

or rights of way contiguous to the mines, pits, shafts, wells or other property of the Company may be requisite for the laying, constructing or erection of any roads, railway or tramway, or of any building, wharf, dock or other place for storing, transporting or shipping the minerals or materials dug, got out, raised or manufactured by the Company, and no agreement for the purchase of such lands or right of way can be made with the owner or owners thereof, the said Company or the Directors thereof may apply to a Judge of the Supreme Court by petition, with a correct plan of the premises in question thereto annexed, on oath, praying a conveyance of such lands or right of way; and such petition shall set forth by metes and bounds the nature, situation and quantity of the lands or rights of way required, the names of the owners or occupiers thereof, and any further particulars which the case may require; whereupon if the Judge be satisfied that such lands or rights of way, or any part thereof, are actually required for carrying out the purposes and operations of the said Company, he shall appoint a time and place for the consideration of such petition, and direct notice of the object of such application to be given to the owners or occupiers of such land, either if practicable by personal service or at the last usual place of abode of the owner or occupier thereof, and if not practicable, then by publication thereof for at least two weeks in a newspaper published in the County of Westmorland, requiring them to attend at the time and place appointed, to shew cause why an order for such conveyance should not be made; and at such time and place the Judge may either proceed at once to order the parties interested to make all necessary conveyances, upon such terms as he may see fit to order and direct; or if he deem it necessary to order that the lands or rights of way so required be examined and surveyed by appraisers to be by him appointed, of whom one appraiser shall be named by the petitioners, one by the respondents, and a third by the Judge; or if the respondents do not appear, two of such appraisers shall be named by the Judge, due proof being furnished to him of the due service or publication of said notice; the appraisers so appointed shall forthwith proceed to examine and value the lands or rights of way so required, to ascertain the necessity for them and the quantity of land required, and in their valuation they shall not take into account the enhanced value of any such lands and premises by reason of the operations of the said Company, or of any discovery by them upon their own lands, or the operations of the said Company contemplated by the provisions of this Act, of or in oils, minerals, ores or other metallic substances, or any further works or operations by them contemplated; and the valuation of such appraisers or any two of them shall be returned in writing upon oath to such Judge as soon as may be, whereupon the said Judge shall fix a time and place for hearing such award or valuation, of which all parties shall have due notice, either by their attorney or as aforesaid, and on the return of such notice, and upon hearing all parties interested, the said Judge shall have power to alter, modify, approve or reject such valuation, and in case of rejecting the same, shall proceed as before to the appointment of other appraisers, and so on as often as the case may happen; if the valuation be approved or modified, the Judge may make such order in the premises, as to the payment of costs and awards, and the mode of conveyance of such lands and rights of way, as he may deem expedient, and any con-

veyance made under such order shall be registered in the County in which the premises conveyed shall be, and have the same operation and effect as if made by the owner or owners of the fee to the said Company.

8. The said Company may, whenever required, make or construct a railway or tramway over and across any roads in the line of the projected railway or tramway, and over any brooks, streams or rivers on public lands, subject nevertheless to regulations to be made by the Court of Sessions or Municipal Corporation of the County, for the protection and safety of the inhabitants and their property, and the preservation of public and private rights; and may build, erect and make harbours, piers, breakwaters and shipping-places for the Albitite, shale, oil and other productions of the said Company, upon any land owned or lawfully held by the Company or acquired under this Act, or upon the shores of the harbour or other lands of the Crown, above or below low water mark, license therefor having been first duly applied for and obtained from the Governor General of Canada or the Lieutenant Governor of New Brunswick in Council, as requisite.

CAP. CXXIV.

An Act to incorporate the Moore's Mills Union Church and a Cemetery in connection therewith, in the Parish of Saint David, County of Charlotte.

Sec.	Sec.
1 Church incorporated; Trustees appointed.	4 Lots in Cemetery not liable to execution.
2 Property of Church, in whom vested.	5 When annual meeting shall be held.
3 Land for Cemetery free from taxation.	

Passed 10th April, 1875.

WHEREAS a number of persons at or near Moore's Mills, in the Parish of Saint David, in the County of Charlotte, are desirous that the Trustees in whom certain property is vested for the use of a Church, should be incorporated, in order that they may more effectually hold the same for the purposes for which the same was originally designed;—

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

1. The following persons, namely, Edwin W. Dibblee, M. D., John A. Moore, W. D. Milliken, A. J. Maxwell, William Douglas, George W. Peaks, William H. Marks, Wilmot Brown, and W. F. Maxwell, be and they are hereby declared to be the Trustees of the Union Church and Cemetery in connection therewith, in the Parish of Saint David, in the County of Charlotte, until the election and appointment of not more than seven other Trustees, as hereinafter directed; and the said Trustees and their successors to be chosen and appointed in manner hereinafter mentioned, shall be a body politic and corporate in deed and in name, and have succession for ever by the name of "The Trustees of the Moore's Mills Union Church and Cemetery in the Parish of Saint David, County of Charlotte," and by that name shall be enabled to sue and be sued, implead and be impleaded, answer and be answered unto, in all Courts and places whatsoever within this Province, and shall have all the general powers and privileges made incident to Corporations by Act or Acts of Assembly of this Province, and shall have full power and capacity to purchase, receive, take, hold and enjoy for the exclusive use and benefit of the said Church, as well goods and chattels as lands, tenements and hereditaments, and improve and use the same for the benefit of the said