



EXTRA ROYAL GAZETTE.

FREDERICTON, N. B., 8th April, 1840.

the said Town of Saint Andrews, be and the same are hereby repealed.

II. And be it enacted, That the Justices of the Peace for the County of Charlotte, be and they are hereby authorized and empowered from time to time to make such rules and regulations for ascertaining and establishing the assize of Bread and the sale thereof, for the said Towns of Saint Andrews and Saint Stephen respectively as they or the major part of them, in any General or at any Special Sessions to be holden for that purpose, shall deem just and expedient, and to enforce such Rules and Regulations under such Fines as they or the major part of them shall think fit: Provided always, that no fine for any offence shall exceed the sum of forty shillings.

III. And be it further enacted, That the Clerk of the Market for the said Towns of Saint Andrews and Saint Stephen respectively, is hereby authorized and empowered, whenever he shall judge it necessary, and it shall be his duty, at all times when complaint shall be made to him, to enter and go into any Bake-house within the Town for which he shall be so appointed (in the day time) when Bread is manufactured for sale, and into any Shop or other place where bread is sold, or offered for sale, and carefully to inspect and weigh all Bread so manufactured, or offered for sale, and in case he shall find any Bread to be of less weight than the regulated assize to be established as aforesaid, it shall be his duty and he is hereby enjoined and required to seize all Bread he shall so find deficient in weight and to deliver the same to the Overseers of the Poor, or the Commissioners of the Poor House, as the case may be, or to any one of them, for the Parish in which such bread shall be seized for the use of the Poor of such Parish; and such Clerks of the Markets shall respectively have like power to seize and dispose of as above directed any Bread that may be found deficient in weight in any Cart, Sled, or other Vehicle in which the same may be carried about for delivery or sale.

IV. And be it further enacted, That the said respective Clerks of the Market shall forfeit and pay for any neglect of duty imposed on them by virtue of this Act, the sum of forty shillings, to be forfeited by the party guilty of such neglect.

V. And be it further enacted, That the several fines and penalties imposed by this Act, shall be recovered upon the oath of one or more credible witness or witnesses, or on confession of the party charged, before any one of Her Majesty's Justices of the Peace in the said County, and levied by distress and sale of the offender's goods and chattels, rendering the overplus, (if any,) after deducting the costs and charges of such prosecution and sale to such offender, and shall be applied on behalf to the person who shall sue for the same, and the other half to the use of the Poor of such Parish in which the offence shall have been committed.

VI. And be it further enacted, That this Act shall continue and be in force for five years from the time of the passing of this Act.

CAP. XXIX.

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

Passed 25th March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That an Act made and passed in the ninth year of the reign of His Majesty King George the Fourth, intituled "An Act to repeal the Laws now in force for appointing Firewards, and for the better extinguishing Fires in the Town of Saint Andrews, and to make regulations more suitable to the said Town, and for other purposes therein mentioned," be and the same is hereby continued and declared to be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXX.

An Act for erecting a part of the Parish or Township of Sussex, in King's County, into a separate and distinct Parish or Township.

Passed 25th March 1840.

WHEREAS the Parish or Township of Sussex is so extensive as to render it inconvenient and burthensome to perform the several Parochial duties required by Law, and it is expedient a separate Parish should be erected therein, and that a certain part of the Parish of Sussex should be erected into a distinct Parish;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the said Parish of Sussex, in the said County of King's, which lies on the north side of the centre of the River Kennebecasis, beginning at the line between Norton and Sussex, in the centre of the said River, and following the centre of the said River upwards, until it strikes the southerly angle of Lot number twenty five, on the north side of the Kennebecasis or Salmon River, granted to Jacob Snider, thence running along the upper or easterly line of the said grant, north to the rear of the said Lot: thence north sixty six degrees east till it intersects the County Line dividing

Westmorland from King's, thence along the said line northerly to the intersection of the south line of Queen's County, thence following the course of that line to the dividing line between the Parishes of Springfield and Sussex, thence southerly on the said line to the place of beginning, be and the same is hereby erected into a separate and distinct Parish or Township to be called, known and distinguished by the name of *Studholm*, any Law, usage or custom to the contrary thereof in any wise notwithstanding.

II. And be it enacted, That the Justices of the Peace for the said County, at a Special Session for that purpose to be holden previous to the first day of May in the present year, and thereafter at the first General Sessions in each and every year, shall in like manner as for other Towns or Parishes in the said County, appoint Parish Officers for the said Town or Parish of Studholm, who shall be subject to the same Laws and Regulations, and liable to the same penalties in all respects as Parish Officers in other Parishes are or may be liable to.

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

CAP. XXXI.

An Act to continue the several Acts now in force relating to insolvent confined Debtors.

Passed 25th March 1840.

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 relating to insolvent confined Debtors," also an Act made and passed in the seventh year of the reign of His said late Majesty, intituled "An Act to amend an Act, intituled 'An Act relating to insolvent confined Debtors,' be and the same are hereby respectively continued and declared to be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXXII.

An Act to alter the time for holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of York.

Passed 25th March 1840.

WHEREAS the time of holding the Terms of the Inferior Court of Common Pleas and General Sessions of the Peace for the County of York, has been found inconvenient; for remedy whereof,

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, the Terms of the said Inferior Court of Common Pleas and General Sessions of the Peace, heretofore held on the second Tuesday in January and June respectively, shall hereafter be holden on the first Tuesday in January and June respectively, in each and every year, any law, usage or custom to the contrary in any wise notwithstanding.

II. And be it enacted, That no suit, process, or proceeding, instituted or commenced before the passing of this Act, shall abate or be discontinued by reason of the altering of the time of holding the said Terms respectively, but all actions, processes, suits and proceedings shall be carried on and continued to final judgment, in the same manner as if this Act had not passed, anything herein contained to the contrary notwithstanding.

CAP. XXXIII.

An Act to amend and continue an Act, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Mill Town, and its immediate vicinity."

Passed 25th March 1840.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Firemen appointed, or hereafter to be appointed, under and by virtue of an Act made and passed in the fifth year of the Reign of His late Majesty King William the Fourth, intituled "An Act for the appointment of Firewards and the better extinguishing of Fires which may happen in that part of the Parish of Saint Stephen, commonly called Mill Town, and its immediate vicinity," and each and every of them, from time to time during their continuance in office, shall be, and they are hereby declared to be free, exempted and privileged from serving in the several offices of Constable and Surveyors of Highways, and from all Statute Labor on the Highways and Streets in the said Parish of Saint Stephen, and from serving on any Jury at the General Sessions of the Peace and Inferior Court of Common Pleas in the County of Charlotte.

II. And be it enacted, That this Act and the above recited Act, of which this is an amendment, shall continue and be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXXIV.

An Act to continue the Act to provide for the collection of County and Parish Rates.

Passed 25th March 1840.

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 provide for the collection of County and Parish Rates," be and the same is hereby continued and declared to be in force until the first day of April which will be in the year of our Lord one thousand eight hundred and forty five.

CAP. XXXV.

An Act to alter and amend an Act, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick."

Passed 25th March 1840.

WHEREAS it is thought advisable that the number of Directors to be annually chosen for the management of the concerns of the Corporation of the President, Directors and Company of the Bank of New Brunswick, be reduced to nine, that five of such number be sufficient to form a Board for the transaction of business, and that it shall be no longer required that more than three of such Directors in office during the year preceding the day of each annual election shall be re-elected for the ensuing year; and that one of the said Directors, so to be re-elected, shall as heretofore be the President of the said Corporation, who was in office during such preceding year;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the Act made and passed in the sixtieth year of the Reign of His Majesty King George the Third, intituled "An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick," as relates to the number of Directors to be annually chosen for the management of the concerns of the said Corporation, the number requisite to constitute a Board for the transaction of business, and the number of Directors in office during the year preceding the day of election to be re-elected; and also an Act made and passed in the second year of the Reign of Her Majesty Queen Victoria, intituled "An Act to alter and amend an Act, intituled 'An Act to incorporate sundry persons by the name of the President, Directors and Company of the Bank of New Brunswick,' be and the same are hereby repealed.

II. And be it enacted, That at the General Meeting of the Stockholders and Members of the said Corporation to be annually holden as by Law required, there shall be chosen by a majority of the Stockholders and Members of the said Corporation present, nine Directors for the management of the concerns of the said Corporation, who shall continue in office for one year, or until others are chosen in their room; in the choice of which Directors the Stockholders and Members of the said Corporation shall vote according to the Rule in and by the said Act of Incorporation mentioned; and the Directors when chosen shall, at their first Meeting after their election, choose out of their number a President; Provided always, That three of the Directors in office shall be re-elected at such Annual Meeting for the next succeeding twelve months, of which the President shall always be one.

III. And be it enacted, That five Directors so chosen, but no less than five, shall constitute a Board for the transaction of business, of which the President shall always be one, excepting in case of sickness or necessary absence, in which case the Directors present may choose one of the Board as Chairman in his stead; that the President shall vote at the Board as a Director, and in case of there being an equal number of votes for or against any question before them, the President shall have a casting vote.

IV. And be it enacted, That every Board of the Directors to be hereafter annually elected and chosen, shall and may exercise and enjoy all and singular the powers and authorities heretofore granted to or exercised and enjoyed by the Board of Directors of the said Corporation under and by virtue of the said Act of Incorporation.

CAP. XXXVI.

An Act to authorize an Assessment on the Inhabitants of a part of the Parish of Saint Stephen, in the County of Charlotte, for the purpose therein mentioned.

Passed 25th March 1840.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace, hereafter to be holden, or the major part of them, be, and they are hereby authorized and empowered to raise by assessment the sum of one hundred pounds, for the purpose of building an Engine House, purchasing Fire Hooks, for the preservation of the Engine, and for the better extinguishing of Fires that may happen in that part of the Parish of Saint Stephen, in the said County, contained within the following limits, to wit: Commencing on the River Saint Croix, opposite or nearest to the house occupied by the late Josiah Hitchings; thence directly to the said house, thence to the house occupied by Joel Hill, including the Village of Milltown; thence directly to the said River; thence down the River following the dividing line, or centre thereof, to the place of beginning; Such assessment to be made in due proportion upon all and every person or persons who do or shall inhabit,