

whole Matter laid before him or them, and a Bar to the Recovery of any further Damage for the same or any Part of the same Matter, Injury or Wrongs, although the Damage may be much greater than the said Sum of Forty Shillings.

Same Proceedings to be had, where applicable, as in 50 G. 3, C. 17.

III. And be it further enacted, that the same Proceedings shall be had in all Cases arising under or by virtue of this Act, where the same are applicable, as are provided in and by the said above recited Act, as fully as if this Act were incorporated with and made a Part of the said above recited Act.

50 G. 3, C. 17, S. 17, in Part repealed.

IV. And be it further enacted, That so much of the Seventeenth Section of the above in Part recited Act as relates to the Fees of Constables for serving Subpœnas be repealed, and in lieu thereof a Sum not exceeding One Shilling be allowed for serving each and every Subpœna, including Mileage and all other Fees.

Fee for serving Subpœnas.

CAP. XXII.

An Act to alter and amend an Act, intituled *An Act to incorporate sundry Persons by the Name of the 'New Brunswick Fire Insurance Company.'*

Passed 9th March 1832.

I W 4, C. 20. ' I. **W**HEREAS in and by the Fifteenth Section of an Act passed in the First Year of the ' Reign of His present Majesty King William the ' Fourth, intituled *An Act to incorporate sundry ' Persons by the Name of the ' New-Brunswick ' Fire Insurance Company,*' the Directors of the ' said Corporation are required to make half ' yearly Dividends of all the Profits, Rents, Premi- ' ums and Interest of the said Corporation: And ' Whereas it is expedient that some Provision ' should be made by the Directors of the said ' Company to meet any Contingencies that may ' happen,

‘ happen, by creating a surplus Fund out of the
 ‘ Profits, Rents, Premiums and Interest of the
 ‘ said Corporation; Be it therefore enacted
 by the Lieutenant Governor, Council, and
 Assembly, That the Directors of the said
 Corporation shall not at any half yearly Divi-
 dend of the Profits, Rents, Premiums and Inter-
 est of the said Company divide or pay; or cause
 or permit to be divided or paid, any greater or
 larger Dividend than will amount to the Rate of
 Six Pounds *per Centum* on the total Amount of
 Capital Stock collected and actually invested
 and disposed of as is provided in and by the said
 Act of Incorporation, and of such surplus Fund
 as may be created; and also that the Sum at any
 Time divided and paid shall not exceed Two
 Thirds of the net Amount of the actual Gains
 and Earnings of the said Company, gained or
 earned since the making of the then last Divi-
 dend: Provided always, that whenever the Ca-
 pital Stock collected and actually invested as by
 the said Act of Incorporation is required; and
 the surplus Fund, shall together amount to the
 Sum of Twenty five thousand Pounds, then
 the Directors of the said Company may, if
 they shall think the same advisable, divide and
 pay the Whole of the net Amount of the Gains
 and Earnings of the said Company at each half
 yearly Dividend; any Thing herein before con-
 tained to the contrary thereof in any Wise not-
 withstanding.

Half yearly Di-
 vidends not to
 exceed the Rate
 of Six per Cent.
 on Stock collect-
 ed, nor Two
 Thirds of the
 Gains.

Proviso.

‘ II. And Whereas the said Company or Cor-
 ‘ poration in and by the Sixteenth Section of the
 ‘ said Act of Incorporation are restrained from
 ‘ directly or indirectly dealing in the lending of
 ‘ Money, or in Bills of Exchange or other nego-
 ‘ tiable Instruments, by way of Discount or
 ‘ otherwise; and also in and by the Seventeenth
 ‘ Section of the same Act are prevented from
 ‘ lending Money upon Mortgage on Lands or
 ‘ other

' other real Property, or from holding Lands or
 ' real Property in Security for the Payment of
 ' Money, unless by way of additional Security
 ' for Debts contracted with the said Company in
 ' the course of its lawful Dealings : And Where-
 ' as in and by the First Section of this Act it is
 ' provided that a surplus Fund shall be created
 ' out of the Profits, Rents, Premiums and Inter-
 ' est of the said Company : And Whereas it
 ' would be highly injurious as well to the Stock-
 ' holders in the said Company as to the Public in
 ' general, to compel the said Company to keep out
 ' of Circulation the Amount of its Gains and
 ' Earnings ; Be it therefore enacted, That it
 shall and may be lawful to and for the Directors
 of the said Corporation to use, apply and dispose
 of the Monies arising in the course of the Deal-
 ings of the said Corporation, and all the Profits,
 Rents, Premiums and Interest thereof, by letting
 the same out at Interest, either upon the Securi-
 ty of Lands or other Property or otherwise as the
 Directors thereof may think fit ; any Thing in the
 said Act of Incorporation contained to the con-
 tained thereof in any Wise notwithstanding : Pro-
 vided always, nevertheless, that no Monies of the
 said Corporation shall be put out at Interest, nor
 any Security taken for the same either by Mort-
 gage, Bond, Bill, Note or otherwise, for a short-
 er Period than One Year.

Monies arising
 from the Deal-
 ings of the Cor-
 poration, may be
 let out at Inter-
 est on landed
 Security or o-
 therwise.

Proviso.

CAP. XXIII.

An Act to improve the Law relating to Mortgages.

Passed 9th March 1832.

Preamble.

' WHEREAS the existing Law relating to
 ' Mortgages needs Amendment in certain Res-
 ' pects ;

Mortgages may

I. Be it enacted by the Lieutenant Governor,
 Council,