

referees, or any two of them, shall also determine and award by whom and how the expenses of such reference shall be paid.

11. If any person or persons shall wilfully injure or destroy the said Boom, or any of the piers thereof, such person or persons so offending shall, upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Queen's, forfeit and pay a sum not exceeding forty dollars, with costs of prosecution, to be levied by warrant of distress and sale of the offender's goods and chattels, rendering the overplus, if any, to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for said Justices to issue their warrant to commit such offender or offenders to the common gaol of the County, there to remain without bail or mainprize for such period as may be specified in such warrant, not exceeding one day for every forty cents of such penalty.

12. The said Corporation shall have power to levy and collect assessments upon the shares, from time to time, of such sums of money as may be deemed necessary for carrying on the business of the said Corporation; and whenever any such assessment shall be made by the stockholders of the Corporation, it shall be the duty of the Treasurer to give notice thereof by notices posted in three public places in the Parish where the Boom is situate, requiring payment of the same within thirty days; and if any stockholder shall neglect or refuse to pay to the Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the Treasurer to advertise all such delinquent shares for sale at public auction, giving at least fourteen 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 and delivered to the purchasers; provided always, that no assessment shall be made except by a vote of the stockholders and by a majority of all the shares.

13. The members and stockholders of the said Corporation shall be chargeable in their private and individual capacity, and shall be holden for the payment of all debts at any time due from the said Corporation, or damages sustained by the default or neglect of the said Corporation, or their agents or servants, in proportion to the stock they respectively hold; provided however, that in no case shall any stockholder be liable to pay a sum exceeding the amount of stock actually then held by such member or stockholder, in addition to the stock then held by such stockholder; provided nevertheless, that nothing herein contained shall be construed to exempt the joint stock of the said Corporation from being also liable for and chargeable with the debts and engagements of the same.

14. Unless a good and sufficient Boom for the purpose contemplated by this Act shall be erected within two years after the passing of this Act, and a certificate thereof under the hand of the agent, or the principal officer of the said Corporation, attested to by such agent or other principal officer before one of Her Majesty's Justices of the Peace, and

which oath such Justice is hereby authorized to administer, shall be filed in the office of the Secretary of the Province, then the corporate powers hereby granted shall be deemed null and void.

15. Nothing in this Act contained shall extend or be construed to extend to authorize and empower the said Corporation, or any of their agents or servants, to enter in and upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessees thereof, be first had and obtained in writing; and further provided, that the said Corporation shall be liable for all trespasses done or committed by the servants or agents of the said Corporation, in the course of prosecuting the business or objects of the said Corporation, unless such consent as aforesaid has been previously had and obtained.

16. Any logs, timber or other lumber that may be found in the said Boom, upon which there is no mark, shall be taken care of by the said Corporation until the whole of the logs and lumber that shall come into the said Boom for the season shall have been rafted for the owners thereof; and all logs, timber or other lumber that shall then be found without having any mark thereon, shall be advertised for sale at public auction, for at least ten days, in two or more public places in the Parish, stating the time and place of such sale; and the proceeds of such sale, after deducting the expenses of rafting, boomage, and expenses of sale, shall be held by the said Company, shall within twenty days thereafter be divided amongst, and be paid to the owners of all lumber rafted by the said Company during the said year, up to the time of such sale, according to the quantity of lumber rafted by such Company for the respective owners thereof.

17. This Act shall continue and be in force for ten years, and no longer.

CAP. XL.

An Act relating to Affidavits, Declarations, and Affirmations made out of this Province for use therein.

Section.

1. Appointment of persons to take Affidavits, &c. out of the Province, how made.
2. Title of Commissioners.
3. Affidavits, &c. taken before certain parties, to be valid.
4. Documents signed and sealed by Commissioners, to be evidence without proof of such signature.

Section.

5. Affidavit of any Deed, &c. for registration, how made.
6. Informality in form of document not to affect as evidence.
7. Tendering false or counterfeit documents; penalty.
8. This Act not to affect Sec. 7, 19 Vic. Cap. xli.
9. Not to affect Affidavits &c. heretofore made.

Passed 13th April, 1864.

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

1. The Lieutenant Governor in Council, by one or more Commission or Commissions under his hand and seal, from time to time shall and may empower such and so many persons as he may think fit and necessary, to administer Oaths and take and receive Affidavits, Declarations, and Affirmations in the United Kingdom of Great Britain and Ireland, or in any Colony or Dependency thereof, or in any Foreign State or Country, in or concerning any cause, matter or thing depending in, or in any wise concerning any of the proceedings had or to be had in Her Majesty's Supreme Court of Judicature, at the law or equity side thereof, or in any of the Inferior Courts of Common Pleas, or in any Surrogate's Court, or in any other Court of Record in this Pro-