

if successful, in the same manner as are allowed to the complainant under Chapter one hundred and thirty eight of the Revised Statutes; and the Board shall pay to Constables and other officers their reasonable fees and expenses for services performed under this Act, and also all such costs as shall be allowed to the defendant, when not otherwise recovered, paid or provided for.

36. And whereas it is desirable that the provisions of this Act should be carried into effect without delay, it is further enacted as aforesaid, that all the powers, authorities and duties by this Act conferred upon or required to be performed by the said Sessions or any Committee thereof, or the said Board at the December term of the said Sessions, or between that term and the end of the succeeding March term, may be exercised and done during the March General Sessions of this year, or at any Special Sessions to be holden for the purpose, or at any time between the passing of this Act and the next subsequent December term of the said Sessions; and the appointment of a Commissioner in the manner provided by this Act shall supersede any previous election or appointment of a Commissioner or Commissioners under any Law existing at the time of the passing of this Act, and also any assessment made by any such Commissioner or Commissioners.

CAP. XLV.

An Act to authorize the sale of the Saint John Suspension Bridge.

| Sec. | Sec. |
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| 1 What constitutes authority to sell bridge. | 6 Apportionment of President to be binding. |
| 2 Payment for bridge, when and how made. | 7 Who shall be deemed owners of stock. |
| 3 Until delivery of transfer and payment of amount, President, &c. to have control of bridge and revenues, &c. | 8 President to give notice of apportionment. |
| 4 When property of bridge shall vest in purchaser. | 9 Power of President and Directors. |
| 5 After payment of debts President to apportion balance among the stockholders. | 10 When Stockholders have not received apportionment President may deposit amount in Bank of New Brunswick. |

Passed 10th April, 1875.

WHEREAS negotiations are pending and an offer has been made for the purchase of the said Bridge;—

Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly;—

1. That if at any special meeting of the said Saint John Suspension Bridge Company, to be called as provided by the bye-laws of the said Company, for the purpose of considering an offer of the sum of sixty five thousand dollars for the purchase of the said Bridge, or at any adjournment thereof, the stockholders of the said Company, present in person or by proxy, shall by a two-thirds vote of the stock of the said Company agree to accept such offer, then and in such case it shall be lawful for the said Company, by deed under their corporate seal, to convey and assign to the purchaser or purchasers the said Suspension Bridge, with all its hereditaments, stock and appurtenances.

2. That upon such deed being executed and proved as in the case of deeds, and delivered, and payment made of the said sum of sixty five thousand dollars, either in cash or by Government debentures, payable in twenty years from the date of transfer, and bearing interest at the rate of six dollars per centum per annum half yearly, with coupons attached to such debentures for payment of such interest, or on payment of the said sum, part in cash and part by such debentures, the said Bridge and property of the said Corporation

shall vest in and become the property of such purchaser or purchasers.

3. That up to the date and delivery of the said transfer, and delivery of such cash or debentures, or both as aforesaid, the President and Directors of the said Company shall have sole control of the said Bridge, and shall have power to collect and receive all tolls and fines due and payable for and in respect thereof, and all contracts for the payment of tolls made by the said President and Directors for a year or less period with any person or persons whomsoever, shall be paid *pro rata* to the said Company up to the date and delivery of such transfer, and nothing herein contained shall at any time hereafter prevent the said Company from recovering all sums of money due and payable for or in respect of such tolls, fines or contracts, and for such purpose the said Company shall, after such sale and transfer, be a subsisting Corporation or body politic.

4. That upon such transfer being executed and tendered as aforesaid to the said purchaser or purchasers, the property in the said Bridge shall pass to him or them, and he or they shall immediately thereupon hand over to the said President and Directors the said cash or debentures, or both as aforesaid, to the amount of the said sum of sixty five thousand dollars.

5. That the said President and Directors shall, after payment of any debts, damages, sum or sums of money, or liabilities which may be due, owing or recoverable by or from the said Company, divide and apportion to and among the stockholders of the said Company, *pro rata*, the said cash or debentures, or both, or the residue or balance thereof after payment of any such damages, debts, liabilities, sum or sums of money.

6. That such apportionment of the said President and Directors shall be binding and conclusive upon all such stockholders, and the several amounts apportioned shall be received by such stockholders in full payment of the stock held by them respectively in the said Company.

7. That the person or persons in whose name or names such stock shall stand in the Stock Book of the said Company at the time of such transfer, shall be deemed the owner or owners thereof.

8. That the said President and Directors shall give one month's notice of such apportionment in a public newspaper published in the City of Saint John, and shall name in such notice the time and place where such apportionment is payable.

9. That to enable the said President and Directors to make such apportionment as aforesaid, they, or a majority of them, are hereby authorized and empowered to sell so many and such amounts of debentures as they shall from time to time see fit, by public auction, in the City of Saint John, at such place and at such time or times as they may appoint, five or more days' previous notice of such sale being given in one or more of the public newspapers published in the said City, and the proceeds thereof, less the expense of advertising and selling, shall be applied and used in making such *pro rata* apportionment.

10. That to enable the said President and Directors to relieve themselves from all personal liability, it shall be lawful for them to pay into the Bank of New Brunswick, to the credit of such person or persons respectively whose name or names shall appear on the said Stock Book of the said Com-