

accruing in any way under or out of any such Fiat, or the authority of any law relating to Bankruptcy at any time heretofore in force, shall be deemed and continue valid, effectual and available for all purposes in the same manner to all intents and purposes as if the said recited Act had not passed; and until all the estates of the several Bankrupts, whose Fiats have been so published before the passing of the said recited Act, are completely settled, wound up and closed, it shall and may be lawful to fill up vacancies arising from time to time by death, resignation or otherwise, or which may have arisen in the office of Commissioner of Bankrupts, or Assignee, in the same manner and as fully and effectually to all intents and purposes as if the said recited Act had not passed, and in the construction of the proviso in the said recited Act, this Act shall be deemed to declare the true meaning thereof.

Vacancies in the offices of Commissioner of Bankrupts or Assignee may be supplied.

This Act to be the meaning of the proviso in 12 V. c. 43.

No action to be had on Bonds to the Registrar in Chancery for costs unless prosecuted within four months.

No proceedings to be had on Fiats unless surrender be made within six months after passing this Act.

Proviso.

II. And be it enacted, That no action, suit or proceeding shall be instituted, had or taken for the recovery of any Bond or the penalty thereof, or any money therein secured, heretofore given, executed or entered into, to the Registrar of the Court of Chancery of this Province by any person or persons for securing the costs of any proceeding in Bankruptcy, unless such action, suit or proceeding be instituted, had or taken within four calendar months after the passing of this Act.

III. And be it enacted, That no proceeding shall be had or taken on any Fiat published in the Royal Gazette before the passing of the said recited Act, in cases where the person so declared a Bankrupt under the authority of any Act repealed by the said recited Act, has not surrendered before the passing of the said recited Act, unless such person shall surrender within six calendar months after the passing of this Act, and in all cases when such person shall or may neglect or refuse to surrender within that period, the Fiat so granted as aforesaid shall be null and void; provided always, that in every case where a party surrenders within the time limited by this Act, unless such party shall proceed to a sitting for a final certificate within nine calendar months after the date of such surrender, or within such further time as the Commissioner upon good cause shewn therefor on affidavit shall grant, then and in such case the certificate of such Bankrupt shall be deemed and taken to be refused.

#### CAP. VII.

An Act for the better prevention of Trespasses on Crown Lands and Private Property.

*Passed 11th April 1850.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, whosoever shall wilfully and without legal authority therefor, cut and carry away, or cause to be cut and carried away, or being cut shall carry away, or cause to be carried away off any Lands, granted or ungranted, any trees, logs, or timber of any kind, shall be guilty of a misdemeanor, and shall be liable to be imprisoned in the common gaol of the County where the offence may be committed for any term not exceeding one year, or fined in any sum not exceeding fifty pounds, at the discretion of the Court.

Illegally cutting and carrying away trees, logs, &c., made a misdemeanor.

II. And be it enacted, That when any such offence has been committed upon ungranted Lands, the property in the trees, logs or timber cut or carried away, shall be laid to be in Her Majesty the Queen; and in case such offence had been committed upon granted Lands, the property in the trees, logs or timber so cut or carried away, may be laid to be in the owner of the freehold of such granted Lands; and in case such offence be committed upon Land held from the Crown, under lease or licence, the property in the trees, logs or timber so cut or carried away, may be laid to be in the lessee or licensee of such Land.

How property to be laid in the indictment.

III. And be it enacted, That whenever any timber, trees or logs are cut and carried away from any grounds held under lease or licence from the Crown, the lessee or licensee may recover damages therefor in an action of trespass or replevin against the person or persons so cutting and carrying away, in any Court of competent jurisdiction, and such lessee or licensee, for the purpose of such action, shall be deemed and taken to be the owner of such property.

Lessees or licensees of Crown Lands may recover damages.

IV. And be it enacted, That nothing in this Act contained shall in any wise affect any civil remedy of any parties injured by any such trespasses.

Act not to affect any civil remedy.

V. And be it enacted, That this Act shall continue and be in force for two years and no longer.

Limitation.

#### CAP. VIII.

An Act to amend the Act providing for the Collection and Protection of the Revenue of this Province.

*Passed 11th April 1850.*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That any goods which have been or shall be hereafter warehoused in some Warehouse in any Port in this Province, may, with the permission of the Treasurer or Deputy Treasurer at such Port first obtained, be removed to

Warehoused goods may be removed on permission from one Warehouse to another in the same Port.