

at all times to sell, alienate, mortgage, lease or dispose of the same or any of the operations or undertakings of the Company or any part thereof for such consideration or considerations as the Company may deem fit.

To acquire by purchase, subscription or otherwise and to hold, purchase, sell or otherwise dispose of shares and stocks, either common or preferred, or bonds, debentures, debenture stock or other interest in any company or companies having objects altogether or in part similar to those of this Company, and to acquire or undertake the whole or any part of the business, property and liabilities of any person or company carrying on business which this Company is authorized to carry on, or possessed of property suitable for the purpose of this Company in common with the power to amalgamate with any such company; to pay for any property, rights, franchises or things as are above set out in shares of the Company or otherwise, with full power to lease, sublet, sell, dispose of or otherwise deal with any or all the property and rights of the Company.

To do any and all things above set forth as objects, purposes powers or otherwise, and any and all things necessary or incidental thereto for the accomplishing of the purposes or the attainment of the objects or the exercise of the powers hereinbefore enumerated, or any of them, as well without the Province of New Brunswick as within, to the same extent and as fully as natural persons might do by the name of "R. Chestnut & Sons, Limited," with a total Capital Stock of One hundred and ninety thousand dollars divided into One thousand nine hundred shares of One hundred dollars each.

The Capital Stock shall be divided into two classes, namely "A" Stock, being ordinary stock of the Company and to consist of Four hundred shares of One hundred dollars each; and "B" Stock, being Preference Stock, and to consist of One thousand five hundred shares of the said stock of One hundred dollars each, and that such Preference Stock shall have preference and priority over the Ordinary Stock of the said Company in the distribution of the assets of the said Company, and shall also have preference and priority over the Ordinary Stock as regards dividends to the extent that all the said Preference Stock shall be entitled to receive each year a dividend of seven per centum before any dividends on the Ordinary Stock shall be payable; such rights to dividends on the Preference Stock, however, to be non cumulative, but in case there is any deficiency to pay said dividend on the Preference Stock in any one year, such deficiency may be made up and paid before any dividend shall be declared on the Ordinary Stock in any subsequent years; it being intended that no greater dividends shall be paid on the Preference Stock over and above seven per centum per annum in any one year; but in the case of the distribution of the assets for any reason whatever the holders of the Preference Stock shall receive payment in full to them to the amount of the Preference Stock held by them respectively at the rate of One Hundred Dollars per share before any amount shall be distributed to the holders of Ordinary Stock. And it is further intended that the holders of the Preference Stock or Shares shall have the same right of voting and acting at all meetings of the Stockholders as the holders of the Ordinary Stock, and that the holders of the Preference Stock or Shares shall have the same right to be elected Directors and to hold office as the holders of the Ordinary Stock.

The head office shall be at the City of Fredericton, in the County of York in said Province.

Dated at the Office of the Provincial Secretary, at Fredericton, the Fifth day of May, 1916.

D. V. LANDRY,
Provincial Secretary-Treasurer.

ACTS PASSED SESSION 1916.

CAP. 21.

An Act to Amend "The Judicature Act, 1909."

Passed 7th April, 1916.

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

1. Section 2 of Chapter 24 of the Acts of the Legislative Assembly 5 George V., "An Act to amend the Judicature Act, 1909," is hereby repealed.

2. All Acts heretofore performed by the Assistant or Deputy Registrar of the Supreme Court at Fredericton, under and by virtue of his said office, are hereby confirmed, as well as the payment to him of the annual salary for his services as fixed by the Order-in-Council of June 9th, 1915.

3. Section 38 of "The Judicature Act, 1909," as amended by Section 16 of the Act of the Legislative Assembly, 3 George V., Chapter 23, is hereby declared to be in full force and effect.

CAP. 18.

An Act Respecting Licenses.

Passed 29th April, 1916.

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

1. Whenever by any Act, the Council of any City, Town or Municipality is empowered to make regulations or by-laws for the licensing of any matter or thing, but is not expressly empowered to provide by such regulation or by-law, for the imposition of any fee upon the granting of any such license, it shall and may be lawful for such Council, by any such regulation or by-law, to impose such fee as it may deem proper for the granting of any such license and for the licensing of the matter or thing permitted by such license.

2. Any by-law or regulation heretofore made, which would, if made after the passing of this Act, be valid, is hereby ratified and confirmed.

CAP. 22.

An Act to Amend the Judicature Act.

Passed 29th April, 1916.

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

1. Section 47 of the Judicature Act, 1909, is hereby repealed and the following substituted therefor:—

"47. The several persons so to be appointed shall be called and known as "Clerk of the Courts for the County of....." as the case may be, and shall each be entitled to demand and receive from the parties litigant, the fees by this Act prescribed, such Clerk shall also be paid for all other services according to the following table of fees:

(a) For services in opening Court and certifying jury fees, including all services of every nature and kind in connection with a grand jury during the entire sitting of the Court, Twenty-Five Dollars (\$25.00).

(b) Each day's attendance of more than three hours while criminal business only is before the Court, including swearing of jurors, witnesses, interpreters and constables, signing and sealing subpoenas and all other services in connection with criminal business, Twenty Dollars (\$20.00).

(c) Each day's attendance of less than three hours while criminal business is before the Court and performing the services in the preceding item mentioned, Ten Dollars (\$10.00).

(d) Each letter necessarily written in connection with criminal business, One Dollar (\$1.00).

(e) Such allowance for postage, telegrams and other cash disbursement as shall be certified by the presiding Judge to have been actually incurred, and to have been reasonably necessary.

(f) Each day's attendance while civil business is before the Court, Ten Dollars (\$10.00).

(g) Such fees in criminal matters when certified to by the Judge and the Attorney General, or other officer conducting the criminal business on behalf of the Crown, and in civil cases when certified to by the presiding Judge, shall be paid by the Secretary-Treasurer of the County in which such Court is held, and charged to the Contingency Fund of the County, and shall be in lieu of all other fees heretofore accustomed to be paid by any Municipality.

2. Section 12 of the Act 3 George V., Chapter 23, is hereby amended, by adding thereto the following paragraph:

"In case the property to be sold is situate in more than one county, it shall not be necessary in any advertisement of the sale, in a newspaper published in such county, or in the Royal Gazette in case no newspaper is published therein, to describe any property other than that situate in such county."

3. Section 2 of this Act shall come into force upon the passing of the said Act, and Section 1 shall come into force on the first day of August next.

CAP. 23.

An Act to Amend Chapter 116 of the Consolidated Statutes, 1913, "Respecting County Courts."

Passed 29th April, 1916.

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

1. Sections 103, 104, 105, 106 and 109 of Chapter 116 of the Consolidated Statutes, 1903 are hereby repealed and the following substituted therefor:—

"103. (1) In lieu of all costs at present established, or accustomed to be taken by any Clerk of a County Court, except from parties litigant, the Clerk shall be entitled, in respect of all services performed by him as Clerk, in connection with a grand jury at any term of the Court, to the sum of Fifteen Dollars, and no more. The said Clerk shall also be entitled to the sum of Five Dollars for all services rendered by him as Clerk, under the provisions of Section 102 of this Chapter, in respect of each criminal prosecution except the actual trial thereof, but should the preparation of a case entail an unusual or extraordinary amount of labor, then in the discretion of the Judge a further sum not exceeding Five Dollars may be allowed. If such clerk acts as prosecuting officer, as well as clerk upon the trial of any criminal prosecution before the Court, he shall be entitled to the sum of Twenty Dollars for each day of such trial, when so engaged for more than four hours, and to the sum of Ten Dollars when so engaged for more than two hours, but not exceeding four hours, and to the sum of Five Dollars if the prisoner shall be discharged upon a motion to quash the indictment; or pleads guilty, or if the trial does not exceed two hours. If such clerk shall act as clerk only, and not as prosecuting officer, he shall be entitled to the sum of Ten Dollars for each day during which criminal prosecutions are actually proceeded with before the Court."

"(2). Such clerk shall also be entitled to the sum of Ten Dollars for each day in which the Court is engaged with civil business, inclusively, for at least one hour, but this shall not include the first day of term if there is a grand jury."

"104. Such fees as are provided by Section 103 of this Chapter shall be certified by the presiding Judge, and the said clerk shall not be entitled to any other fees or allowance of any nature or kind whatsoever in connection with, or arising out of, the business before any County Court, except actual and necessary cash disbursements."

"105. An order for payment of any such fees shall be drawn in favor of the said clerk upon the County Treasurer and when certified by the Judge shall be paid out of any moneys belonging to such county in the treasurer's hands."

"109. The Clerk of the Court on speedy trials, if he acts as prosecuting officer as well as clerk, shall be paid as provided by Section 103; and if he acts as clerk only, shall be paid for such services as thereby also provided. He shall also be paid the sum of Five Dollars for taking every election of a prisoner (except in the county where the Judge resides) including all records and acts incident thereto. In cases where a prisoner elects to be tried by a jury, which trial will be held before a Circuit Court, the clerk shall be entitled to the sum of Two Dollars for certifying the proceedings to the Clerk of the Circuit Court. An order for the payment of the amount to which he is entitled shall be forthwith drawn in favor of such clerk upon the county-treasurer, signed by the Judge, and the same shall be paid out of any moneys belonging to such county in the treasurer's hands."

2. Part XXII of Chapter 188 of the Consolidated Statutes, 1903, "Respecting Fees," and the Act 6 Edward VII., Chapter 28, are hereby repealed.

3. This Act shall come into operation on the first day of August next.