

Chief for the time being, by and with the advice and consent of Her Majesty's Executive Council, for which warrants no fee or deduction shall be demanded or taken from the persons in whose favor they may issue.

IV. And be it enacted, That the said Commissioner intrusted with the expenditure of the said several and respective sums of money, shall for their time and trouble be allowed to retain at and after the rate of five per centum, out of the said sums so intrusted to them respectively, together with a reasonable compensation for actual work and labour performed by them on the said several roads and bridges.

V. And be it enacted, That the said Commissioner shall expend the several and respective sums of money on the Roads, on or before the first day of October: Provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending money after the first day of October, when it shall be necessary to expend the same for building Bridges removing rocks, stumps, trees or other obstructions.

VI. And be it enacted, That none of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said roads, unless such alteration shall have been first duly laid out and recorded.

CAP. VI.

An Act to continue an Act, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence."

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth and tenth year of the Reign of His Majesty King George the Fourth, intituled "An Act to prevent Pedlars travelling and selling within this Province without Licence," be and the same is hereby continued and declared to be in full force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VII.

An Act to continue "An Act to provide for the erection of Fences with Gates, across Highways, leading through Intervale Lands, in Queens County and the County of Sunbury, where the same may be found necessary," and to extend the provisions of the same to King's County.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fifth year of the reign of His Majesty King George the Third, intituled, "An Act to provide for the erection of Fences with Gates across Highways, leading through Intervale lands in Queen's County and the County of Sunbury, where the same may be found necessary;" and also an Act passed in the Third year of the reign of His Majesty King George the Fourth, to extend the provisions of the same to King's County, be and the same are hereby further continued and declared to be in full force, until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. VIII.

An Act to continue an Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the fourth year of the Reign of His Majesty King George the Fourth, intituled, "An Act for the regulation of Booms for securing Masts, Logs and Lumber in certain parts of the County of Northumberland," be and the same is hereby continued and declared to be in full force until the first day of May which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. IX.

An Act to continue an Act, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John."

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the eighth year of the Reign of His late Majesty William the Fourth, intituled "An Act to authorize the extension of the Gaol Limits in the City and County of Saint John," be and the same is hereby continued and declared to be in full force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. X.

An Act to continue the Act relating to Parish Schools.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, that an Act made and passed in the seventh year of the reign of His late Majesty King William the Fourth, intituled "An Act to repeal all the Acts now in force relating to Parish Schools, and to make other provisions respecting the same," be and the same is hereby continued and declared to be in force for the period of four years.

CAP. XI.

An Act to repeal the Act establishing the times of holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the times of the Sittings of the said Courts, and for making other and better regulations concerning the same.

Passed 23d March 1839.

WHEREAS the times for holding the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland have been found inconvenient;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the second year of the Reign of His Majesty King George the Fourth, intituled "An Act for altering the times of holding the Court of General Sessions of the Peace and Inferior Courts of Common Pleas in the County of Northumberland, and for enlarging the

times of the Sittings of the said Courts," be and the same is hereby repealed.

II. And be it further enacted, That the Court of General Sessions of the Peace and Inferior Court of Common Pleas in the County of Northumberland, shall be hereafter holden on the second Tuesday in January and the second Tuesday in July in each and every year, instead of the third Tuesday in March and the fourth Tuesday in August, as heretofore established; and that the additional Terms of the Inferior Court of Common Pleas in the said County heretofore holden on the second Tuesday in June and the first Tuesday in November, shall be hereafter holden on the first Tuesday in May, and the first Tuesday in October in each and every year, any law, usage or custom to the contrary notwithstanding.

III. And be it further enacted, That it shall and may be lawful for the said Court of General Sessions of the Peace and Inferior Court of Common Pleas in the said County at the Terms so to be holden on the second Tuesday in January and the second Tuesday in July in each and every year, or either of them, if the Justices of the said Courts respectively shall deem the same expedient, to adjourn the Sittings of the said Courts, or either of them, to the week next succeeding the said Terms respectively; and that all causes and matters heard and determined on any day during the week next succeeding the said Terms respectively, pursuant to such adjournment, shall have the same and the like force and effect to all intents and purposes as if such causes and matters had been heard and determined at any time during the said Terms respectively, and that all parties concerned shall take due notice of such adjournment from time to time respectively and govern themselves accordingly, provided that no trial of any issues by Jury shall be had at any such adjourned sittings, anything herein contained notwithstanding.

IV. Provided also and be it further enacted, That the days of the teste and return of all writs in the said Courts shall be and remain in each respective term as heretofore accustomed and established, anything in this Act to the contrary thereof in any wise notwithstanding.

V. And be it further enacted, That no process shall abate or other business of what nature or kind soever be discontinued by reason of the said alterations of the said Terms, but shall and may be proceeded upon, heard and determined at the times herein appointed, in the same manner as they might have been proceeded upon had no alteration been made: Provided always and be it enacted, that this Act shall not go into operation or be in force until after the last day of the next Court of General Sessions and Inferior Court of Common Pleas to be holden for the County of Northumberland on the third Tuesday in March next, anything in this Act to the contrary in any wise notwithstanding.

CAP. XII.

An Act to continue an Act, intituled "An Act to provide for reporting and publishing the Decisions of the Supreme Court."

Passed 23d March 1839.

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," be and the same is hereby continued until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XIII.

An Act to authorize the Justices of the Peace for the County of Restigouche to assess the said County for erecting a Court House and Gaol therein.

Passed 23d March 1839.

WHEREAS it is necessary that a Court House and Gaol should be erected in the County of Restigouche;

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the said County, at any General Sessions of the Peace hereinafter to be holden, or at any Special Sessions to be for that purpose convened, or the major part of them, be, and they are hereby authorized and empowered to contract and agree with able and sufficient workmen for building and finishing a Court House and Gaol in the said County, and to agree for such sum and sums of money as they may deem meet in order to carry this object into effect: And the said Justices are hereby authorized and empowered to make a rate and assessment of a sum not exceeding twelve hundred and fifty pounds, at such times, and in such proportions as they shall deem meet for the erecting and finishing a Court House and Gaol in the same County; the said sum to be assessed, levied, collected and paid in such proportion and in such manner as any other County rate can or may be assessed, levied, collected and paid, under and by virtue of any Act or Acts in force in this Province, for assessing, levying, and collecting rates for public charges.

II. Provided always, and be it further enacted, That no Special Sessions shall be holden for any of the purposes of this Act, unless five Justices at least are present at the same.

CAP. XIV.

An Act to amend an Act, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company."

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fifth section of an Act made and passed in the seventh year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate sundry persons by the name of the New Brunswick Marine Assurance Company," as requires the bonds or other securities given for the payment of the residue of the capital stock of the said Corporation to be renewed at least as often as once in every year, and also so much of the thirty third section of the said recited Act, as requires the bonds or other securities that may be given for the payment of the residue of any additional shares of the capital stock that may at any time hereafter be created by virtue of the provisions of the said recited Act, to be renewed in like manner, at least as often as once in every year, be and the same are hereby repealed; and in lieu thereof

II. Be it enacted, That the said bonds and other securities of what nature or kind soever already taken or hereafter to be taken for the payment of the residue of the said capital stock, as well as those which may hereafter be taken for the payment of the residue of the said additional shares, and all and every and any

of them shall from time to time be renewed or changed, and such further or other security or securities for the same be given, as the Directors of the said Corporation or a majority of them shall from time to time require; and in case of any refusal or delay, to renew or change any such security or securities, and to give and grant other and further security or securities therefor to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them to cause such proceedings both in law and equity, or either, as may be deemed requisite to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors or a majority of them if they shall think fit, to declare the shares in the capital stock of the said Corporation for the amount of the residue of which such security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interest, profits or dividends thereto belonging or appertaining; and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation on account of such forfeited shares at the time of such forfeiture, as is herein before provided, and shall likewise be subject to all the provisions of this Act, and of the said recited Act to which this is an amendment, anything therein contained to the contrary notwithstanding.

III. And be it enacted, That the twenty fifth, twenty ninth, thirtieth and thirty fifth sections of the said recited Act be and the same are hereby repealed.

IV. And be it enacted, That any number of Stockholders not less than twenty, who together shall be proprietors of at least five hundred shares, shall have power at any time by themselves or their proxies to call a general meeting of the Stockholders for any purpose relating to the business of the said Corporation, other than a dissolution thereof, giving at least thirty days notice in two of the 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 five of them shall have the like powers at any time, upon observing the like formalities to call a general meeting as aforesaid.

V. And be it enacted, That any number of Stockholders not less than thirty, who together shall be proprietors of one thousand shares in the capital stock of the said Corporation, shall have the power at any time by themselves or their proxies to call a general meeting of the Stockholders for the purpose of taking into consideration the propriety of dissolving the said Corporation, giving at least three months previous notice in two or more of the newspapers published in this Province, and specifying in such notice the time and place of such meeting with the objects thereof, and should it be agreed upon at such meeting that the said Corporation should be dissolved, such Stockholders are hereby authorized and empowered to take all legal and necessary ways and means to dissolve the said Corporation, and upon such or any other dissolution of the said Corporation the Directors then in office shall take immediate and effectual measures for closing all the concerns of the said Corporation, and for dividing the capital and profits or loss which may remain among the Stockholders in proportion to their respective interests.

VI. And be it enacted, That so much of the seventh and twenty seventh sections of the said Act as appoints the general meeting of the Stockholders and members of the said Corporation to be held on the second Monday in April in each and every year, be and the same is hereby repealed, and in lieu thereof, be it enacted that there shall be a general meeting of the Stockholders and members of the said Corporation held on the second Monday of July in each and every year, for the purposes set forth in the said seventh and twenty seventh sections of said Act.

VII. And be it enacted, That this Act shall continue and be in force for and during the continuance of the said recited Act and no longer.

CAP. XV.

An Act to erect the Eastern part of the Parish of Portland, in the County of Saint John, into a separate and distinct Town or Parish.

Passed 23d March 1839.

WHEREAS great inconvenience is found to exist in consequence of the extended bounds and increased population of the Parish of Portland: And whereas it is expedient to erect a separate Parish in the same;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, that all that part of the said Parish lying to the eastward of a line running due south from the head of Portage Cove, so called, until it meets the northwest branch of the Marsh Creek, thence following the centre of the said Creek, until it comes opposite Black Point, thence at right angles easterly, until it meets the eastern line of the Marsh road, so called, thence southerly following the eastern line of the said Marsh road and of the road which passes along the front of Walker Tisdale's Stone Cottage and a prolongation of the said last mentioned line until it strikes the Creek running through the Flats thence following the said Creek to low water mark, be and the same is hereby erected into a separate and distinct Town or Parish, to be known and distinguished by the name of the Town or Parish of Simonds.

II. And be it further enacted, That the Justices of the Peace for the said County, shall and may have power to appoint annually from time to time, Officers for the said Town or Parish of Simonds, in the same manner as for other Towns or Parishes within the said County, and also that the said Justices may, at any Special Session, for that purpose to be holden, have power and authority to appoint such Officers for the present year, which Officers shall be sworn for the faithful discharge of their duties respectively, and be liable to the like penalties for neglect or refusal to accept or perform the duties of their respective offices, as any Town or Parish Officers within the said County.

CAP. XVI.

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.

Passed 23d March 1839.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the President and Directors of the Public Grammar School in the City of Saint John, and their successors, shall be and they are hereby fully authorized