imposing Duties for raising a Revenue;" also an Act made and passed in the twenty third year of Her Majesty's Reign, intituled "An Act in addition to and in

amendment of an Act passed in the twenty second year of the Reign of Her present Majesty Queen Victoria, intituled 'An Act imposing Duties for raising a Revenue;'" and also an Act made and passed in the twenty fifth year of Her Majesty's Reign, intituled "An Act in addition to and in amendment of the Acts imposing Duties for raising a Revenue, and in amendment of an Act passed in the nineteenth year of Her present Majesty's Reign, intituled 'An Act to levy an Impost for Railway purposes;'" and also another Act passed in the same year, intituled "An Act to explain an Act passed at the present Session, intituled 'An Act in addition to and in amendment of the Acts imposing Duties for raising a Revenue, and in amendment of an Act passed in the nineteenth year of Her Majesty's Reign, intituled An Act to levy an Impost for Railway purposes;'" and also an Act made and passed in the twenty sixth year of Her Majesty's Reign, intituled "An Act to continue and amend an Act imposing Duties for raising a Revenue, and the several Acts in amendment thereof, and to make further provisions for raising a Revenue;" be, and the said several Acts, except in so far as they may be inconsistent with or amended by this Act, are, together with this Act, hereby continued and declared to be in full force and effect until the first day of May in the year of our Lord one thousand eight hundred and sixty eight.

CAP. II.

An Act to authorize the detention, for a limited time, of such persons as shall be suspected of committing acts of hostility against Her Majesty's Person and Government.

Section.
1. Persons arrested for certain offenses, not bailable; proviso.
2. What constitutes a lawful arrest and prison.
3. When and how Act may be suspended.
4. Continuance of Act.

Passed 9th July, 1866.

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

1. All and every person and persons who is, are, or shall be within prison in this Province at, upon, or after the day of the passing of this Act, by Warrant of Commitment signed by any two Justices of the Peace, or under a capture or arrest, made with or without Warrant, by any of the Officers, Non-

Commissioned Officers, or Men of Her Majesty's Regular, Militia, or Volunteer Militia Forces, or by any of the Officers, Warrant Officers, or Men of Her Majesty's Navy, and charged with being or continuing in arms against Her Majesty within this Province, or with any act of hostility therein; or with having entered this Province with design or intent to levy War against Her Majesty, or to commit any felony therein, or with levying War against Her Majesty in company with any of the subjects or citizens of any Foreign State or Country then at peace with Her Majesty, or with entering this Province in company with any such subjects or citizens with intent to levy War on Her Majesty, or to commit any act of felony therein, or with joining himself to any person or persons whatever with the design or intent to aid and assist him or them, whether subjects or aliens, who have entered or may enter this Province with design or intent to levy War on Her Majesty, or to commit any felony within the same, or charged with high treason or treasonable practices, or suspicion of high treason or treasonable practices, may be detained in safe custody without bail or mainprize during the continuance of this Act; and no Judge or Justice of the Peace shall bail or try any such person so committed, captured, or arrested, without order from Her Majesty's Executive Council, any Law or Statute to the contrary notwithstanding; provided that if within fourteen days after the date of any Warrant of Commitment, the same, or a copy thereof certified by the party in whose custody such person is detained, be not countersigned by the Clerk of the Executive Council, then any person or persons detained in custody under any such Warrant of Commitment for any of the causes aforesaid by virtue of this Act, may apply to be and may be admitted to bail.

2. In case where any person or persons have been before the passing of this Act, or shall be during the time this Act shall continue in force, arrested, committed, or detained in custody, by force of a Warrant of Commitment of any two Justices of the Peace, for any of the causes in the preceding Section mentioned, it shall and may be lawful for any person or persons to whom such Warrant or Warrants have been or shall be directed, to detain such person or persons so arrested or committed in his or their custody in any place whatever within this Province; and such person or persons to whom

such Warrant or Warrants have been or shall be directed, shall be deemed and taken to be to all intents and purposes lawfully authorized to detain in safe custody, and to be the lawful goalers and keepers of such persons so arrested, committed, or detained; and such place or places where such person or persons so arrested, committed, or detained, are or shall be detained in custody, shall be deemed and taken to all intents and purposes to be lawful prisons and gaols for the detention and safe custody of such person and persons respectively; and it shall and may be lawful to and for Her Majesty's Executive Council, by Warrant signed by the Clerk of the said Executive Council, to change the person or persons by whom, and the place in which such person or persons so arrested, committed, or detained, shall be detained in safe custody.

3. The Governor may by Proclamation, as and so often as he may see fit, suspend the operation of this Act, or during the continuance of this Act again declare the same to be in full force and effect, and upon any such Proclamation this Act shall be suspended, or of full force and effect, as the case may be.

4. This Act shall continue and be in force until the end of the next Session of the General Assembly.

CAP. III.

An Act to provide for defraying certain expenses of the Civil Government of the Province.

Section.
1. Money granted.
Section.
2. How payable.

Passed 9th July, 1866.

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

1. There shall be granted to His Excellency the Lieutenant Governor, the several sums of money hereinafter mentioned, to provide for defraying certain expenses of the Civil Government of the Province:—

A sum not exceeding twenty two thousand seven hundred and seven dollars, to provide for the Officers and contingent expenses of the Legislature, including the Legislative Library and Printing.

A sum not exceeding five hundred and forty dollars, to

provide for the Clerk of the Crown and Ushers of the Supreme Court and Court of Equity and Chambers.

A sum not exceeding twenty nine thousand and thirty dollars, to defray the expenses of the collection and protection of the Revenue, and of the Controller of Customs' Department.

A sum not exceeding thirteen thousand nine hundred and eighty dollars, to provide for certain Educational purposes.

A sum not exceeding two hundred dollars, for the encouragement of Fisheries.

A sum not exceeding six thousand five hundred dollars, for the expenses of the Provincial Penitentiary.

A sum not exceeding eighteen thousand dollars, to provide for the expenses of the Lunatic Asylum.

A sum not exceeding twelve hundred dollars for the relief of Indians.

A sum not exceeding thirty thousand dollars, to meet the expenses of Militia and the apprehension of Deserters from Her Majesty's Service.

A sum not exceeding twenty thousand dollars, to meet any deficiency of Revenue in the Post Office Department.

A sum not exceeding three hundred dollars, to be expended in the education of Deaf and Dumb Children.

A sum not exceeding six hundred dollars, to pay the Salary of the Emigration Officer and contingencies of his Office.

A sum not exceeding four hundred and fifty dollars, to provide the usual allowance to certain old Soldiers of the Revolutionary War, their Widows, and others.

A sum not exceeding four thousand dollars, towards expense of purchase and transmission of articles for the Paris Exhibition.

A sum not exceeding six thousand dollars, to meet unforeseen expenses during the current year.

2. The several sums of money aforementioned shall be paid by the Treasurer, by Warrant of the Governor in Council, out of moneys now in the Treasury, or as payment may be made at the same.

CAP. IV.

An Act to provide for the repair and improvement of Roads and Bridges, and other Public Works and Services.

Section.
1. Specifies sums granted.
2. By whom and how to be expended and accounted for.
3. Municipalities to account in same manner as Commissioners.
4. Money to be drawn by Warrant.
5. Commissioners to retain five per cent.
6. Limits period for expending money.
7. To be expended on recorded roads only.
8. Bonds first to be given.
9. If Commissioner elected be a defaulter, Governor may appoint another person.
10. Vacancies, how to be filled.

Passed 9th July, 1866.

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

1. There shall be granted to His Excellency the Lieutenant Governor, the sum of money hereinafter mentioned, to provide for the improvement of the Roads and Bridges, and other Public Works and Services:—

A sum not exceeding one hundred and twenty two thousand six hundred dollars, to provide for the repairs of the Great and Bye Roads of the Province, and for Bridges thereon, for the improvement of Ferry Landings, for the repairs and maintenance of the Public Buildings, and Furniture therefor, for the improvement of the Navigation of Rivers, and for Steam Navigation.

2. The said sum of money, and every part thereof, shall be expended under the direction of the Board of Works, and of such Supervisors and Commissioners as the Governor in Council may appoint, and shall be paid to the several and respective persons who shall actually work and labour in making, completing and repairing the several Roads, Bridges, and Works, or in furnishing materials therefor, at the most reasonable rate that such labour and materials can be provided, where such sums are expended on Roads, Bridges, or Works; 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 and 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 public places of the neighbourhood where

the work is to be done, which notices 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 the 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 the Commissioners to agree with fit and proper persons to perform the same by day's 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 moneys, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof, in duplicate, upon oath, which oath any one of the Justices of the Peace in the several Counties is hereby authorized to administer; one copy of which, with vouchers, 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, and the other copy to be filed in the office of the Clerk of the Peace in their respective Counties, for public information.

3. The Commissioners appointed by the Municipalities of York, Carleton, and Sunbury, when any of the aforementioned sum of money appropriated for Roads and Bridges is issued to such Municipality, shall account for the moneys granted to the said Municipalities in the same manner as the Commissioners appointed by the Governor in Council.

4. The beforementioned sum of money shall be paid by the Treasurer out of the moneys in the Treasury, or as payment may be made at the same, by Warrant of the Governor in Council.

5. The said Commissioners entrusted with the expenditure of the several and respective sums of money shall, for their time and labour, be allowed to retain at and after the rate of five per centum out of the said moneys so entrusted to them respectively.

6. The said Commissioners for the expenditure of money on Roads and Bridges, shall expend the said several and respective sums of money on the Roads on or before the first day of September; provided always, that nothing herein contained shall extend, or be construed to extend, to prevent any Commissioner from expending moneys after the first day of September, when it shall be necessary to expend the same for building bridges, removing rocks, stumps, trees, or other obstructions.

7. None of the beforementioned sums of money, or any part thereof, shall be laid out or expended on the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

8. Every person who may be appointed a Commissioner for the expenditure of money hereinbefore granted, before entering upon the duties of his office, shall enter into a bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Governor in Council, for the due performance of his duty as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

9. Notwithstanding the provisions of any Law in force for the election of Commissioners of Bye Roads, or otherwise, no person shall be appointed to expend any of the aforesaid moneys who shall be a defaulter, or who shall not have fully accounted for the expenditure of any money previously entrusted to him, until he shall have satisfactorily accounted therefor; and in case of the election of any such person, the Governor in Council shall appoint Commissioners in the same manner as if no election had taken place.

10. In case of a vacancy by death of any Commissioner elected to expend money on the Bye Roads, the Governor in Council shall appoint a Commissioner to fill such vacancy.

CAP. V.

An Act to provide for the Expenses of the Legislature.

Section.
1. Allowance to President of the Legislative Council.
2. To Members of Legislative Council.
3. To Speaker of House of Assembly.
4. To Members of House of Assembly.
5. Travelling expenses.
6. Amounts, how paid.
7. Limit of Act.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That there be allowed and paid out of the Treasury of the Province to the President of the Legislative Council, the sum of six hundred dollars for the present Session of the General Assembly, and the same for each and every future Session of the General Assembly.

2. That there be allowed and paid out of the said Treasury, to each and every Member of the Legislative Council, for defraying the expenses of attending in General Assembly, the sum of four dollars for each and every day such Member may attend in General Assembly; such attendance to be certified by the President thereof.

3. That there be allowed and paid out of the said Treasury, to the Speaker of the House of Assembly, the sum of six hundred dollars for the present Session of the General Assembly, and the sum of six hundred dollars for each and every future Session of the General Assembly.

4. 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 attending in General Assembly, the sum of four dollars for each and every day such Member may attend in General Assembly; such attendance to be certified by the Speaker.

5. That for defraying the travelling charges of the Members of the Legislative Council, and also of the House of Assembly, there be allowed and paid out of the said Treasury, the sum of four dollars per diem to each and every Member, allowing twenty miles for each day's travel; such travel to be computed from the residence of such Member to the City of Fredericton by the most direct Mail route; to be certified by the President of the Legislative Council for the Members of the Legislative Council, and by the Speaker of the House of Assembly for the Members of the House of Assembly.

6. The several sums of money hereinbefore mentioned shall be paid by the Treasurer, by Warrant or Warrants of the Lieutenant Governor in Council, out of any moneys now in the Treasury, or as payments may be made at the same.

7. This Act shall continue and be in force during the continuance of the present General Assembly, and no longer.

CAP. VI.

An Act in amendment of an Act relating to the Militia.

Section.
1. Enrolling Officer for Eastern side of Saint John, how appointed; his duties.
2. Forty second Section 28 Vic. Cap. 1, repealed.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the Commander in Chief shall appoint a Regimental Enrolling Officer for the eastern side of the Harbour of the City of Saint John; the said officer, with the approbation of the Commander of each Battalion of Militia on said eastern side, shall appoint a time for taking the enrollment of all persons (not Volunteers) liable to do Militia duty in their respective Battalions: he shall put up printed notices thereof in the most public places of the City, ten days before the time appointed, requiring all such persons liable and not enrolled, to attend and enroll themselves, or send a written notice of their names, ages, and places of abode.

2. That the forty second Section of an Act passed in the twenty eighth year of the Reign of Queen Victoria, intituled "An Act relating to Militia," be and the same is hereby repealed.

CAP. VII.

An Act relating to Weights.

Section.
1. Defines the hundred weight and ton weight.
2. All Laws relating to the inspection and adjustment of weights to extend to this Act; penalty.
3. Provisions of Cap. 95, Revised Satutes, controlled by this Act or repealed.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The hundred weight for weighing all goods, articles, wares, agricultural produce, fish, and other commodities whatsoever sold by the hundred weight or ton weight in this Province, shall consist of one hundred pounds avoirdupois, and not of one hundred and twelve pounds as heretofore used; and the ton weight used for the said purposes shall consist of twenty hundred weight as herein above established, or of two thousand pounds avoirdupois, and not of two thousand two hundred and forty pounds as heretofore used; and the said

hundred weight and ton weight hereby established, with their parts, multiples, and proportions, shall be the standard weight in this Province for the weighing of all such goods, articles, wares, agricultural produce, fish, and other commodities as aforesaid; and all contracts concerning goods, articles, wares, agricultural produce, fish, and other commodities sold by weight, shall be understood and construed accordingly; provided that nothing in this Act shall affect any contract existing at the time of the passing of this Act, and any such contract shall be construed and enforced the same as if this Act had not passed.

2. All the laws in force relating to the inspection and adjustment of weights and measures in this Province shall extend and apply to the standards of the ton weight and hundred weight herein above established, and to the several parts and proportions thereof; the said standard weights herein above established being, as regards such inspection and adjustment, and the duties of the inspectors of weights and measures, and others, under the said Acts, and the penalties to be incurred for the infraction thereof, in all respects substituted for the standard hundred weight and ton weight heretofore in use; and no other standard of the hundred weight or ton weight, than that herein before established, shall be used in any part of this Province.

3. That the provisions of Chapter 95, of the Revised Statutes, shall be subject to and controlled by those of this Act, as if they were incorporated therein; and all parts and sections of said Chapter 95, repugnant to the terms of this Act, be and the same are hereby repealed.

CAP. VIII.

An Act to perpetuate the Acts relating to the Export Duty on Lumber.

Passed 9th July, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That Chapter 15, Title iii, of the Revised Statutes, 'Of the Export Duty on Lumber,' and also an Act made and passed in the twenty ninth year of the Reign of Her present Majesty, intituled "An Act to revive and continue Chapter 15, Title iii, of the Revised Statutes, 'Of the Export Duty on Lumber,'" be and the same are hereby severally declared to be in full force and effect for ever.

CAP. IX.

An Act respecting offences relating to the Army and Navy.

Section.
1. Penalty for enticing Soldiers, &c., to desert, or concealing deserters.
2. Penalty for receiving from Soldiers any accoutrement, clothing, &c.
3. Penalties, how recovered.
4. Cap. 143 of Revised Statutes, repealed.
5. This Act not to affect any offence already committed.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. Whoever shall directly or indirectly solicit or procure any soldier, sailor, or marine, to desert the Queen's service, or shall aid or assist any deserter from such service, knowing him to be such, in deserting or concealing himself, shall for each offence pay a fine of twenty pounds, or be imprisoned in the Provincial Penitentiary for a term not exceeding three calendar months.

2. Whoever shall receive from any soldier, sailor, marine, or deserter, any accoutrement or any thing belonging to the Queen, or shall receive from any such soldier, sailor, or marine, any provisions or clothing, unless by the consent of the Officer commanding the Regiment, detachment or ship to which such soldier, sailor or marine shall belong, shall pay a penalty of ten pounds, or be imprisoned in the common gaol of the County where the offence may be committed, for a term not exceeding three calendar months.

3. The penalties in each of the above cases respectively may be recovered with costs in the name of any person who will sue therefor, before two Justices of the Peace in the County where the offence may have been committed, under the Chapter relating to Summary Convictions before Justices out of Sessions, the nature of the offence being briefly stated; one half the penalty in each case respectively shall be paid to the person sueing therefor, and the other half to the Overseers of the Poor of the place where the offence was committed, for the use of the Poor.

4. Chapter 143, of the Revised Statutes, 'Of offences relating to the Army,' be and the same is hereby repealed, as hereinafter mentioned.

5. Nothing in this Act shall extend or be construed to extend to or affect any offence committed against the provisions of the said Chapter 143, of the Revised Statutes,

'Of offences relating to the Army,' before the passing of this Act, or any conviction therefor, but proceedings may be had, taken, and continued, and the punishment inflicted for all such offences under said Chapter, in the same manner in every respect as if this Act had not been passed.

CAP. X.

An Act relating to the administration of Justice in Equity.

Section.
1. Costs of suit, how paid and by whom.
2. Writ of Possession after decree, when and by whom issued.
3. Execution of Writ, when and by whom.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the costs of all parties to any suit hereafter to be brought for the partition of lands, to be ascertained and taxed by the Clerk, shall be shared and borne by the several parties to such suit rateably and in proportion to the value of their respective interests in the lands and premises partitioned, the said costs to be and remain a lien upon the lands and tenements of the several parties for the amounts to be paid by them respectively until paid.

2. Whenever it shall be made appear on motion or by petition to the Supreme Court in Equity, or a Judge thereof, by affidavit, or by the Certificate of the Registrar of Deeds and Wills for the County wherein the lands lie, that a memorial of any decree of absolute or unconditional foreclosure, or of any decree of severalty in partition, has been duly registered or received for registry in the County where the lands lie, or that any deed of sale and transfer made by any officer of the said Court, under a decree or order of the same, has been duly registered or received for registry as aforesaid, then it shall be lawful for the said Court or any Judge thereof, at the instance of the mortgagee or purchaser as aforesaid, or of any party to a partition of lands, to direct or order a Writ (A) to be issued for the delivery of possession of the lands so decreed in severalty, foreclosed, or sold by the officer of the Court, as aforesaid, to such party or parties as may be entitled thereto, under and by virtue of the said decree, or purchase thereunder as aforesaid; provided that fourteen days notice of any application for such

writ shall be first given to any person or persons in the actual occupation (if any) of the said lands or tenements at the time of such application, at which time the said party may show reasonable cause (if any) why the said writ should not issue forthwith.

3. The Sheriff or other officer authorized to execute the said writ for delivery of possession, shall have the same power and authority in the discharge of the duties hereby imposed upon him, as are given by law to him in the execution of a writ of *habera facias possessionem* in ejectment at common law, and shall be entitled to like fees, charges and expenses as in that case, which fees, charges and expenses shall be taxed by the Clerk of the Court in Equity, and shall be recovered against any party or parties whose continuance in possession may make the said writ necessary, in the same manner as any other costs of suit may be recovered; provided nevertheless, that the rights and interests of any *bona fide* owner of the said lands and tenements which are not precluded by the said decree, shall not be damnified or foreclosed by the said delivery of possession.

SCHEDULE OF FORMS.

Writ of Possession, &c.

VICTORIA, &c.

To the Sheriff of

Whereas by a certain decree (*or* order) lately made in our Supreme Court in Equity, in a certain cause there depending, wherein A. B. is plaintiff and C. D. defendant, it was decreed (*or* ordered) [*here insert such part of decree or order, or proceedings thereunder, as it may be sought to have carried out*] remaining as of record in our said Court, or the proceedings thereunder, will more fully appear.

Therefore we command you that without delay you cause the said to have possession of the said lands and tenements aforesaid decreed, (allotted *or* conveyed, *as the case may be*) to him (*or* them) as aforesaid; with the appurtenances; and in what manner you shall have executed this our writ, make appear to us in our said Court, at Fredericton, within days from the date hereof, and have you then there this writ. Witness Chief Justice, at Fredericton, the day of A. D. 186 [*day of issuing.*]

E. F., *Clerk.*

CAP. XI.

An Act relating to certain Parish Officers.

Section.
1. Security, by what Parish officer to be given.
2. Bye Laws, by whom made.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That in all cases where no provision is already made for security to be given by Parish Officers, every person appointed or hereafter to be appointed to any Parish or County office, wherein he shall be concerned in the collection, receipt or expenditure of any money paid to or received by him by virtue of his office, shall give a Bond to the Queen with sufficient security in such an amount and in such a manner as the County Council in incorporated Counties, and the General Sessions in Counties not incorporated, may require or direct.

2. The County Council in incorporated Counties, and the General Sessions in Counties not incorporated, are hereby empowered to make bye laws to regulate the same.

CAP. XII.

An Act to authorize the connexion of Railway Lines, and to provide for the management and regulation of connecting Lines of Railroads in this Province.

Section.
1. Company, when authorized to make connection with other Railways.
2. Charges to be made by Railway Companies in operation.
3. If Company refuse, &c., to draw loads, other Company may use their own Engine.
4. Depot of one Company may be used by another Company.
5. Rates of Fare, by whom established.
6. Differences between Companies, how settled.
7. Duty of Commissioners. Decision of Commissioners, how enforced.
8. Process to enforce, by what Court issued.
9. Power of Commissioners to compel witnesses.
10. Compensation to Commissioners.
11. Penalty for not obeying order of Commissioners.
12. Limitation of Act.

Passed 9th July, 1866.

WHEREAS under the Act of the General Assembly passed in the twenty seventh year of the Reign of Her present Majesty, intituled "An Act in aid of the construction of Railways," certain companies or bodies corporate have been organized in conformity to the provisions of said recited Act, and with the approval of the Governor in Council, and have commenced the building of certain branches in said Act

named and authorized to be built: And whereas other branch lines may be hereafter built under the provisions of said recited Act: And whereas such branches are intended to connect with main lines of Railway already built and in operation, or which may be hereafter built: And whereas it is just and desirable that every facility should be given to such branches and main lines to connect with or cross each other, and to haul cars without transhipment of freight from any such branch line to and over any such main line, and from any such main line to and over any such branch line, to place of destination, and that provision should be made in cases of failure of agreement between parties owning or having the management of any such main line and any such branch line respectively, to determine in relation to the rates at which passengers, merchandise and cars shall be transported or carried over such connecting lines, or either, and to determine as to the mileage and proportionate allowance of each road to be charged, and for the settlement and adjustment of same; and also to determine the terms and conditions upon which the engine or engines of either of any such connecting lines shall or may be run over the main line, or branch line, or both, and the rates to be charged upon passengers and merchandise to be carried over any such main line and branch line, or portions of each, and to determine the time and terms of connection, crossing, or junction; and that provision should be made to allow the engine or engines of either connecting line to run its cars on the connecting line in cases of neglect, refusal or inability of either of the owners or managers of such connecting lines respectively, to haul with its own engine or engines over the lines of either, and to provide for all and every other matter relating to the free and beneficial trafficking and working of either of the connecting lines, and to determine the compensation or damages to be allowed in cases in which compensation or damages would be claimable;—

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

1. That any Company or body corporate organized under the before recited Act, and building any of the branch lines mentioned in said Act before recited, and which are intended to connect with lines of Railway already built, and

on which cars run, shall be and are hereby authorized and entitled to make a connection with such main line or lines already built, or which may be hereafter built, at such convenient point at the place mentioned in the offer by any such Company or body corporate to the Governor in Council in their offer to construct any such branch line to any other line of Railway under the fourth Section of the before recited Act, and which offer has been consented and agreed to by the said Governor in Council.

2. A corporation or body corporate owning a Railroad on which cars run, the lessee or lessees, manager or agent of same, is hereby required, on request made, to draw over its road cars of any other Railroad connecting with it, at reasonable times, and at rates of toll not exceeding its ordinary and customary rates, and at proportionate and uniform charges for mileage according to the distance run, which the part shall bear to the whole, and according to the scale of charges; a table of which rates and charges to be made out by the said Company or body corporate, the lessee or lessees, manager or agent of such connecting lines respectively, in each and every year, and to be posted up in the principal depots of the Railroad exposed to public view.

3. When either of the said Companies or bodies corporate, the lessee or lessees, manager or agent of same, shall neglect or refuse, or be unable from any cause so to draw over its road the cars of any other Railroad connecting with it, at reasonable times as aforesaid, the corporation or body corporate owning either of the connecting lines of Railroad as the case may be, the lessee or lessees, manager or agent of same, may draw its cars over such road with its own engine or engines during such neglect, refusal or inability as aforesaid, subject, while on such road, to its regulations for the management of its own trains, if such should be in force.

4. The Company or party owning or having the management of either of the connecting lines, shall allow the use of their respective depots, the one to the other, for the landing, receiving and storing the merchandise of either, at all reasonable and convenient times, and at reasonable and customary charges.

5. Nothing in this Act contained shall be construed to interfere with the rights of either the connecting lines to

fix the rates of such transportation of passengers or merchandize as shall be confined wholly to any one of the connecting lines alone.

6. Whensoever it shall happen that the corporate bodies or companies so owning the Railroad lines respectively, the lessee or lessees, or the manager or managers, agent or agents of same, shall, after request made, fail to agree upon any of the matters in the preamble of this Act mentioned, it shall and may be lawful for either, and they are hereby authorized to make applications to the Supreme Court of this Province or to any Judge thereof, first giving fourteen days notice, the one to the other, of such their intention, that three Commissioners may be appointed to settle and determine any of the matters aforesaid, so desired to be settled and determined, who shall thereupon be appointed by the Supreme Court or any Judge thereof, for the purpose or purposes for which their appointment may be sought, and the notice to be given as aforesaid shall specify the purpose for which such appointment is so sought.

7. It shall be the duty of such Commissioners, immediately after their appointment and notice given to them by the party applying, to notify the said companies or bodies corporate, the lessee or lessees, manager or ostensible agent of any such connecting lines, of their intention to hear the parties concerning the matters for which they may have been appointed, specifying in such notice the time and place of hearing, and to determine the matter sought to be determined, adjusted, or regulated, and shall make and sign their award in the premises, prescribing the things to be done or otherwise as required of them, and their determination in relation to any of the matters upon which their interference is required, and for which they may have been appointed; which award or return of such Commissioners shall be rendered to the Supreme Court for the purpose of being confirmed and filed; upon such confirmation it shall be binding upon all parties concerned, and shall be made an order of the Supreme Court, enforceable by such Court, and shall so remain in force until a new application is made by either party as aforesaid, and award rendered and confirmed; provided always, that no such new application upon the same matter shall be made within one year after such confirmation.

8. The Supreme Court may issue any process necessary to enforce respect to the order so to be made as aforesaid.

9. The Commissioners, when appointed as aforesaid, shall be invested with the authority of Courts of Law, to summon witnesses, compel their attendance before them, and to testify.

10. A compensation to be made to the Commissioners for their services shall be allowed, not exceeding four dollars a day and travelling expenses, and the said Commissioners shall and may order and direct what party shall be liable for the same, or may apportion the payment of the same between the parties, and such payment shall be enforced by being made part of the order of the Court aforesaid.

11. On neglect or refusal by any such corporation or body corporate, the lessee or lessees, manager or agent of the same, to fulfil and abide by the terms and order of any such award so to be made by the Commissioners to be appointed as aforesaid, upon demand made upon such corporation or body corporate, their lessee or lessees, manager or agent, by the party who may have applied for the appointment of Commissioners as aforesaid, and who have made their award or order in the premises, and which award or order may have been confirmed in manner aforesaid, the said corporation or body corporate shall be subject to a penalty of forty dollars per day for each and every day's neglect or refusal to carry out and obey the award or order of the Commissioners, which penalty may be recovered by the party so applying as aforesaid, before any two Justices of the Peace resident in any County where the line of Railroad may be to which the said award or order may relate, and such proceedings for the recovery of such penalty may be taken under the Act of Assembly relating to summary convictions.

12. That this Act shall continue in operation for three years from the passing of the same.

CAP. XIII.

An Act to provide for the election of Councillors and the appointment of Parish Officers in the several Municipalities in this Province.

Section.
1. Parish Officers, how appointed; proviso.
2. Acts repealed.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. All Parish Officers of the said Municipalities, or so many as may be deemed necessary for the year ensuing their appointment, shall be appointed from time to time by the Council of the said Municipalities, and not otherwise; provided nevertheless, that the Parish Officers who may be in office at the time of the passing of this Act, may continue in the same until others shall be appointed in their stead.

2. All Acts and parts of Acts inconsistent with this Act are hereby repealed.

CAP. XIV.

An Act to encourage the formation of Oyster Beds.

Section.
1. Lease or License, by whom granted; proviso.
2. Lease, how sold. Upset price, by whom determined.
3. Rights of Lessees.
4. Penalty for trespass on any Lease.
5. Penalties, how recovered.
6. Penalty to be in addition to civil rights of Lessees. Free navigation not to be interfered with.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Governor in Council may grant leases or licences of occupation for a term not exceeding ten years, of the foreshore beyond low water mark on the coast, or within the bays, inlets, harbours or rivers of this Province, for the formation of oyster beds, and the cultivation of oysters, provided that no oyster beds now existing shall be so leased or licenced.

2. That when application is made for any lease or licence under the preceding Section, the lease or licence shall be sold at public auction after twenty one days notice in the Royal Gazette, in which notice the bounds of the lease or licence shall be specified; the upset price shall be determined by the Governor in Council; private rights and privileges already granted not to be affected by this Act.

3. The holders of any such lease or licence shall have the exclusive right to lay down and to raise or take away oysters from within the limits of any such lease or licence.

4. Any person who, without the leave of the owner of any such lease or licence, shall remove from, or carry away any

oysters from within the limits of any such lease or licence, such person shall for each and every offence forfeit and pay a sum not exceeding twenty dollars nor less than four dollars, to be sued for and recovered in the name of the owner of such lease or licence before any Justice of the Peace for the County where the offence shall be committed, and such fines shall be paid to the owner of such lease or licence.

5. Such fines or penalties shall be sued for and recovered in the manner prescribed by Chapter 138, Title xxxvii, of the Revised Statutes, 'Of Summary Convictions.'

6. The fines and penalties imposed by this Act shall be in addition to any civil rights and remedies of the owners of any such lease or licence, and nothing in this Act shall authorize in any way the interference with the free navigation of any bays, harbours, rivers or inlets in this Province.

CAP. XV.

An Act to revive and perpetuate the Act to provide for reporting and publishing the Decisions of the Supreme Court, and the Act in amendment thereof.

Passed 9th July, 1866.

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 His late Majesty King William the Fourth, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court," and also an Act made and passed in the twenty seventh year of the Reign of Her present Majesty, Queen Victoria, intituled "An Act to amend the Act to provide for reporting and publishing the Decisions of the Supreme Court," be and the same are hereby severally revived, continued, and declared to be in full force and effect for ever.

CAP. XVI.

An Act to provide for the prompt payment of all demands upon the Provincial Treasury.

Section.
1. Treasurer to receive Tenders for advances; limit of such advances. Tenders to specify rate per cent.
2. Tenders to be submitted to Governor in Council for approval.
3. Treasurer to deposit all public moneys with Bank whose Tender has been accepted; exceptions.
4. Treasurer not chargeable for failure of any such Bank; exception.
5. Limit of Act.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Treasurer is hereby authorized to receive Tenders from any Bank, Banking Company, or Branch thereof, that may be willing to advance such sum of money not exceeding one hundred and twenty thousand dollars, as may be required from time to time for the public service, having previously advertised therefor in such manner and for such period of time as the Governor in Council may prescribe; the tender shall specify the rate of interest proposed to be charged for money advanced, and what rate of interest such Bank, Banking Company, or Branch, will from time to time allow for any money to the credit of the Province in such Bank, Banking Company, or Branch thereof.

2. The Treasurer shall submit such tenders to the Governor in Council, who may approve of the one most beneficial to the public interest; whereupon the Treasurer shall accept the same, and enter into an agreement therefor in Her Majesty's name, containing such necessary stipulations as the Governor in Council shall prescribe.

3. Upon the completion of the said agreement, the Treasurer shall deposit with such Bank, Banking Company, or Branch thereof, all the public moneys which from time to time shall come into his possession or control, except moneys received for the sale of Provincial Debentures.

4. The Treasurer shall not be charged or chargeable for any failure or default of the said Bank, Banking Company, or Branch thereof, in the performance of any agreement or contract so to be entered into, nor for any loss or damage that may arise from any act, matter or thing lawfully done or suffered by him under the provisions and according to the true intent and meaning of this Act; and for any thing done or suffered by him not authorized by this Act, the said Treasurer shall be liable to all intents and purposes in the same manner as if this Act had not passed.

5. This Act shall continue and be in force for five years, and from thence to the end of the next Session of the General Assembly.

CAP. XVII.

An Act in addition to and in amendment of Section 15, Chapter 28, Title iii, of the Revised Statutes, 'Of Warehousing Goods.'

Passed 9th July, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the Governor in Council may, by regulations to be from time to time made, declare that upon the exportation from this Province of such articles manufactured therein, out of materials imported into it, and upon which the duties have been paid, as are respectively mentioned or described in such order, and in the cases therein mentioned, a drawback shall be paid as hereinafter mentioned; and upon such articles only, and in such cases only as are mentioned and described for the purpose in any such regulations then in force, the Provincial Treasurer or Deputy Treasurer at the port whence the same are exported, may pay out of any public moneys in his hands, to the person entering the same for exportation, such drawback thereon, not exceeding the amount of the import duties which have been paid on the materials out of which such articles have been wholly and solely manufactured, as are directed by the regulations then in force, subject to the observance of such conditions, and the giving of such bond or other security by such exporter, as are prescribed by such regulations.

CAP. XVIII.

An Act in addition to and in amendment of an Act to vacate the Seats of Members of the Assembly in certain cases.

Passed 9th July, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That whenever any person holding the office of Attorney General, Provincial Secretary, Solicitor General, Surveyor General, Postmaster General, or Chief Commissioner of Works, and being at the same time a Member of the House of Assembly, resigns his office, and within one month after his resignation accepts any other of the said offices, he shall not thereby vacate his Seat in the said House of Assembly.

CAP. XIX.

An Act in addition to the Law relating to the City Hall in the City of Saint John.

Section.
1. Mayor, &c. may make additional loans.
2. Loans not to be less than $400.
3. Interest, how paid.
4. Rents, into what fund paid.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The Mayor, Aldermen and Commonalty of the City of Saint John may, and they are hereby authorized to borrow, beyond the sum mentioned in the second Section of an Act made and passed in the twenty fifth year of the Reign of Her present Majesty intituled "An Act to provide for the erection of a City Hall in the City of Saint John," such further sum and sums of money as may from time to time be required for the purchase of any lands in the vicinity of the Corporation properties in the said City of Saint John, upon which the proposed City Hall, on the Eastern side of the Harbour, is to be erected.

2. Any such sum and sums of money borrowed under the provisions of this Act, shall be taken in loans of not less than four hundred dollars, and Debentures in the form provided by the said Act 25th Victoria, Chapter 51, with coupons for interest, shall be issued and negotiable in the same manner as provided for by said Act.

3. The interest on such Debentures to be paid in the same manner as on the Debentures issued under the said Act.

4. Any rents received from such lands to be paid into the City Hall Debenture Fund.

CAP. XX.

An Act to enable the Corporation of the City of Saint John to grant certain exemptions to former Members of the Fire Department of said City.

Section.
1. Exemption from taxes, how and by whom made; how apportioned.
2. Exemptions not to affect right of voting.

Passed 9th July, 1866.

WHEREAS the Common Council of the City of Saint John, in pursuance of the authorities vested in them in the organization and control of the Fire Department, have reduced the number of Firemen in said City in consequence of the intro-

duction of steam power Engines: And whereas certain of the former Firemen in said City have faithfully served for several years, but not a sufficient time to entitle them to the privileges conferred by the sixth Section of the Act thirteenth Victoria, Chapter 5, intituled "An Act for the better extinguishing of Fires which may happen in the City of Saint John," and Acts in amendment thereof: And whereas it is desirable to grant certain exemptions from local taxes to such discharged firemen, in the amounts, and for the periods, and in the manner hereinafter specified;—

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

1. The Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council, may by Resolution in which not less than two thirds of the whole body present at any meeting agree, and they are hereby authorized to give and grant to any person who was an engineer or fireman of the Saint John Fire Department at the time of the disbanding of certain Companies of said Department in the month of November in the year of our Lord one thousand eight hundred and sixty four, an exemption from payment of City and County Taxes, according to term of service, in the following proportions, namely:—In case of service for twelve years in succession, and less than fourteen, exemption to the amount of six dollars in each year for fourteen years: In case of service for ten years in succession, and less than twelve, exemption to the amount of five dollars in each year for ten years: In case of service for eight years in succession, and less than ten, exemption to the amount of four dollars in each year for eight years: In case of service for six years in succession, and less than eight, exemption to the amount of three dollars in each year for six years: In case of service for four years in succession, and less than six, exemption to the amount of two dollars and fifty cents in each year for four years: In case of service for two years in succession, and less than four, exemption to the amount of two dollars in each year for two years: And every person to whom the Common Council shall so grant such exemption shall be exempt accordingly; and it shall be the duty of the Common Clerk of said City to certify such exemption to the Receiver of Taxes of said City.

2. Any exemption granted under this Act shall not affect

the right of voting of any person so relieved, but a certificate of such exemption granted by the Receiver of Taxes shall for all purposes of Elections be as effective to all intents and purposes as a tax receipt.

CAP. XXI.

An Act to amend Chapter 87, of the Revised Statutes, 'Of Regulations for shipping Seamen at the Port of Saint John.'

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That notwithstanding any thing contained in Section ten, of Chapter 87, of the Revised Statutes, 'Of Regulations for shipping Seamen at the Port of Saint John,' it shall and may be lawful for the owner, part owner, master, or consignee of any Vessel, to give a Note or acceptance in writing or otherwise, in the nature of, or purporting to be, an advance Note for any part of the wages for the seaman entered on board such Vessel, payable to such seaman, or to his order, five days after the final sailing of such Vessel with such seaman on board; and the payee, endorsee, or holder thereof, may maintain an action thereon, in his own name.

FORM OF NOTE.

Saint John, N. B.,

$——

Five days after the final sailing of the A. B. from this Port, with C. D. on board, pay to C. D. or order the sum of

E. F., *Shipping Master.*

To G. H., *Owner or Consignee.*

CAP. XXII.

An Act to authorize the President and Directors of the Public Grammar School in the City of Saint John to borrow money on the security of their Real Estate for purposes connected with the School.

Section.
1. President, &c., authorized to contract loan; limit of loan at any one time.
2. Repayment of loan, how secured.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. The President and Directors of the Public Grammar School in the City of Saint John, are hereby authorized and empowered to borrow a sum or sums of money, not in the

whole to exceed at any one time four thousand dollars, for the purpose of erecting a new School House, or of raising, adding to, enlarging, improving or repairing the building now in use by the said School, and for providing such furniture, fittings, maps, and other things which the said President and Directors may consider necessary from time to time, for the efficiency of the said School, and the health and comfort of the pupils attending thereat.

2. For securing the repayment of any such sum or sums of money so borrowed, the said President and Directors, and their successors, are hereby also fully authorized and empowered to convey by way of mortgage, from time to time, as expedient, the whole or any part of their real estate, situate in the said City of Saint John, subject only to any leases, rights and privileges already by them granted and existing under and by virtue of an Act intituled "An Act to authorize the President and Directors of the Public Grammar School in the City of Saint John to grant leases with covenants for renewal."

CAP. XXIII.

An Act to authorize the Corporation of the City of Saint John to become shareholders in the European and North American Railway Company for extension from Saint John westward.

Section.
1. Mayor, &c., may subscribe for stock; limits number of shares.
2. Mayor, &c. may contract loan; limits amount.
3. Loans not to be less than $400 each; Debentures to be issued.
4. Debentures to be negotiable; interest, when payable.
5. Loans, how paid.
6. Assessment, how and by whom made.
7. Proportion of assessment to be levied on Western side of Harbour, and when to be assessed.
8. Assessments, how applied.

Passed 9th July, 1866.

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, if they shall think fit so to do, from time to time to subscribe for, purchase, and become shareholders and proprietors of such and so many of the shares in the capital stock of the "European and North American Railway Company for extension from Saint John westward," as the Common Council of said City may from time to time determine, not exceeding in the whole twelve hundred shares, being sixty thousand dollars, with all the rights and powers appertaining to such stockholders.

2. The said Mayor, Aldermen and Commonalty of the City of Saint John are hereby authorized and empowered to borrow such sum and sums of money as may from time to time be required for the purchase and payment of such shares of the said stock, not exceeding in the whole the sum of sixty thousand dollars, to be paid and applied in the purchase of such stock, and for no other purpose whatsoever.

3. The said sum and sums of money shall be borrowed in loans of not less than four hundred dollars each, and Debentures payable in thirty years from the time when such sum and sums may be borrowed, shall be issued to the person or persons from whom any such loans may be obtained, and in such form as the said Mayor, Aldermen and Commonalty may deem expedient, with coupons for interest payable half yearly, which Debentures shall be sealed with the common seal of the said Corporation, and signed by the Mayor and Common Clerk, and shall be numbered consecutively according to the order in which the same shall be issued, and the coupons for interest shall be signed by the Mayor and Common Clerk, and a record thereof shall be kept by the Common Clerk.

4. The said Debentures so to be issued under the provisions of this Act, shall be negotiable in the same manner as Promissory Notes, payable to bearer, and the holder thereof shall be entitled to receive interest on the same semi-annually, at the rate of six per centum per annum, to be paid by the Chamberlain of said City out of the funds as hereinafter provided.

5. All moneys loaned to the Corporation under this Act, shall be paid by the lenders thereof to the Chamberlain, and shall be paid out by him, on the orders of the Common Council, from time to time in the purchase of such stocks.

6. It shall and may be lawful for the Common Council of the said City, and they are hereby authorized and required to order an assessment upon that part of the City of Saint John on the eastern side of the Harbour, and the inhabitants thereof, of such sum and sums of money as may be required in any year to meet the interest on such Debentures, not exceeding in any year the sum of three thousand six hundred dollars, which sum and sums of money in every year in which the same shall be ordered, with the expenses of assessing and collecting, shall be assessed, levied and collected in the same

manner as any assessment under the "Saint John City Assessment Act of 1859," and the several Acts in force in amendment thereof, and when collected shall be paid over to the Chamberlain of said City for the purposes of this Act.

7. Whenever and so soon as the said "European and North American Railway Company for extension from Saint John westward," shall lay and build a line or branch of such Railway extending from the main line of such Railroad into that part of said City of Saint John called Carleton, on the western side of the Harbour, then and from and after the completion of such line or branch line, one fifth part of the amount of the assessment ordered and required in every year thereafter, with the expenses of collecting the same, shall be assessed, levied and collected on that part of the City of Saint John on the western side of the Harbour, and the inhabitants thereof, towards the interest on the Debentures issued under this Act, and the City on the eastern side shall be relieved from such one fifth of such assessment.

8. The moneys so assessed as aforesaid, and also all moneys, dividends, interest and profits to arise and accrue or to be received in respect of the said shares of stock to be so purchased as aforesaid, shall from time to time be applied, after discharging the half yearly interest due on the several principal sums secured by such Debentures, in payment of such Debentures as they become due.

CAP. XXIV.

An Act to authorize the extension of Saint John Street from Duke Street to Reed's Point Wharf, in the City of Saint John, on the Eastern side of the Harbour.

Section.

1. Commissioners, by whom appointed.
2. St. John Street to be opened and extended; width of street defined.
3. Duty and power of Commissioners.
4. Commissioners to make estimate of value of land, apportion amount, & report. When Mayor, &c. may take possession; proviso.
5. Commissioners to deposit copy of estimate with Common Clerk, and to give public notice of such deposit. If objections made, arbitrators to be appointed.
6. Estimates, when and by whom paid.
7. Assessments, by whom and to whom paid; residue on whom assessed.
8. Assessments to be paid to Mayor, &c. to be a lien on lands.
9. Sheriff to give notice of sale; not to affect agreement between landlord and tenant.
10. Acts, &c. of majority of Commissioners to be valid; remuneration to Commissioners.
11. Mayor, &c., authorized to borrow money.
12. Loans not to be less than $400; when payable.
13. Debentures negotiable.
14. Money raised, to whom paid.
15. Amount required to be assessed within ten years. Sinking fund established.
16. Moneys forming sinking fund to be invested.

Passed 9th July, 1866.

WHEREAS the opening and extension of Saint John Street, in the City of Saint John, from Duke Street to Reed's Point Wharf, on the eastern side of the Harbour, is deemed highly necessary, and would be a great public benefit;—

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

1. It shall and may be lawful for the Governor in Council to nominate and appoint, and also to re-appoint and supply as it may be expedient or necessary, three discreet and disinterested persons, Commissioners for performing the duties hereinafter in this behalf prescribed, which said Commissioners, before they enter on the performance of the duties of their appointment, shall severally take and subscribe an oath or affirmation before any Justice of the Peace in and for the City and County of Saint John, faithfully to perform the trust and duties required of them by this Act.

2. Saint John Street, in the City of Saint John, on the eastern side of the Harbour, shall be opened and extended from the south line of Duke Street to Reed's Point Wharf aforesaid, so as to make a street fifty feet in width, the easterly line whereof shall begin on the southerly side of Duke Street at a point ninety feet distant westerly from the west side line of Prince William Street, and shall extend southerly, parallel to said westerly line of Prince William Street, and at ninety feet distant therefrom, and directly prolonging such easterly line of Saint John Street extension, until it strikes the Reed's Point Wharf; and the westerly line whereof shall begin on the said southerly line of Duke Street at a point one hundred and forty feet distant westerly from the said west side line of Prince William Street, and shall extend southerly, parallel to easterly line of such Saint John Street extension, until it strikes the Reed's Point Wharf, so as to make a street fifty feet in width from the south side of Duke Street to Reed's Point Wharf aforesaid.

3. It shall be the duty of such Commissioners forthwith to enter on the duties of their appointment, and cause a survey and plan of such proposed extension of the street aforesaid, and the several lots or parcels of land through which it shall pass, and fronting thereupon, to be made and prepared; and for this purpose the said Commissioners shall have full power

and authority to enter in and upon the lands and tenements situate and being upon or near to the said street, and for any other purpose connected with the opening and extending of said street.

4. The said Commissioners, as soon as they shall have caused such survey and plan to be made, shall proceed to make a just and equitable estimate of the value of the lands, tenements, and hereditaments required for opening and extending the said street, and shall assess and apportion ($\frac{1}{3}$) one third of the amount of such estimated value on all the parties owning or interested in any lands, tenements and hereditaments fronting on the said street, or lying in the vicinity thereof, and in the discretion and opinion of the Commissioners benefited thereby, according to their best discretion, in proportion to the benefit accruing to such parties respectively from the opening of the said street, and shall thereupon file the said plan with the Common Clerk of the said City, at his Office, as and for a record of their doings in that respect, and shall forthwith report their proceedings, and all matters and things connected with their duties as such Commissioners, to the Common Council of the said City; and in the said report, the Commissioners who shall make the same, shall set forth the names of the respective owners, lessees, parties and persons entitled unto or interested in such lands, tenements, hereditaments and premises mentioned in the said report, and each and every part and parcel thereof, as far forth as the same shall be ascertained by them, and an apt and sufficient designation or description of the respective lots or parcels of lands, or other tenements, hereditaments and premises that may be required for the purpose of opening the said street; and also of the said respective lots or parcels of lands and other tenements, hereditaments and premises so assessed by the said Commissioners, for the said benefit as aforesaid; and also the several and respective sums estimated and assessed as and for the compensation and recompense, or the allowance to be made for the value of the land and other tenements, hereditaments and premises so taken for the purposes aforesaid; as also the sums assessed upon the same for the benefit and advantage of the respective owners of the fee or inheritance of such lands, tenements, hereditaments and premises

respectively, or for the compensation or damage, and for the assessment for the benefit of the respective owners of the leasehold estate, or other interest therein separately; but in all and each and every case and cases where the owners and parties interested, or their respective estates and interests, are unknown or not fully known to the Commissioners, it shall be sufficient for them to estimate and assess, and to set forth in their said report, in general terms, the respective sums to be allowed and paid to or by the owners or proprietors generally of such lands, tenements, hereditaments and premises, and parties interested therein, for the compensation and damage, and for the assessment for the benefit and advantage of such owners, proprietors and parties interested, in respect of the whole estate and interest of whomsoever may be entitled unto or interested in the said lands, tenements, hereditaments and premises respectively, by and in consequence of the opening of the said street, without specifying the names of the estates or interests of such owners, proprietors or parties interested, or of any or either of them; and upon the coming in and filing of such report, the same shall be final and conclusive as well upon the Mayor, Aldermen and Commonalty of the City of Saint John, as upon the owners, lessees, parties or persons interested in and entitled unto the lands, tenements, hereditaments and premises mentioned in the said report; and the said Mayor, Aldermen and Commonalty shall become possessed of all the said lands, tenements, hereditaments and premises in the said report mentioned, that shall or may be so required for the purpose of opening the said street; the same to be appropriated, converted and used to and for such said purposes accordingly, and for none other whatsoever; and thereupon the said Mayor, Aldermen and Commonalty, or any person or persons acting under their authority, may immediately, or at any time or times thereafter, take possession of the same, or any part or parts thereof, without any suit or proceedings at law for that purpose; and may at any time thereafter take down and remove all buildings or parts of buildings, erections or improvements of any description whatsoever, on the said lands, tenements, hereditaments and premises; provided that it shall not be lawful for the said Commissioners to allow any sum or compensation whatso-

ever for any building or buildings which may, after the passing of this Act, be built, placed or erected in part or in the whole on such part or parts of the said lands, tenements, hereditaments and premises that may be required for the opening and extending of the said street; provided always, that whenever the persons or parties, any or either of them, in whose favour any such sum or sums or compensations shall be so reported, shall be under the age of twenty one, *non compos mentis*, *femme covert*, or absent from the City of Saint John, and also in all the cases where the name of the owner or owners, parties or persons entitled unto or interested in any lands, tenements, hereditaments or premises that may be so required for any of the purposes aforesaid, shall not be set forth or mentioned in the said report, or when the said owners, parties or persons respectively named therein, cannot upon diligent enquiry be found, it shall be lawful for the said Mayor, Aldermen and Commonalty to pay the sum or sums mentioned in the said report payable, or that would be coming to such owners, parties or persons respectively, into the Equity side of the Supreme Court of this Province, to be secured, disposed of, and invested as the said Court shall direct; and such payments shall be as valid and effectual to all intents and purposes, as if made to the said owners, parties and persons respectively themselves, according to their proportions, as if they had been known, present, of full age, *des-covert*, or *compos mentis*.

5. The said Commissioners, after completing their said estimates and assessments, and at least fourteen days before they make their Report to the Common Council, shall deposit a true copy or transcript of said estimate and assessment in the office of the Common Clerk of the said City, for the inspection of whomsoever it may concern, and shall give at least ten days notice by advertisement to be published in at least two of the public Newspapers printed in the said City, of such deposit, and of the day on which it will be finally filed as and for a record of their proceedings; and any person or persons whose right may be affected thereby, and who shall object to the same or any part thereof, may, within thirty days after the first publication of the said notice, state his, her or their objections to the same in writing to the said Commissioners, or any one of them, who

should have made or consented to such estimate and assessment; and the Commissioners, in case objections shall be so made, shall reconsider their said estimate and assessment, or the part or parts thereof so objected to, and in case the same shall appear to them to require correcting, but not otherwise, they shall and may correct the same accordingly; but should the Commissioners adhere to their original opinion, and notify the party objecting thereof in writing, then it shall be lawful for the party interested objecting, to nominate by writing, within five days after receiving such notice, one arbitrator, and the Commissioners shall name another who shall have made or consented to such estimate and assessment, and they two shall name a third before proceeding to arbitrate in the matter, who shall arbitrate and determine the question; and their award, or the award of any two of them, shall be made in writing and filed in the office of the Common Clerk within fifteen days from the date of the appointment by the Commissioners of the arbitrator, in which case the Commissioners shall correct the estimated assessment agreeably to such award; provided that, in case the said arbitrators do not agree upon such third person within three days after the appointment of such two arbitrators, the said Commissioners shall forthwith proceed to nominate another arbitrator, and the party interested objecting also to nominate another arbitrator, and so on *toties quoties* until the said two selected arbitrators agree on a third; and further provided, that in the event of the said three persons when selected as arbitrators, or some two of them, not agreeing upon any decision, three new arbitrators to be appointed as hereinbefore first provided, and so on *toties quoties* until such arbitrators or some two of them do agree upon their decision; and further provided, that in case the said party or parties objecting do not, within three days after notice in writing of the nominating of an arbitrator by the Commissioners making or assenting to such estimate and assessment, appoint an arbitrator and notify the Commissioners, or one of them, making or assenting to such estimate and assessment, then the said estimate or assessment to be final and conclusive; that either party may be heard before said arbitrators by counsel, and that such arbitrators shall, if required by either party, hear the parties and their witnesses

upon oath, which oath the said arbitrators, or any one of them, are hereby authorized to administer.

6. The said Mayor, Aldermen and Commonalty shall proceed forthwith to collect the said several estimates and assessments for compensation reported or found due as aforesaid, and shall within one calendar month after the said several assessments made and to be made as herein provided for the purposes of this Act, are collected and received by them, pay to the respective persons and parties mentioned and referred to in the said report, in whose favour any sum or sums of money shall be estimated and reported by the said Commissioners, or otherwise deal with as in the fourth Section of this Act is provided, the respective sum or sums so estimated and reported in their favour as aforesaid respectively, first deducting in each case any sum or sums that such parties respectively may, on the said report and assessment of the Commissioners, be declared liable to pay by reason of the benefit to them respectively accruing from the opening and extension of the said street; and in case of neglect or default by the said Mayor, Aldermen and Commonalty in payment, according to the intention and requirement of this Act, within the time aforesaid, the respective person or persons, party or parties, in whose favour the same shall be so reported, his, her or their executors or administrators, at any time or times after such collection and receipt as aforesaid, and after such application first made by him, her or them to the said Mayor, Aldermen and Commonalty in Common Council convened, for payment thereof, may sue for and recover the same with lawful interest from and after the said application therefor, together with costs of suit, in an action of debt or assumpit against the said Mayor, Aldermen and Commonalty, in any Court having cognizance thereof, and in which it shall be sufficient to declare generally for so much money due to the plaintiff or plaintiffs therein by virtue of this Act, for premises reported as required for the purpose herein mentioned; and it shall be lawful for the plaintiff or plaintiffs to give any special matter in evidence under general declaration; and this Act, and the report of the said Commissioners, with proof of the right and title of the plaintiff or plaintiffs to the sum or sums demanded, shall be conclusive evidence in such suit or action.

7. The respective sums or assessments so to be assessed and reported by the said Commissioners, as and for the allowance to be made by the parties and persons respectively in the said report mentioned as owners or proprietors of or parties interested in lands or tenements deemed to be benefitted by the extension and continuation of the said street, as mentioned in the said report, shall be borne and forthwith paid to the said Mayor, Aldermen and Commonalty by the said parties and persons respectively; and the residue or remainder, being two-thirds of all the moneys which may be due for and on account of the sums or estimates of compensation and recompense that may be reported by the Commissioners in favour of the respective persons and parties deemed to be entitled thereto, and any sum necessary for making and finishing the said extension, and also all expenses, disbursements and charges which may arise and be incurred under the provisions of this Act, shall and may be assessed on that part of the said City of Saint John which lies on the eastern side of the Harbour; and the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council convened, are hereby authorized and required to order and direct the said residue and remainder, being two-thirds of the said moneys and expenses hereinbefore mentioned, together with any sum necessary for making and finishing the said extension, together with the charges for assessing, levying, and collecting the same, to be assessed upon that part of the City of Saint John on the eastern side of the Harbour, and the inhabitants thereof, in time extending over ten years, and the same shall be assessed, levied and collected in proportions in each year as follows:—One-tenth part of such whole amount, with the expenses of assessing and collecting the same, to be so assessed, levied and collected in each year for ten years in succession, in addition to the annual assessments, and shall be levied, collected and paid in the same manner as any assessment under the Saint John City Assessment Act, 1859, and the several Acts in force in amendment thereof.

8. The several and respective sums or assessments hereinbefore directed to be paid to the said Mayor, Aldermen and Commonalty, shall be a lien or charge on the lands, tenements, hereditaments and premises in the said report of the

Commissioners mentioned, or upon the estate and interest of the respective owners and proprietors thereof, or parties interested therein, for or on account of which the said respective sums shall be so assessed by said Commissioners; and the said owners and proprietors thereof, and parties interested therein, shall moreover be respectively liable to pay on demand in writing the respective sum or sums mentioned in the said report of the said Commissioners, at which the respective lands, tenements, hereditaments and premises so owned by him, her, or them, or wherein he, she or they are so interested, or at which the owners or proprietors thereof shall be assessed, to such person or persons as the said Mayor, Aldermen and Commonalty shall appoint to receive the same; and in default of payment of the same, or any part thereof, it shall be lawful for the Mayor or Recorder of the said City, and any three of the Aldermen, from and after thirty days from the time of such demand, by Warrant under the hand and seal of the said Mayor or Recorder, and the hand and seal of the said Aldermen, directed to the Sheriff of the said City and County of Saint John, to cause the said lands, tenements, hereditaments and premises, or a sufficient portion thereof to satisfy the claim and expenses, to be sold at public auction, and out of the proceeds thereof, the amount of the assessment against the owner or owners thereof, or parties interested therein, to be paid to such receiver; and the overplus, if any, arising from such sale, after deducting all just charges and expenses, to be paid to the owner or owners of the lands, tenements and hereditaments so sold as aforesaid, or person or persons entitled to receive the same; or if he, she or they cannot upon diligent enquiry be found or ascertained to the satisfaction of the said Mayor, then to be paid into the Equity side of the Supreme Court of this Province, to be secured, disposed of, or invested, as the said Court shall direct.

9. The Sheriff shall give ninety days notice of the time and place of such sale in three or more of the Newspapers published in the City of Saint John, and shall execute a deed or deeds of the lands, tenements and hereditaments so sold, to the purchaser or purchasers thereof, which shall be good and effectual to pass the title thereto as against the owner, and all and every person or persons made liable to

pay any sum or sums of money in respect thereof, under and by virtue of this Act, and for payment and collection of which the said lands, tenements, hereditaments and premises shall have been sold as aforesaid: Nothing in this Act contained shall affect any agreement between landlord and tenant, or any other contracting parties as between themselves, respecting the payments of any such assessments or charges as aforesaid, but they shall be answerable to each other in the same manner as if the provisions in this Act contained concerning the same had not been made; and if any money so to be assessed, be paid by, or collected, or recovered from any person or persons, when by agreement or law the same ought to have been borne and paid by some other person or persons, it shall be lawful for the person or persons paying the same, or from whom the same shall have been recovered by distress, suit, or otherwise, to sue for and recover the money so paid by or recovered from him or them, with costs, as so much money paid for the use of the person or persons who ought to have paid the same; and the said report of the Commissioners, with proof of payment, shall be conclusive evidence in the suit.

10. In all cases the acts, decisions and proceedings of the major part of the Commissioners so to be appointed for the purposes of this Act, who shall be acting in the premises, shall always be as valid, binding and effectual as if all the Commissioners had concurred or joined therein; and such of the Commissioners who shall enter upon the duties of their appointment, shall be entitled to receive such sums for each day they shall be respectively actively employed therein, as the said Mayor, Aldermen and Commonalty shall name, to be paid by the said Mayor, Aldermen and Commonalty, and included in the before-mentioned sums of money, and considered part of the disbursements and expense incurred by virtue of this Act, besides all reasonable expenses of maps, surveys, and plans, clerk's hire, and other necessary expenses and disbursements.

11. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby authorized and empowered to borrow such sums of money as may be necessary for the purpose, to be applied towards the opening and building up the said street, and the expense connected therewith.

12. Such sums of money shall be borrowed in loans of not less than four hundred dollars each; and Debentures, payable in ten years from the issuing of such Debentures respectively, shall be issued to the person or persons from whom any such loan may be obtained, and in such form as the said Mayor, Aldermen and Commonalty may deem expedient, with coupons for interest payable half-yearly, which Debentures shall be called "Saint John Street Extension Debentures," and shall be sealed with the common seal of the said Corporation, and signed by the Mayor and Common Clerk, and shall be numbered consecutively according to the order in which the same shall be issued, and the coupons for interest shall be signed by the Mayor and Common Clerk, and a Record thereof shall be kept by the Common Clerk.

13. The said Debentures so to be issued under the provisions of this Act, shall be negotiable in the same manner as promissory notes payable to bearer, and the holders thereof shall be entitled to receive interest on the same semi-annually at the rate of six per cent. per annum, to be paid by the Chamberlain of the said City out of the funds hereinbefore provided, on presentation of the coupons for the same.

14. The money raised under this Act shall be paid by the lenders thereof to the Chamberlain, and shall be by him paid out upon the order of the Common Council to the contractors or workmen who shall be employed under the provisions of this Act, or other the persons entitled to such payment hereunder.

15. The amount required to be assessed on the City of Saint John on the eastern side of the Harbour, under the provisions of this Act, shall be assessed in a time extending over ten years, one-tenth part being assessed in each year until the whole amount is paid as hereinbefore prescribed; and the amount raised by the Chamberlain on all such amounts shall constitute a fund, to be called "The Saint John Street Extension Fund," and shall be appropriated as follows: In the first place to pay the interest on such Debentures issued under the provisions of this Act, and the balance remaining in the hands of the Chamberlain in each year, shall form a sinking fund, which is to accumulate from year to year until required, and be appropriated in payment of such Debentures as they become due, and shall not be used or applied for any other purpose whatsoever.

16. The moneys forming the said sinking fund shall from time to time, as the Common Council may direct, be invested by the Chamberlain, in the name of the Chamberlain of the City of Saint John, in good public or landed securities as the Common Council may from time to time approve, and the sums so invested, and the securities therefor, and the interest thereon, shall be held by the Chamberlain in trust for the purposes of this Act.

CAP. XXV.

An Act relating to the Polling places in the County of York.

Section.
1. Additional Polling place established.
2. Part of Act 29 Vic. repealed.
3. Polling place in Queensbury, where held.
4. Separate Lists for Parish of Manners Sutton, when and by whom made.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That the following shall be an additional Polling place in the County of York, that is to say,—At or near Patrick Maloney's, in the Cork Settlement, in the Parish of Manners-Sutton, for all the electors who reside or are entitled to vote on the Lots each side of the road running through the said Settlement, and the Lots fronting on both sides of the Maxwell Settlement road, from the lower line of the Parish to Lot twenty three inclusive.

2. That all that part of an Act made and passed in the twenty ninth year of the Reign of Her present Majesty Queen Victoria, intituled "An Act to establish additional Polling places in the County of York," which establishes a Polling place at or near Daniel Ford's, in the Parish of Kingsclear, in the Hanwell Settlement, so called, be and the same is hereby repealed.

3. That the poll for the election of Members to serve in the General Assembly, provided in the Act to regulate the election of Members to serve in the General Assembly, be held at or near Asa Dow's, in the Parish of Canterbury, shall never be held above the farm on which Asa Dow at present resides in the said Parish.

4. Immediately after the ordering of any Writ for an Election for the County of York, it shall be the duty of the Secretary Treasurer of the Municipality of York, with the

Warden of the said County, and the Councillors of the Parish of Manners-Sutton, or any two of them, to make up from the Register on file in his office for the year, a separate list of the electors for each of the Districts of the said Parish into which it is divided by this Act, which shall be respectively signed by the Warden, and shall be the Register of Electors for the said Parish for the year; a duplicate of each shall be given to the Parish Clerk.

CAP. XXVI.

An Act to authorize the Municipality of the County of Carleton to issue Debentures to a certain amount to aid in paying for the enlarging and repairing of the Court House.

Passed 9th July, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That the Municipality of the County of Carleton are hereby authorized, in addition to an Act of Assembly, 28 Victoria, Chapter 60, intituled "An Act to authorize the County of Carleton to issue Debentures to a certain amount," to issue certificates of debt in the form of Debentures, under the seal of the Municipality and signature of the Warden, and countersigned by the Secretary Treasurer, for a sum not exceeding twelve hundred dollars, ($1,200,) to meet the expenses incurred in enlarging, repairing and improving the County Court House, to be repaid by assessment made and levied as by law provided for levying and collecting assessments; said Debentures to be in form as provided for in the above mentioned Act.

CAP. XXVII.

An Act to authorize the County of York to assess for Agricultural purposes.

Section.
1. Debentures, by whom issued.
2. Form of Debenture; period to run.
3. Assessment, by whom and for what purpose made.

Passed 9th July, 1866.

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

1. That the County Council of the County of York be and are hereby empowered to issue Debentures, if they think proper so to do, to the amount of fifteen hundred dollars, to be appropriated in assisting the York County Agricultural

Society in raising funds to pay off the balance due on the Exhibition Palace erected in the year one thousand eight hundred and sixty four.

2. That the said Debentures shall be in such form, and for such a period not to exceed ten years, and for such an amount not less than one hundred dollars each, as the Warden of the County Council shall prescribe.

3. The said County Council of the County of York are hereby authorized and required to make a rate and assessment each and every year, of a sum of money sufficient to discharge the interest and such part of the principal of the loan contracted by virtue of this Act, as they shall think expedient, until the same shall be paid off; all which said several sums of money shall be levied, assessed and collected in the same manner as other County and Parish rates are levied, assessed and collected.

CAP. XXVIII.

An Act to authorize the City Council of the City of Fredericton to assess for Agricultural purposes.

Section.
1. Debentures, by whom and for what purpose issued.
2. Form, &c. of Debenture, and period to run.
3. Assessment, by whom and for what purpose made.
4. Debentures, when to be issued.
5. City Council to control expenditure.
6. Arrangements relative to Exhibition building, by whom made.

Passed 9th July, 1866.

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

1. That the City Council of the City of Fredericton may, if they deem it advisable, issue Debentures to an amount not exceeding fifteen hundred dollars, to be appropriated in assisting the York County Agricultural Society in raising funds to pay off the balance due on the Exhibition Building in the City of Fredericton, in the County of York.

2. That the said Debentures shall be in such form, and for such period not to exceed four years from their issue, and for such an amount not less than one hundred dollars each, as the City Council may prescribe.

3. When the City Council deem it advisable to issue such Debentures, they are hereby authorized and required to make a rate and assessment each and every year, of a sum sufficient to discharge the interest and such part of the

principal of the loan contracted by virtue of this Act, as they shall think expedient, until the same shall be paid off; all of which said sums of money shall be levied, assessed and collected in the same manner in all respects as other City taxes and rates.

4. No Debenture shall be issued under this Act unless it appears to the satisfaction of the City Council that the York County Agricultural Society has raised or can raise from other sources, a sum of money (including the Debentures) sufficient to pay off all the existing claims against the Exhibition Building.

5. The City Council shall have full power to control the expenditure of any money raised under this Act, and to see that the same is duly and properly applied to the payment of the debt existing against the said York County Agricultural Society in connection with the erection of the said Exhibition Building.

6. The said City Council and the Municipality of York, or either of them, may before or after the issue of such Debentures, and they are hereby authorized to make such terms, impose such conditions, and enter into such engagements with the York County Agricultural Society, or with each other, as to the obtaining an interest in the said Exhibition Building, and grounds and show grounds, and all the lands and premises held by the said York County Agricultural Society, or for the appointment of a Committee of their own body to act in the arrangement thereof, or for such other purpose in connection therewith as to them may seem fit.

CAP. XXIX.

An Act to revive and continue the Act to incorporate the Saint Croix Bridge Company.

Passed 9th July, 1866.

Be it enacted by the Lieutenant Governor, Legislative Council, and Assembly,—That an Act made and passed in the eighth year of Her Majesty's Reign, intituled "An Act to incorporate the Saint Croix Bridge Company," be and the same is hereby revived and 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 eighty six, and that the said Act shall be construed by all Courts of Law as if the same had not expired.

CAP. XXX.

An Act relating to Church Lands in the Parish of Shediac.

Section.
1. Amount authorized, by whom, and to whom paid.
2. Amount, how applied, and by whom.

Passed 9th July, 1866.

WHEREAS the Rector, Church Wardens and Vestry of the Parish of Shediac, County of Westmorland, did under and by virtue of an Act of Assembly passed in the twenty fourth year of the Reign of Her present Majesty, intituled "An Act to enable the Rector, Church Wardens and Vestry of the Parish of Shediac to sell and dispose of a certain parcel of the Church Land," sell and convey the lands in the said Act particularly described: And whereas since the passing of the said Act the said Parish of Shediac has been divided, and a separate Parish erected for ecclesiastical purposes, by the name of "The Parish of Point du Chene;" and the Rector, Church Wardens and Vestry of the said Parish of Point du Chene, newly erected, are entitled to a portion of the proceeds arising from such sale;—

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

1. The Rector, Church Wardens and Vestry of the Church of Saint Martins in the Wood, in the Parish of Shediac, are hereby authorized and required to transfer and pay unto the Rector, Church Wardens and Vestry of Saint Andrews Church, in the Parish of Point du Chene, in the Parish of Shediac, in the County of Westmorland, the sum of eight hundred dollars, a portion of the proceeds of the sale of the lands in the preamble of this Act referred to.

2. The said sum of eight hundred dollars shall and may be applied by the said Rector, Church Wardens and Vestry of Saint Andrews Church, in the Parish of Point du Chene, towards paying off a debt now due and owing upon a Church lately erected by them in the said Parish.

CAP. XXXI.

An Act to provide for the more effectual repairing the Roads and Bridges in the Parish of Carleton, in the County of Kent.

Section.
1. Amount to be paid in lieu of labour.
2. Amount how assessed.
3. Commissioners how appointed.
4. Commissioners to give bond.
5. Duty of Commissioners.
6. To act until others are appointed.
7. What money Commissioners shall expend.

Passed 9th July, 1866.

WHEREAS it is found that the present Highway Act cannot properly be carried into effect in the Parish of Carleton, from the scattered state of the population, and the general disinclination to perform statute labour;—

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

1. All persons liable to perform statute labour on the roads and bridges in the Parish of Carleton, in the County of Kent, shall in future, in lieu of such labour, annually pay the sum of twenty five cents for each and every day's labour such persons are respectively liable to perform.

2. The moneys required to be paid by virtue of this Act shall be assessed, levied and collected in the same manner as any Parish or County rates are assessed, levied and collected by virtue of any law now in force or hereafter to be in force for that purpose in this Province; and such moneys when collected shall be paid over to the Commissioners of Highways for the said Parish, to be expended for the districts in which they are collected.

3. The Commissioners shall be annually appointed in said Parish for that purpose, in the same manner and by the same authority as Commissioners of Highways are now appointed, which said moneys shall be by them expended by public contract or by sale at auction, on the roads and bridges within the said Parish.

4. Such Commissioners shall, before entering upon the duties of their office, give a bond with two sureties to the Queen, to be approved by two Justices resident in the said Parish, in such sum as the Sessions shall from time to time prescribe, conditioned for the faithful performance of the duties of their office, and the due accounting of all moneys that they shall collect or receive as such Commissioners; which bond shall be filed in the office of the Clerk of the Peace within one month after such election or appointment; such Commissioners may retain ten per cent. of the moneys by them annually collected, as compensation for collecting and expending thereof.

5. The Commissioners for the said Parish shall within the said Parish perform all the duties required by law to be performed by surveyors of roads, and shall have all the powers

and authorities and shall perform all the other duties within the said Parish authorized and required by the laws now in force or that may hereafter be in force relating to Highways.

6. The Commissioners elected or appointed for the said Parish at the last annual meeting in the said Parish, shall be the Commissioners for the said Parish under this Act, until other Commissioners shall be elected or appointed, and have qualified.

7. The Commissioners shall only expend the moneys which they shall collect during the year they are in office, and shall not incur any debt or liability respecting the repair of roads, to be paid out of the road collections for the succeeding year.

CAP. XXXII.

An Act to incorporate the Miramichi, Richibucto, and Shediac Branch Railway Company.

Section.
1. Company incorporated.
2. Capital Stock.
3. First meeting, by whom called.
4. Qualification of voters at first meeting
5. Toll, by whom established.
6. Joint stock alone liable.
7. Directors may impose charges on Railway.
8. Suit against Company to commence within six months.
9. Lands reserved for Naval and Military purposes not to be entered without consent of Her Majesty.
10. Railway to be commenced within four years.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows :—

1. That the Honorable Peter Mitchell, Richard Hutchison, Esquire, the Honorable James Davidson, the Honorable John Ferguson, the Honorable William Hamilton, the Honorable David Wark, John M. Johnson, George Kerr, Richard Sutton, Honorable Edward Williston, Honorable John M'Millan, Lestock P. W. DesBrisay, William S. Caie, William J. Gilbert, John Meahan, Alexander C. DesBrisay, Robert Young, George H. Russell, John Harley, John Noonan, Thomas C. Allen, William M. Kelley, James Fish, Allan A. Davidson, George Burchell, Jacob C. Gough, William Muirhead, John Pallan, Alexander M'Laggan, David Ritchie, John Rundle, Jesse G. Harding, William Parks, Robert R. Call, and James Fallen, their associates, successors, and assigns, be and they are hereby made and constituted a body politic and corporate, by the name of "The Miramichi, Richibucto and Shediac Branch Railway Company," and by that name shall have all

the powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of constructing a line of Railway from the European and North American Railway to the Miramichi River, in the County of Northumberland, and for the providing the necessary station houses, and rolling and other stock, and appliances thereof, and for the maintaining, managing and working the same.

2. The capital stock of the said Corporation shall be three millions of dollars, to be divided into thirty thousand shares of one hundred dollars each, with power to increase to five millions of dollars by additional shares, or increasing the amount of each share.

3. The first meeting of the said Corporation shall be called by the Honorable Peter Mitchell, or in case of neglect, or refusal, or death, by any two of the Corporators, by giving at least fifteen days notice of the time and place of such meeting, in some Newspaper published in the Town of Chatham or Newcastle in said County.

4. No person shall be entitled to attend or vote at such first meeting unless he shall have previously deposited in the Commercial Bank Agency at Newcastle, or in some other incorporated Bank in this Province, to the credit of the Corporation, five per cent. on the amount of stock which he claims to hold, and produce and file with the Secretary of the said meeting the deposit receipt thereof.

5. The Directors of the said Company may from time to time fix, establish and impose a toll upon all passengers and property of every description, which may be conveyed or transported by the said Corporation on the said road.

6. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the said Company.

7. The Directors of the said Company may from time to time, in such manner as they see fit, subject and charge the said Railroad, and the lands, goods, effects and property, toll, income and profits of the said Company, or any guarantee of interest, grant of money or land, or other aid, benefit or advantage, or such part thereof as they may think fit; and every such charge shall be as binding and obligatory on the Company as if the provisions therefor were herein expressly enacted.

8. No suit or action at law or in 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 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 authority of this Act.

9. Nothing in this Act contained shall authorize the said Company or their contractors to enter upon any lands reserved for Naval or Military purposes, without the consent of Her Majesty.

10. Unless the construction of the Railway shall be commenced, *bona fide*, within five years from the passing of this Act, and completed within eight years from the passing of this Act, so as to be used for the conveyance and carriage of passengers, goods and chattels, then this Act, and the powers and privileges herein granted, shall cease and become void.

CAP. XXXIII.

An Act to incorporate the Provincial Oil Company.

Section.
1. Company incorporated.
2. First meeting, when held.
3. Capital stock.
4. Shareholders, for what liable.
5. Stock of shareholders, for what liable.
6. Sale of stock, when and how made.
7. Joint stock alone liable.
8. Proviso.

Passed 9th July, 1866.

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

1. That Charles Parker, George E. Leonard, and John Howarth, their successors and assigns, shall be and they are hereby declared to be a body corporate and politic, by the name of "The Provincial Oil 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 mining coal, shale, asphalt, or asphaltic rock, and for manufacturing and trading in oils and other illuminating or lubricating substances, and for purchasing, owning or selling mines or real estate required or necessary for these purposes, and for such other business as may be incident thereto.

2. The first meeting of the said Corporation shall be held at such time and place in this Province as may be appointed by a majority of the above named persons.

3. The capital stock of the said Corporation shall be one million of dollars, divided into ten thousand shares of one hundred dollars each, with the privilege, within three years, to increase the capital to one million five hundred thousand dollars, divided into fifteen thousand shares of one hundred dollars each.

4. Each and every shareholder in the said Corporation shall be held liable to the said Corporation for each and every call or assessment made, not however to exceed in amount the stock subscribed by him, for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, for the purposes of, or to carry on the operations for which the said Company is incorporated, which call or assessment may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

5. The capital stock held by any shareholder in the said Company at the time of making any call or assessment thereon, shall be liable to the payment thereof; and in case of non-payment of such call or assessment at the time when the same shall be made payable, the Directors are authorized to order a sale to be made of so many of the said shares as they may think necessary for the payment thereof, with interest and expenses.

6. Such sale shall be made at auction, upon not less than thirty days notice by the President in some Newspaper published in the City of Saint John, and the stock shall be transferred by the President and Secretary to the purchaser, who shall thereupon be entitled to a new certificate thereof; and the proceeds of such sale shall be applied towards paying the amount of such call or assessment with interest, and the costs, charges and expenses of such notice, sale and transfer, and the residue (if any) to the former owner.

7. The joint stock and property alone of the said Corporation shall be liable for the debts and engagements of the same.

8. Provided always, that the existence of the Corporation shall cease (except so far as regards the rights of creditors

to sue for and recover debts due by the Corporation,) unless within two years from the passing of this Act there be filed in the Office of the Provincial Secretary a Certificate under the seal of the Corporation, and verified by the oath of the President or Secretary, (which oath any Judge or Commissioner for taking affidavits in the Supreme Court is hereby authorized to administer,) setting forth that the Corporation have in assets and paid up stock in value, a sum equivalent to fifteen per centum of the proposed capital stock of one million of dollars.

CAP. XXXIV.

An Act to enable the Corporation of the City of Saint John to effect certain improvements on the Streets of the said City on the eastern side of the Harbour, and for other purposes.

Section.
1. Mayor, &c., authorized to borrow money.
2. Loans not to be less than $400; loans, when payable.
3. Debentures to be negotiable.
4. Loans, to whom paid.
5. Loans, upon what fund chargeable.
6. Duties of Commissioners of Sewerage and Water supply.

Passed 9th July, 1866.

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

1. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, and they are hereby authorized from time to time, to borrow such sum and sums of money as they may consider advisable, not exceeding in the whole the sum of twenty thousand dollars, to be applied towards the cutting down, raising, levelling or improving any street or streets in that part of the City of Saint John on the eastern side of the harbour, and to no other use or purpose whatsoever.

2. The said sum of twenty thousand dollars shall be borrowed in loans of not less than four hundred dollars each, and Debentures, payable in twenty years from the date at which the same shall begin to bear interest, shall be issued to the person or persons from whom any such loan may be obtained, and in such form as the said Mayor, Aldermen and Commonalty may deem expedient, with or without coupons for interest; which Debentures shall be sealed with the common seal of the said Corporation, and signed by the Mayor and Common Clerk, and shall be numbered consecu-

tively according to the order in which the same shall be issued; and the coupons for interest shall be signed by the Mayor and Common Clerk; and a record of such Debentures shall be kept by the Common Clerk.

3. The said Debentures so to be issued under the provisions of this Act, shall be negotiable in the same nanner as promissory notes payable to bearer; and the holders thereof shall be entitled to receive interest on the same semi-annually, at the rate of six per centum per annum, to be paid by the Chamberlain of the said City out of the funds hereinafter provided, on presenting the coupons for the same.

4. All moneys loaned to the said Corporation under this Act shall be paid by the lender thereof to the Chamberlain, and shall be by him paid out upon the orders of the Common Council to the contractors or workmen who shall be employed agreeably to the provisions of this Act.

5. The moneys borrowed under the provisions of this Act shall be a charge on the ordinary yearly assessment for streets in the said City of Saint John on the eastern side of the harbour, and the interest on the same shall be paid out of the said assessment semi-annually as it becomes due; and from and after the payment and discharge of the principal of the loans contracted under an Act made and passed in the twenty first year of the Reign of Her present Majesty, intituled "An Act to enable the Corporation of the City of Saint John to effect certain improvements on the streets in the said City," the sum of two thousand dollars shall be applied annually out of the said street assessment, to the payment and discharge of the principal of the loans contracted under and by virtue of this Act, until the whole of the said principal money so borrowed, and interest, shall be fully paid.

6. It shall be the duty of the Commissioners of Sewerage and Water Supply for the City of Saint John, and part of the Parish of Portland in the County of Saint John, to provide for all surface drainage from the public streets and thoroughfares of the said City of Saint John, and to construct, lay, place and maintain proper and sufficient drains, and also renew, repair and maintain all drains now laid leading from the gratings or other openings now put and placed, or that may hereafter by the Corporation of the City of Saint

John be put and placed in or near any such public street or thoroughfare, to receive and carry off such surface and street drainage to any main or common sewer; and also to construct, lay and place, repair and maintain, proper and sufficient catch-basins to receive the gravel and other sediment washing through any such gratings or other openings in or near any such public street or thoroughfare.

CAP. XXXV.

An Act to incorporate "The People's Street Railway Company," in the City and County of Saint John.

Section.
1. Company incorporated.
2. Capital stock.
3. Stock alone liable for debts.
4. First meeting, by whom called.
5. Affairs of Company, how managed.
6. Directors, how and when chosen.
7. Qualification of Director.
8. Votes, how apportioned; proviso.
9. Annual general meeting, when and where held.
10. Shares transferable.
11. Calls, when to be made and how recovered; proviso.
12. Meetings to be called by public notice.
13. Suits against shareholders, how brought.
14. What necessary to be proved on trial.
15. Powers of Company.
16. Railway to be used with horse power; proviso.
17. When Track shall be laid.
18. Streets not to be altered without consent of Common Council.
19. Company to keep Streets in repair.
20. When rails may be removed; proviso.
21. Rate of speed at which Cars shall be driven; proviso.
22. Company may make, &c. bye laws.
23. Toll established.
24. When Company shall provide Sleighs &c. Penalty for removing ice or snow.
25. Company may issue Bonds.
26. Privileges of this Act to extend to 40 years.
27. Railway to be completed within three years.
28. When Mayor, &c. may become purchasers.

Passed 9th July, 1866.

BE it enacted by the Lieutenant Governor, Legislative Council, and Assembly, as follows:—

1. That William K. Reynolds, his associates, successors and assigns, be and they are hereby created and declared to be a body corporate and politic, by the name of "The People's Street Railway Company," and by and under that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly of this Province, and shall sue and be sued, plead and be impleaded, and shall have and enjoy all proper remedies at law and in equity to secure and protect them in the exercise and use of the rights and privileges, and in the performance of the duties hereinafter granted and enjoyed, and to prevent all invasion thereof in exercising and performing the same.

2. The capital stock of the said Company shall be two hundred thousand dollars, in ten thousand shares of twenty dollars each.

3. The joint stock and property of the said Company shall alone be responsible for the debts and engagements of the same.

4. The first meeting of the said Company shall be held at the City of Saint John, and shall be called by the said William K. Reynolds, 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 published in the City of Saint John, at least fourteen 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 Company, which meeting may be adjourned from time to time as may be found necessary; and the Directors and officers so chosen shall serve until the first annual meeting, or until others are chosen in their stead.

5. The management of the affairs of the said Company shall be vested in five Directors, who shall be chosen by the stockholders in the manner hereinafter provided, and shall hold their offices until others are duly chosen in their stead; and such Board shall at the first meeting after their election, choose one of their number President of the Board, who shall also be President of the Company; and said Board shall have authority to appoint a Secretary and Treasurer; the Treasurer to give bonds in such amount as the Board of Directors shall from time to time determine; provided 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.

6. The Directors of the said Company shall be chosen at the said first meeting, and thereafter at the annual general meeting of said Company, by ballot, and the Directors so chosen shall remain in office one year, or until others are duly chosen in their place.

7. 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, and is the full age of twenty one years; and in case of any vacancy among the Directors by death, resignation, or disqualification by the sale and transfer of stock or other cause, the

Directors may fill up any such vacancy by choosing one of the stockholders qualified, and the person so chosen shall serve until another be elected in his stead.

8. The number of votes to which each stockholder shall be entitled on any occasion when in conformity to the provisions of this Act the votes of the stockholders are to be given, shall be in proportion of one vote to each share of stock, and absent stockholders may vote by proxy, provided such proxy be a stockholder and produce sufficient authority in writing.

9. The annual general meeting of the said Company shall be holden in the City of Saint John on the third Wednesday in January, or such other day in each year as may from time to time be determined by the bye laws, at such time and place as the Directors for the time being may appoint.

10. The shares of the said Company shall be assignable and transferable according to such rules and regulations as may be established in that behalf, but no arrangement or transfer shall be valid and effectual unless the same shall be entered and registered in a book to be kept for that purpose, and in no case shall a fractional part of a share be assignable or transferable; whenever any stockholder shall duly transfer all his stock or shares in said Company he shall cease to be a member of said Corporation.

11. The said Company may from time to time make such calls or assessments upon the capital stock thereof as they may deem necessary for carrying on their operations; such call or assessment, when made, shall be deemed to be and shall be a debt due from the shareholder to the Company, and may be sued for by the Company and recovered with interest and costs of suit in a Court of competent jurisdiction within said Province; and whenever any assessment shall be made by the stockholders of the said Company, it shall be the duty of the Treasurer to give notice thereof in a Newspaper published 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 said Treasurer the amount of such assessment upon his shares, it shall be the duty of the Treasurer, after the expiration of such thirty days, to advertise all such delinquent shares for sale at public auction, giving at least twenty 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 by a majority of all the shares.

12. All meetings of the said Company shall be called by public notice being given of the time and place in a Newspaper printed in the City of Saint John, seven days at least before the time of such meeting; and special meetings may be called by the Secretary under the authority of the Directors, or by shareholders representing not less than one thousand shares of stock, upon giving the like notice.

13. 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, as the case may be, (stating the number of shares,) in the said Company, and is indebted to the said Company in the sum of money to which the assessment or assessment in arrear shall amount, in respect of one assessment or more, upon one share or more, as the case may be, (stating the number and amount of such assessments,) by means of which an action hath accrued to the said Company by virtue of this Act.

14. On the trial of any such action it shall be sufficient to prove that the defendant at the time of making such assessment was a holder of one share or more in the said undertaking, and that such assessment was in fact made; and it shall not be necessary to prove any other matter whatsoever; and thereupon the said Company shall be entitled to recover what shall be due upon such call and interest thereon.

15. The said Company are hereby empowered to construct, maintain and use a Railway or Railways, with single or double tracks, over and upon such of the streets, highways and bridges in the City of Saint John, as may be agreed

upon between the said Company and the Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council, and over and upon such of the streets, roads, highways and bridges in the County of Saint John, as may be agreed upon between the said Company and the General Sessions of the Peace for the City and County of Saint John.

16. The railway and tracks constructed by the said Company shall be worked and used with horse power for the conveyance of passengers thereon, provided that steam power may be introduced and used by the said Company whenever and so soon as the said Mayor, Aldermen and Commonalty of the City of Saint John, in Common Council, shall by resolution, on application of the said Company, consent thereto.

17. The position, placing and laying down of the several railway tracks, shall be done so as not to interfere with the ordinary traffic upon and over the streets and highways where the same may be laid; the rails to be of such pattern and description as the Common Council may from time to time approve, and be laid level with the surface of the street, and shall be laid and placed to the satisfaction of the City Engineer for the time being appointed by the Common Council, or other authorized authority in charge of the streets of said City, so far as such tracks shall be laid in the streets of the said City, and to the satisfaction of the Commissioners or other authorized authority having charge of the highways in the several Parishes of said County where the same may be laid.

18. The said Company, in the construction of the said railway track or tracks, shall from time to time conform to the grades of the various streets and highways through which said tracks or any of them shall run; and shall not change or alter such grades without consent of the Common Council, if within said City, or of the Road Commissioners or other authorized authority, if within any Parish in said County.

19. The Company shall be bound to put the streets and highways in or upon which any of their works shall be executed, in as good a state of repair as they were previous to the commencement of such works, and to maintain in like good condition any portion of said streets and highways

disturbed for the purposes of said Company, for the space of one calendar month; and whenever a double track may be laid in any street or highway that does not exceed sixty feet in width, the said Company shall maintain and keep in good order and complete repair at all times all such portions of said streets and highways between the outer edge of the gutters at the side walks of such streets and highways; and wherever a single track only may be laid in any such streets or highways, or such streets or highways shall be more than sixty feet in width, then the said Company shall maintain and keep in good order and complete repair at all times all that portion of such streets or highways on the track between the rails and to a distance of twelve inches outside of said rails.

20. The Common Council in the City of Saint John, and the Commissioners of Roads in the several Parishes through which such Railway may pass, shall have the right to take up and open the streets traversed by the rails, either for the purpose of altering the grades thereof, or for any other purpose; and any Commissioner or Commissioners, Corporation, or person or persons, authorized by law to carry on any public or private works, as the laying down pipes for gas or water drains, sewers, or other work whatsoever, may also remove such rails, or any part thereof, for any necessary purpose within their power and authority, without the said Company being entitled to have or claim any compensation or damage therefor, or for any cost, expenses or detention occasioned thereby; provided always, that in case such works be disturbed by the Saint John Gas Company, or any other private Corporation now existing, or that may hereafter exist, then such private Company or Corporation shall relay the rails in as good condition as they were before such disturbance took place, and with the least possible delay.

21. Cars shall not be driven on such Railway, or any part thereof, at a greater speed than at the rate of seven miles per hour, and two or more bells shall be attached to each horse while in use on such Railway; provided that within the limits of the City of Saint John the rate of speed shall be regulated from time to time by the Common Council of the City; no freight or luggage shall be carried or conveyed on such line of Railway, or any of the cars driven or em-

ployed thereon, unless in charge of a passenger, and then the weight carried at any one time, in charge of any one passenger, shall not exceed sixty pounds.

22. The said Company shall have power to make, ordain, establish, alter and amend, at any general or special meeting, bye laws and regulations for the management of the affairs of the said Company, not inconsistent with the laws in force in this Province; and also to make, ordain, establish, alter and amend, with the sanction of the Common Council of said City, rules and regulations for the government of the Railway, and the cars and trains running thereon.

23. A toll is hereby granted and established for the sole use and benefit of the said Company, upon all passengers, and also upon property of all descriptions which may be conveyed and transported upon said road, under the provisions of this Act, at such rate and rates of fare as may be established and determined from time to time by the Directors of the said Company; and the same may be recovered with costs by the said Company, in any Court of competent jurisdiction; and whoever fraudulently evades or attempts to evade the payment of any toll or fare established by the said Company, either by giving a false answer to the collector of the toll or fare, or by travelling beyond the point to which he has paid the same, or by leaving the rail car without having paid the toll or fare established for the distance travelled, or otherwise, shall be punished by fine of not less than five dollars nor more than twenty dollars for each offence, to be recovered with costs in the name of any person who may prosecute for the same before the Police Magistrate of the City of Saint John, or the Police Magistrate of the Parish of Portland: Whoever does not, upon demand, first pay the lawful toll or fare, shall not be entitled to be transported over the railways or tracks of the said Company.

24. When the accumulation of snow or ice on the streets or highways along the line of Railway shall be such as to permit the use of sleighs or sleds, it shall not be lawful for the said Company to remove the ice or snow from such line of Railway, but they shall have and provide suitable conveyances by sleighs and sleds; any person or persons cutting out or removing any ice or snow from the rails or track, in

violation of this provision, shall forfeit and pay a penalty of forty dollars for each and every offence, unless permission so to do be first obtained from the Mayor of said City for the time being.

25. The said Company, for the purpose of funding its floating debt, or for money borrowed for the purpose of constructing or equipping any of its railways or tracks, or the necessary works of the Company, may issue Bonds in sums of not less than one hundred dollars each, payable at periods not exceeding twenty years from the date thereof, and bearing interest not exceeding the rate of six per cent. per annum.

26. The privilege hereby granted to the said Company shall extend over a period of forty years from the passing of this Act, but should the said Company at any time give up the working and use of the said Railway, or cease to exercise the privileges hereby granted to them, they shall be bound to remove the rails after three months notice from the Common Council, and to put the streets traversed by the rails in good repair and condition.

27. If the said Company fail to establish and complete a line of Railway from Reed's Point, (so called) in Prince William Street, within the City of Saint John, through Prince William Street, and so along Dock Street to the Parish of Portland, (the Common Council of said City having granted permission to use such Streets,) and so through the Parish of Portland to Indian Town, (the General Sessions of the Peace having granted permission to use such Highways,) so that said line of Railway is not fully completed from Reed's Point to Indian Town aforesaid, within three years from the passing of this Act, then they shall forfeit all rights under this Act, and the same shall cease and be utterly annulled.

28. It shall and may be lawful for the Mayor, Aldermen and Commonalty of the City of Saint John, at any time after twenty years from and after the passing of this Act, subject to the provisions herein contained, and on giving to the said Company twelve calendar months notice of such their intention, to become the purchaser of the property and stock of the Company, and from and after the expiration of such notice, to enter upon and take possession of all the property and stock of the said Company, on payment to the said

Company of the appraised value of such property and stock at the time of such taking possession, and ten per cent. in addition thereto.

CAP. XXXVI.

An Act to incorporate the Albert Bank.

Section.
1. Company incorporated.
2. Capital Stock.
3. Power of Corporation to hold property; proviso.
4. When mortgages may be taken as collateral security.
5. When general meeting shall take place; powers of such meeting.
6. Annual general meeting, when held.
7. Power of Directors.
8. Board of Directors, how constituted.
9. Compensation to President.
10 Qualification of Directors.
11. Cashier, &c., to give bonds.
12. Apportionment of votes.
13. Stockholders may vote by proxy; proviso.
14. Number of shares to be held by stockholders first three months after passing of Act; proviso.
15. Vacancy of Director, how filled up.
16. Notice to be given before payment of instalment; proviso.
17. Commissioners to be appointed to count money in vaults.
18. Shares transferable.
19. What business Corporation shall not deal in.
20. Stockholders, for what liable; proviso.
21. Bank notes, &c., out of what fund paid; proviso.
22. Debts of Corporation not to exceed twice the amount of capital stock paid in.
23. Half yearly dividends to be made.
24. Books, &c., subject to whose inspection.
25. Bills, &c., by whom signed and countersigned; proviso.
26. Altered notes, how to be paid.
27. When Bank shall be established.
28. Directors at general meeting to make full statement of affairs.
29. No loan to be made on pledge of stock.
30. Committee to have free access to books, &c.
31. Stockholders may call general meeting.
32. Power and duty of Directors on dissolution of Company.
33. Amount Directors may owe Bank.
34. Cashier to make semi-annual returns; form of return.
35. List of defaulters, when and by whom made.
36. Disqualification of Directors.
37. Bill or note must be presented before action can be taken
38. Shares in capital stock to be deemed personal property.
39. Shares in capital stock liable to seizure and sale; proviso.
40. Increase of capital stock, how effected.
41. Additional shares, how sold.
42. Notice of sale to be given.
43. Premium, if any, how divided.
44. Additional shares subject to same rules, &c., as old stock.
45. Limit of Act.

Passed 9th July, 1866.

WHEREAS the increasing trade and business of the County of Albert would be greatly facilitated and promoted by the establishment of a local Bank;—

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

1. That the Honorable William H. Steeves, Honorable Abner R. M'Clelan, John Lewis, Charles D. Archibald, William Malcomson, Frederick Malcomson, John Spencer Price, Charles William Archibald, George Smith, Alfred T. DeLisle, Thomas M'Henry, George Calhoun, Henry Romans, George Malcomson, George A. Brown, Thomas N. Grasse,

their associates, successors or assigns, be and they are hereby declared to be a body corporate by the name of "The President, Directors and Company of the Albert Bank," and they shall be persons capable and able in law to have, get, receive, take, possess and enjoy houses, lands, tenements, hereditaments and rents, in fee simple or otherwise, and also goods and chattels, and all other things real, personal or mixed, and also to give, grant, let or assign the same or any part thereof, and to do and execute all other things in and about the same, as they shall think necessary for the benefit and advantage of the said Corporation; and also that they be persons able and in law capable to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law and Equity, or any other place whatsoever, in all and all manner of actions, suits, complaints, demands, pleas, causes and matters whatsoever, in as full and ample a manner as any other person or persons are in law capable of suing or being sued, pleading and of being impleaded, answering and of being answered unto; and also that they shall have one common seal, to serve for the ensealing all and singular their grants, deeds, conveyances, contracts, bonds, articles of agreement, assignments, Powers and Warrants of Attorney, and all and singular their affairs and things touching and concerning the said Corporation; and also that they, the said President, Directors and Company, or the major part of them, shall from time to time, and at all times, have full power and authority and licence to constitute, ordain, make and establish such laws and ordinances as may be thought necessary for the good rule and government of the said Corporation, provided that such laws and ordinances be not contradictory or repugnant to the Laws or Statutes of that part of the United Kingdom of Great Britain and Ireland called England, or repugnant or contrary to the Laws or Statutes of this Province.

2. The capital stock of the said Corporation shall consist of current gold and silver coins of the Province, to the amount of one hundred thousand dollars; the sum of fifty thousand dollars, one half part thereof, to be paid in current gold and silver coins of the Province of New Brunswick within one year from the passing of this Act, and the further

sum of fifty thousand dollars within two years from the passing of this Act; the whole amount of the said stock to be divided into shares of fifty dollars each, making in the whole two thousand shares.

3. The said Corporation shall have full power and authority to take, receive, hold, possess and enjoy, in fee simple, any lands, tenements, real estate, and rents, to any amount not exceeding twenty thousand dollars; provided nevertheless, that nothing herein contained shall prevent or restrain the said Corporation from taking or holding real estate to any amount whatsoever, by mortgage taken as collateral security for the payment of any sum or sums of money advanced by, or debts due to the Corporation; provided further, that the said Corporation shall on no account lend money upon mortgage, or upon lands or other fixed property, nor shall such be purchased by the said Corporation upon any pretext whatsoever, unless by way of additional security for debts contracted with the said Corporation in the course of its dealings.

4. No mortgage shall be taken upon lands or other fixed property, by the said Corporation, as collateral security, except for debts previously contracted with the said Corporation in the course of its legitimate banking business, and all such mortgages shall be collected or disposed of, and converted into money by the said Corporation, within a period not exceeding five years from the date of every such mortgage, or from the time the same came into the possession of the said Corporation; this not to affect the rights of an assignee.

5. Whenever one thousand shares of the said capital stock shall have been subscribed, a general meeting of the members and stockholders of the said Corporation, or the major part of them, may take place by notice in one or more of the public Newspapers published in this Province, thirty days previous to such meeting, for the purpose of making, ordaining and establishing such bye laws, ordinances and regulations for the good management of the affairs of the said Corporation, as the members and stockholders of the said Corporation shall deem necessary, and also for the purpose of choosing five Directors, being members and stockholders of the said Corporation, under and in pursuance of the rules

and regulations hereinafter made and provided; which Directors so chosen shall serve until the first annual meeting for choice of Directors, and shall have full power and authority to manage the affairs of the said Corporation, and shall commence the operations of the said Bank, subject nevertheless to the rules and regulations hereinafter made and provided; at which general meeting the members and stockholders of the said Corporation, or the major part of them, shall determine the amount of payments to be made on each share, also the mode of transferring and disposing of the stock and profits thereof, which being entered on the books of the Corporation shall be binding on the said stockholders, their successors and assigns.

6. There shall be a general meeting of the stockholders and members of the said Corporation, to be annually holden on the first Monday in May in each and every year, at Hillsborough, in the County of Albert, at which annual meeting there shall be chosen by a majority of the said stockholders and members of the said Corporation, five Directors, each of whom shall be a resident of the said County, and 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 rules hereinafter mentioned, and the Directors, when chosen, shall at their first meeting after their election choose out of their number a President.

7. The Directors for the time being shall have power to appoint such officers, clerks, and servants, as they, or the major part of them, shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their respective services as to them shall appear reasonable and proper; all which, together with the expense of buildings, house rent, and all other contingencies, shall be defrayed out of the funds of the Corporation; and the said Directors shall likewise exercise such other powers and authority for the well regulating the affairs of the said Corporation, as shall be prescribed by the bye laws and regulations of the same.

8. Not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in the case of sickness or necessary

absence, in which case the Directors present may choose one of their Board as Chairman in his stead; 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 a casting vote; provided always, that no bill or note offered for discount at the said Bank shall be refused or excluded by a single vote.

9. No Director shall be entitled to any salary or emolument for his services; but the stockholders and members of the said Corporation may make such compensation to the President as to them shall appear reasonable and proper.

10. No person shall be eligible as a Director unless such person is a stockholder, and holding not less than ten shares of the capital stock of the said Corporation; provided always, that the stockholder so otherwise qualified be not a Director in any other Banking Company in this Province.

11. Every Cashier and Clerk of the said Corporation, before he enters upon the duties of his office, shall give bonds, with two or more sureties to be approved of by the Directors, that is to say, every Cashier in a sum not less than twenty thousand dollars, with a condition for his good and faithful behaviour; and every Clerk with the like conditions and sureties, in such sum as the Directors shall deem adequate to the trusts reposed in them.

12. 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 proportion, that is to say,—for one share and not more than four shares, one vote; for every four shares above four and not exceeding twenty, one vote, making five votes for twenty shares; for every eight shares above twenty and not exceeding sixty, one vote, making ten votes for sixty shares; which said number of ten votes shall be the greatest number that any stockholder shall be entitled to have.

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

14. No member of the said Corporation during the first

three months, to be accounted from and after the passing of this Act, shall be entitled to hold and subscribe for more than forty shares of the said capital stock; and if the whole of the said capital stock shall not have been subscribed within the said three months so to be accounted as aforesaid, then and in such case it shall be lawful for any stockholder or stockholders to increase his or their subscriptions to eighty shares; provided always, that no stockholder shall be permitted to hold more than one hundred shares in the whole, unless the same be acquired by purchase after the said Bank shall have commenced its operations; and provided also, that no stockholder in the said Bank at any one time shall hold more than twenty per cent. of the capital stock.

15. The Directors are and they are hereby authorized to fill up any vacancy that shall be occasioned in the Board by the death, resignation, or absence from the Province for three months, of any of its members; but in the 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; and the person so chosen by the Directors or the stockholders shall serve until the next succeeding annual meeting of the stockholders.

16. Before any stockholder shall be required to make payment of any instalment upon the amount of his subscription, thirty days previous notice shall be given by the Directors in two of the Newspapers published in this Province, of the time and place of payment; and the Directors shall commence with the business and operations of the Bank of the said Corporation; provided always, that no Bank bills or Bank notes shall be issued or put in circulation, nor any bill or note discounted at the said Bank, until the said sum of fifty thousand dollars shall be actually paid in and received on account of the subscriptions to the capital stock of the said Bank.

17. As soon as the sum of fifty thousand dollars shall have been paid in current gold and silver coins, and shall then be in the vaults of the said Bank, the President shall give notice thereof to the Secretary of the Province for the information of the Governor, 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 vaults, and to ascertain by the oaths of the majority of the Directors, that half the amount of its capital has been paid in by the stockholders towards payment of their respective shares, and not for any other purpose, and that it is intended to have it there remain as part of the capital stock of the said Bank; which investigation is hereby declared indispensable, and shall be made at the periods prescribed by the second Section of this Act, when paying in the capital stock of the said Bank.

18. The shares or capital stock shall be assignable and transferable according to the rules and regulations that may 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, nor until such person or persons so making the same, shall previously discharge all debts actually due and payable to the said Corporation; in no case shall any fractional part of a share, or other than a complete share or shares, be assignable or transferable; and whenever any stockholder shall transfer in manner aforesaid all his stock or shares in the said Bank to any other person or persons whatever, such stockholder shall cease to be a member of the said Corporation.

19. The said Corporation shall not directly or indirectly deal in any thing excepting bills of exchange, gold or silver bullion, or in the sale of goods really and truly pledged for money lent and not redeemed in due time, or in the sale of stock pledged for money lent and not so redeemed, which said goods and stock so pledged shall be sold by the said Corporation at public sale at any time not less than thirty days after the period for redemption; and if upon such sale of goods or stock there shall be a surplus, after deducting the money lent, together with the expenses of sale, such surplus shall be paid to the proprietors thereof respectively.

20. The holders of the stock of the said Bank shall be chargeable in their private and individual capacity, and shall be holden for the payment and redemption of all bills which may have been issued by the said Corporation, and also for the payment of all debts at any time due from the said Corporation, in proportion to the stock they respectively

hold; provided always, that in no case shall any one stockholder be liable to pay a sum exceeding the amount of stock actually then held by him; provided nevertheless, that nothing herein previously 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.

21. Every bond, Bank bill or Bank note, or other instrument, by the terms or effects of which the said Corporation may be charged or held liable for the payment of money, shall specially declare in such form as the Board of Directors shall prescribe, that payment shall be made out of the joint funds of the said Corporation; provided nevertheless, that nothing herein contained shall be construed to alter, change or diminish the responsibilities or liabilities imposed on stockholders in their individual capacities by the nineteenth Section of this Act.

22. The total amount of the debts (deposits excepted) which the said Corporation shall at any time owe, whether by bond, bill, or note, or other contract whatsoever, shall not exceed twice the amount of the capital stock actually paid in by the stockholders; and in case of any excess, the Directors under whose administration and management the same shall happen, shall be liable for such excess in their individual and private capacities; provided always, that the lands, tenements, goods and chattels of the said Corporation shall also be liable for such excess.

23. The Directors shall make half yearly dividends of all profits, rents, premiums and interests of the said Corporation, payable at such time and place as the Directors shall appoint, of which they shall give thirty days notice in two Newspapers published in this Province.

24. The books, papers, correspondence and funds of the said Corporation shall, at all times, be subject to the inspection of the Directors; but no stockholder not a Director shall inspect the account of any individual with the said Corporation.

25. All bills or notes issued by the said Corporation shall be signed by the President for the time being, and countersigned and attested by the Cashier, and shall be printed and made in steel plates; and all bills and notes so signed and

countersigned, shall be binding on the said Corporation, and payable in specie at the said Bank; provided no note shall be issued by the said Corporation for a less sum than one dollar.

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

27. The said Bank shall be kept and established in the County of Albert, at such place in the said County as the Board of Directors may think proper.

28. The Directors shall at the general meeting to be held on the first Monday in May in every year, lay before the stockholders for their information, an exact and particular statement of the amount of debts due to and by the said Corporation, the amount of Bank notes then in circulation, the amount of gold and silver in hand, and the amount of such debts as are in their opinion bad or doubtful; also the surplus or profits (if any) remaining after deduction of losses and provision for dividends; which statement shall be signed by the Directors and attested by the Cashier; and a duplicate statement so signed and attested, shall be transmitted to the Secretary of the Province, for the information of the Governor and 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 account of any individual or individuals with the said Corporation.

29. No loan shall be made by the said Bank on the pledge of its own stock.

30. 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 free access to all the books and vaults of the same.

31. Any number of stockholders not less than twelve, who together shall be proprietors of three hundred shares, shall have power at any time by themselves or their proxies to call a general meeting of the stockholders, for purposes relating to the business of the said Corporation, giving at

least thirty days previous notice in two Newspapers published in this Province, and specifying in such notice the time and place of such meeting, with the objects thereof; and the Directors or any three of them shall have the like power at any time upon observing the like formalities to call a general meeting as aforesaid.

32. On any dissolution of the said Corporation, immediate and effectual means shall be taken by the Directors then in office 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; and in case any bills issued by the said Corporation shall remain unpaid, the holders of stock in the said Corporation, as well as those who were stockholders at the time of the notice of the said dissolution, which said notice shall take place by a publication of their intention so to do in the Royal Gazette twelve months previous to the said Corporation being allowed to carry the same into effect, shall be chargeable in their private and individual capacity for the payment and redemption thereof, in proportion to the stock they respectively held or hold, subject however to the proviso mentioned in the twentieth Section of this Act; provided however, that this liability shall continue for two years only from and after the notice of such dissolution.

33. The aggregate of all the debts due to the said Bank from the Directors thereof, as principals, endorsers, or sureties, shall not at any time exceed twenty per centum of the capital stock.

34. The Cashier of the said Bank shall semi-annually, that is to say, on the first Monday in January and the first Monday in July in each and every year, make a return in triplicate of the state of the said Bank as it existed at three of the clock in the afternoon of the said days respectively, and shall forthwith transmit the same to the office of the Secretary of the Province; which return shall specify the amount due from the Bank, designating in distinct columns the several particulars included therein, and shall also specify the resources of the said Bank, designating in distinct columns the several particulars included therein; and the return shall be made in the following form:—

FORM OF RETURN.

State of the Albert Bank on the day of 18 ,
at 3 o'clock, P. M.

DUE FROM THE BANK.

Bills in circulation, ...	$
Net profits in hand, ...	
Balance due to other Banks, ...	
Cash deposits, including all sums whatever due from the Bank not bearing interest, its Bills in circulation, Profits, and Balances due to other Banks, excepted, ...	
Cash deposits bearing interest, ...	
Total amount due from the Bank, ...	$

RESOURCES OF THE BANK.

Gold, Silver, and other coined metals, in its Banking House, ...	$
Real Estate, ...	
Bills of other Banks incorporated in this Province,	
Balance due from other Banks, ...	
Amount of all Debts due, including Notes, Bills of Exchange, and all Stock and Funded Debts of every description, except the Balances due from other Banks, ...	
Total amount of the resources of the Bank,	$

Date and amount of the last Dividend, and when declared, ...	$
Amount of reserved profits at the time of declaring the last Dividend, ...	
Amount of Debts due and not paid and considered doubtful, ...	

Which return shall be signed by the Cashier of the said Bank, who shall make oath or affirmation before any Justice of the Peace to the truth of the said return, according to the best of his knowledge and belief; and the Cashier of the said Bank shall also make return under oath, whenever required by the Legislature, of the names of the stockholders, and the amount of the stock owned by each; and a majority of the Directors of the said Bank shall certify and make oath or affirmation before any Justice of the Peace as the said Cashier, that the books of the said Bank indicate the

state of the facts so returned by their Cashier, and that they have full confidence in the truth of the returns 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 any Session thereof as practicable, one of such respective returns as he may have received since the then last previous Session.

35. The Cashier or acting Cashier for the time being, shall on each and every discount day furnish a true list to the President or Chairman of the said Bank of all delinquent promissors, endorsers, and sureties, made up to three o'clock on the day preceding the discount day, which list shall be called a delinquent sheet; and it shall be the duty of the President or Chairman on each and every discount day as aforesaid, to read the name or names contained in such delinquent sheet to the Board of Directors; and in case the name of any Director shall appear in any such delinquent sheet, either as promissor, endorser, or surety, it is hereby declared illegal for such Director to sit at the Board, or take any part in the management of the affairs of the said Bank, during the continuance of such delinquency.

36. In the event of any Director continuing a delinquent as aforesaid for ninety consecutive days at any one time, such continued delinquency shall disqualify such Director from holding his seat; and it shall be the duty of the President and other Directors forthwith to proceed in filling up the vacancy in the manner prescribed in the fourteenth Section of this Act, as in the case of death or absence from the Province.

37. No action shall be brought or maintained upon any Bank bill or Bank note which shall be issued by the said Corporation, before such bill or note shall have been presented at the Bank for payment, and default in payment shall thereupon take place.

38. All and every the shares in the capital stock of the said Bank, and all the profits and advantages of such shares respectively, shall be deemed and considered to be of the nature of and shall be personal estate, and transferable as such accordingly.

39. The shares in the capital stock of the said Bank shall be liable to be seized and taken in execution, and sold in

like manner with other personal property; provided always, that the Sheriff or other officer executing such execution shall leave a copy of such execution, certified by the Sheriff or his deputy, with the Cashier of the said Bank; and the shares in the capital stock of the said Bank so liable to such execution, shall be deemed to be seized in execution when such copy is so left, and the sale shall be made within thirty days after such seizure; and on production of a bill of sale from the Sheriff, the Cashier of the said Bank shall transfer the number of shares sold under such execution to the purchaser or purchasers thereof, and such transfer shall be valid and effectual notwithstanding there may be any debt due to the said Bank from the person or persons whose shares may be seized and sold; provided also, that the Cashier shall, upon the exhibiting to him of such certified copy of the execution, be bound to give such Sheriff or other officer a certificate of the number of shares in the said capital stock held by the judgment debtor named in such execution, and the shares of such judgment debtor in the capital stock shall be bound by such execution only from the time when such copy of the execution shall be so left with the Cashier.

40. And in case it should hereafter be found necessary at any time after the payment in, and certificate of such first mentioned capital, and within seven years from the time of passing this Act, to increase the capital stock of the said Bank, the same may be effected by resolution of the Directors, or the major part of them, for the time being, sanctioned and approved of by a majority of the votes of the shareholders present in person or by proxy, at a general meeting convened after special notice of the same and its intended object; such additional capital stock may be raised by the issue of additional shares, severally of the value before mentioned, provided that the whole of such additional stock shall not exceed two hundred thousand dollars, thereby making the utmost amount of capital stock of the said Bank three hundred thousand dollars, and in the whole six thousand shares.

41. Such additional shares shall be sold at public auction in separate lots of four shares each, as follows, that is to say, —twenty thousand dollars, making four hundred shares, at such time as the Directors shall appoint, and the residue of

such increased additional capital, at such time as the Directors from time to time determine, but not less than twenty thousand dollars to be sold at any one time.

42. The said Directors shall give at least forty days notice of the time and sale of any such increased stock in some Newspaper published in the County of Albert, and if there be no Newspaper published in the said County, then in the Royal Gazette, in which notice shall be specified the time when such additional stock, with the advance or premium thereon, will be required to be paid into the said Bank.

43. The whole of such advance or premium, if any, first deducting the charges of sale, shall be divided in equal proportions among the shares in the stock of such Bank, as well the old as the new stock; and such dividend of the said premium shall be declared and paid by the Directors immediately after the payment into the Bank of the purchase money of the said additional shares; and banking operations may take place upon each respective amount of such additional stock sold as aforesaid, when the Directors or a majority of them, together with the Cashier of the said Bank, shall have signed, and verified by oath, and filed in the office of the Secretary of the Province, a certificate that such amount of capital stock, at any time called in, has actually been paid into the said Bank in current gold and silver coins of the Province, and not before.

44. The said additional shares shall be subject to all the rules, regulations and provisions to which the original stock is subject or may hereafter be subject by any law of this Province.

45. This Act shall continue and be in force until the first day of May in the year of our Lord one thousand eight hundred and ninety.

CAP. XXXVII.

An Act relating to the City of Fredericton.

Section.
1. Salary to be paid to Mayor; Fees, to whom paid.
2. Auditor to make detailed statement.
3. Power of Council relative to tolls, &c.
4. Mayor, &c. annually to make detailed statement of all moneys received.
5. Former Acts repealed, where inconsistent.

Passed 9th July, 1866.

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

1. The City Council of the City of Fredericton may order such amount of salary to be paid annually to the Mayor of the said City (not exceeding four hundred dollars) as they may see fit; and all fees and costs accruing from the performance of his duties as Mayor, shall be paid to the City Treasurer for the use of the City.

2. The City Auditor of the City of Fredericton, under the direction of the City Council, shall publish, for the information of the citizens, in pamphlet form, two weeks before the annual election in each year, a full and detailed statement of the receipts and expenditures of the Corporation during the year past, in which statement the different sources of revenue and the amount received from each, the several appropriations made by the Council, the objects thereof, and the amount expended under each, the moneys borrowed on the credit of the Corporation, the authority under which each loan was made and the terms on which the same was obtained, shall be clearly and particularly specified, together with the amount of all assessments ordered and made, the several purposes of such assessment, the amount received thereunder, and a detailed account of the application thereof, together with a full list of all persons indebted to the City for rents, taxes, rates, or other liabilities, and the amount due for each; such statement and accounts shall be made up to the thirty first day of October preceding such publication, and shall, after due examination by the City Council, or a Committee thereof, be signed by the Mayor and City Auditor previous to publication.

3. The City Council shall have power as heretofore to impose tolls and rates, and may, if they see fit, sell and dispose, or otherwise farm the tolls and rates arising from the wharves, markets, or weigh scales, or any or either of them, at public auction, and may, if they see fit, take notes or bonds, or any other instrument in writing, securing to the said City the payment of the purchase money for said tolls and rates, and also pass resolutions empowering the purchaser or purchasers to collect such tolls and rates.

4. The Mayor and all officers entrusted with the collection of the revenue of the said City, or any part thereof, shall at the close of the fiscal year make up and submit to the Coun-

cil a detailed statement of the moneys so received, which statement shall be verified by the oath or affirmation of such officer as to the correctness thereof.

5. So much of any Act or amendment of an Act to incorporate the City of Fredericton, as is inconsistent with this Act, is hereby repealed.

CAP. XXXVIII.

An Act to incorporate the Calker's Association of the City and County of Saint John.

Section.
1. Association incorporated.
2. Association may hold property; proviso.
3. First meeting, by whom called.
4. Property of Association not transferable.
5. Property not liable for debts of members.
6. Property alone liable for debts of Association.
7. Duty of Treasurer.
8. Treasurer to give Bonds.
9. Association to make bye laws.
10. Association not to be dissolved if three members object.

Passed 9th July, 1866.

WHEREAS the Calkers of the City and County of Saint John have formed themselves into an Association, for the purpose of raising and securing a fund for the mutual assistance and benefit of members thereof, and of their families, in case of sickness, inability, or death: And whereas for the purpose of managing their pecuniary affairs, and no other, the said Association should be protected by an Act of Incorporation;—

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

1. That Daniel Haslam, John E. Thomas, George L. King, James Lynch, John W. Cunningham, Jeremiah Dempsey, and George Saunders, their associates and successors, be and they are hereby erected into a body corporate, by the name of "The Calkers' Association of the City and County of Saint John," with the powers and privileges made incident to a Corporation by Act of Assembly of this Province, for the purpose of managing the pecuniary affairs of said Association.

2. The said Association, in their corporate name, shall be capable of acquiring and holding property, real or personal, and the same to sell, convey, control, lease, or otherwise manage and dispose of at pleasure; provided that the real estate to be held by the said Association shall at no time exceed in value the sum of one thousand pounds.

3. The first meeting of said Association shall be called by Daniel Haslam, or in case of his death, absence, neglect, or refusal, by any two of the persons named herein, by giving six days notice of such meeting in any Newspaper published in the City of Saint John, for the purpose of organizing said Association under this Act, establishing bye laws, and making such rules and regulations as may be deemed necessary for the management of the said Association, and for the purpose of appointing or electing such officers as may be necessary for the management of said Association, which officers so elected shall serve for such period as they may be elected to, as may be provided by the bye laws, 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 meeting thereafter to be held, in such manner as two thirds of the members present at such meeting may direct, at least two weeks previous notice of such alteration or amendment having been given.

4. No member of the said Association 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 Association; but the same shall at all times after the passing of this Act be subject to and under the control of the said Association.

5. No property of any kind whatsoever belonging to the said Association shall be subject to the payment 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 Association.

6. The property of the said Association shall alone be responsible for the debts and engagements of the same.

7. It shall and may be lawful to and for the Treasurer of the said Association, and he is hereby authorized and empowered from time to time, by and with the consent of the said Association, to be had and testified in such manner as may be directed by the bye laws, rules and regulations of the said Association, 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, interests and purposes of such

Association, as the exigency of the said Association may require, and as may be ordered by the said Association at any regular meeting of the same, with full power to invest any surplus that may remain, in any securities, real estate or funds that the said Association may direct, and in the name of the said Association, and from time to time, with such consent and direction as aforesaid, to alter, sell and transfer such securities, real estate and funds respectively.

8. It shall and may be lawful for said Association to receive from the Treasurer thereof from time to time, in their corporate name, sufficient security by bond, with one or more surety or sureties, or otherwise, as such Association may deem expedient, for the faithful performance of his duty as such, and that he will well and truly account for and pay and invest, from time to time, all such sum or sums of money, funds or other property as may come to his hands or under his control, belonging to said Association, as directed by said Association.

9. The said Association shall have full power in establishing said bye laws, to name the rate or sum of money that each member shall pay to said Association, the time of payment, the manner in which each member shall, in case of sickness or inability, or his family in case of his death, participate in or receive from said Association a portion of the funds of the Association, and also for what reasons such member, or family of such member, shall be excluded from such participation.

10. The said Association 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.

CAP. XXXIX.

An Act to incorporate the Shipwrights' Union of the City and County of Saint John.

Section.
1. Union incorporated.
2. Union may hold property; proviso.
3. First meeting, by whom called.
4. Property of Union not transferable.
5. Property not liable for debts of members.
6. Property liable for debts of Union.
7. Duty of Treasurer.
8. Treasurer to give bonds.
9. Union to make bye laws.
10. Union not to be dissolved if three members object.

Passed 9th July, 1866.

WHEREAS the Shipwrights of the City and County of Saint John have formed themselves into an Union for the purpose of raising and securing a fund for the mutual assistance and benefit of members thereof, and of their families, in case of sickness, inability, or death: And whereas for the purpose of managing their pecuniary affairs, and no other, the said Union should be protected by an Act of Incorporation;—

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

1. That John Frederickson, John Logan, Patrick Haney, Thomas H. M'Gowan, Francis Dunn, John Sayer, and John M'Gowan, and such other persons as are now or may hereafter become members of the said Union, 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 Shipwrights' Union of the City and County of Saint John," 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 and their families in case of sickness, inability, accident, old age, or death, and for that purpose only.

2. The said Union, in their corporate name, shall be capable of acquiring and holding property, real or personal, and the same to sell, convey, control, lease, or otherwise manage and dispose of at pleasure; provided that the real estate to be held by the said Union shall at no time exceed in value the sum of one thousand pounds.

3. The first meeting of said Union shall be called by John Frederickson, or in case of his death, absence, neglect or refusal, by any two of the persons named herein, by giving six days notice of such meeting in any Newspaper published in the City of Saint John, for the purpose of organizing said Union under this Act, establishing bye laws, and making such rules and regulations as may be deemed necessary for the management of the said Union, and for the purpose of appointing or electing such officers as may be necessary for the management of the said Union, which officers so elected shall serve for such period as they may be elected to, as may be provided by the bye laws, 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 meeting thereafter to be held, in such manner as two thirds of the members present at such meeting may direct, at least two weeks previous notice of such alteration or amendment having been given.

4. No member of the said Union 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 Union; but the same shall at all times after the passing of this Act be subject to and under the control of the said Union.

5. No property of any kind whatsoever belonging to the said Union shall be subject to payment of 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 Union.

6. The property of the said Union shall alone be responsble for the debts and engagements of the same.

7. It shall and may be lawful to and for the Treasurer of the said Union, and he is hereby authorized and empowered, from time to time, by and with the consent of the said Union, to be had and testified in such manner as may be directed by the bye laws, rules and regulations of the said Union, 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, interests and purposes of such Union, as by the exigencies of the said Union may be required, and as may be ordered by the said Union at any regular meeting of the same, with full power to invest any surplus that may remain in any securities, real estate or lands that the said Union may direct, and in the name of the said Union, and from time to time, with such consent and direction as aforesaid, to alter, sell and transfer such securities, real estate and funds respectively.

8. It shall and may be lawful for the said Union to receive from the Treasurer thereof from time to time, in their corporate name, sufficient security by bond, with one or more surety or sureties, or otherwise, as such Union may deem expedient, for the faithful performance of his duty as such,

and that he will well and truly account for and pay and invest, from time to time, all such sum or sums of money, funds or other property as may come to his hands or under his control belonging to said Union, as directed by said Union.

9. The said Union shall have full power in establishing said bye laws, to name the rate or sum of money that each member shall pay to said Union, the time of payment, the manner in which each member shall, in case of sickness or inability, or his family in case of his death, participate in or receive from said Union a portion of the funds of the Union, and also for what reasons such member, or family of such member, shall be excluded from such participation.

10. The said Union 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.