



BY AUTHORITY.

ANNO VICESIMO OCTAVO VICTORIÆ REGINÆ.

CAP. XL.

An Act to incorporate certain persons holders of Property in the Lower District of Saint Stephen, for the purposes therein mentioned.

Section.	Section.
1. Company incorporated; District described.	4. First meeting of Company, how and when called; what to be done at first meeting; proviso.
2. Lands &c. within District liable for Debentures.	5. Duty of President.
3. Public meeting, how called and for what purpose.	6. Debentures, how to be applied and how redeemed.
	7. Act to be published in Saint Stephen.

Passed 8th June, 1865.

WHEREAS certain persons holding real estate in the Lower District of the Parish of Saint Stephen, in the County of Charlotte, have made known by Petition that they are desirous of being incorporated, and that certain lands held by them, and comprehended within certain limits in the said Parish, should be declared by law to be affected by and liable unto the payment of certain Debentures to be issued by the Saint Stephen Branch Railroad Company, for the sole purpose nevertheless of being in the nature of a guarantee in aid of the said Saint Stephen Branch Railroad Company, on such terms, notwithstanding, as may be required and directed by the Act of Incorporation;—

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

1. That Zachariah Chipman, Nehemiah Marks, Robert Watson, Freeman H. Todd, Hugh Cullenan, Augustus H. Thompson, William T. Rose, and James G. Stevens, owners of real estate, and such other persons as now are or shall from time to time become proprietors of lands situated in the said Parish of Saint Stephen, in the County of Charlotte, in the lower district thereof, comprising that portion of the said Parish within the limits following, that is to say:— Southerly by the River Saint Croix, at low water mark; easterly by Porter's mill stream, so called; northerly by a line parallel with the Saint Croix River at low water mark, one mile or eighty chains of four poles each distant from the said River at low water mark; and westerly by a line commencing at Hitching's corner, so called, and running southerly to the said River and northerly towards Scotch Ridge, so called, be and the same are declared, ordained, constituted and appointed to be a body corporate and politic by the name of the "Lower District of Saint Stephen," and by that name shall have all the powers and be liable to all the incidents of a corporation for such purposes only as are above recited and hereinafter expressed, and for none other, and subject to the provisions of this Act.

2. The said real estate, and all the lands, tenements and hereditaments comprehended within the aforesaid abutments and boundaries, that is to say, southerly by the river Saint Croix at low water mark, easterly by Porter's mill stream, so called, northerly by a line parallel with the said Saint Croix River at low water mark, one mile or eighty chains of four poles each distant from the said River at low water mark, and westerly by a line commencing at Hitching's corner, so called, and running southerly to the said River, and northerly

towards Scotch Ridge, so called, are hereby declared to be liable and subject to the payment of all Debentures to be issued by the said Saint Stephen Branch Railroad Company, and endorsed by the President of the Corporation hereby erected under and by virtue of this Act, together with the interest thereon, for the purposes of this Act and for none other, subject nevertheless to the several provisions, limitations and restrictions hereinafter expressed and contained.

3. Any two of Her Majesty's Justices of the Peace of the said County of Charlotte, and resident in the said Parish of Saint Stephen, within six calendar months from the day of the passing of this Act, by public notice in one or more of the newspapers printed and published in the Town of Saint Stephen, and also by printed handbills to be by them posted up in three or more of the most public places within the hereinbefore described district, shall make known to the public that they call together and will hold a public meeting of all persons interested in the real estate, lands, tenements and hereditaments situate within the said described district, at a time and place to be in such notice specified, and which time shall not be less than six days from the time of posting up and publishing such notices; and on the day, hour and 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 then and there by parties present and having interest in the real estate, lands, tenements and hereditaments situate within the said described district, they shall then and there make a list containing the names of the parties so interested 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 two Justices, that the parties present and voting in the affirmative represent two thirds in value of the real estate in the said described district represented at such meeting, to be estimated by the Parochial assessment last made, then the said two Justices shall forthwith certify the same to the Lieutenant Governor in 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; but if on counting the votes aforesaid, and referring to the said Parochial assessment, the said Justices should find that the persons voting in favour of the adoption of this Act, do not represent two thirds of the value of the said real estate, lands, tenements and hereditaments so represented by persons present at such meeting, they the said Justices shall also certify the same unto His Excellency the Lieutenant Governor in Council, whereupon this Act and every thing herein contained shall be and become utterly null and void, any thing in this Act contained to the contrary thereof notwithstanding; 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.