

Patent may be allowed in taxing costs.

given in evidence by virtue of this Act, may be charged and allowed in the taxation of costs in whole or in part by the taxing Officer of the Court wherein the suit may be pending, whose decision thereupon may be reviewed by the Court as in ordinary cases.

CAP. LXVI.

An Act to incorporate the Chamcook Mill and Factory Company.

Passed 31st March 1840.

Preamble.
6 W. 4, c. 70.

WHEREAS an Act made and passed in the sixth year of the Reign of His late Majesty King William the Fourth, intituled "An Act to incorporate the Chamcook Mill and Factory Company," has ceased and determined by reason of the provisions of the third Section thereof not having been complied with: And whereas it is still considered that an extensive Manufactory of Cotton Wool into Cloth, and a more extensive manufacture of Lumber and other articles than is now established at Chamcook, in the County of Charlotte, is desirable, and that it will be essential to the success of the undertaking that an Act of Assembly again incorporating a Company for these purposes should be granted, and will tend materially to benefit the trade of this Province:

The Chamcook Mill and Factory Company incorporated.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That John Wilson, James Rait, Thomas Sime, Edward Wilson, E. D. W. Ratchford, Samuel Abbot, Joseph Walton, John M'Allister, Joseph Wilson and William Babcock, and all and every such other person and persons as shall from time to time become proprietors of Shares in the Corporation hereby established, their successors and assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of *The Chamcook Mill and Factory Company*, for the purposes in the preamble to this Act mentioned, and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.

Capital to be £60,000.

II. And be it enacted, That the Capital Stock of the said Corporation shall consist of the sum of sixty thousand pounds, the whole amount of the said Stock to be divided into twenty four hundred shares of twenty five pounds each.

Act to be void if 20 per centum of Capital be not paid in, and certificate filed in the Secretary's Office within three years.

III. Provided always and be it enacted, That unless one fifth part of the said Capital Stock shall be actually paid in for the purposes of the said Corporation, and a certificate of such payment signed and verified on oath by the Directors of the said Corporation, or a majority of them, (which oath any Justice of the Peace is hereby authorized to administer,) shall be filed in the office of the Secretary of the Province before the expiration of three years after the passing of this Act, the operation of this Act shall cease and the existence of the said Corporation be terminated at the expiration of such three years.

CAP. LXVII.

An Act to authorize the Justices of the Peace for the County of Charlotte to levy an assessment to pay off the County Debt.

Passed 31st March 1840.

Justices may assess for £750 to pay off the County debt.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Charlotte, at any General Sessions of the Peace hereafter to be holden, be and they are hereby authorized and

and empowered to make such rate and assessment of any sum not exceeding seven hundred and fifty pounds, as in their discretion they may think necessary, for the purpose of paying off the Debt of the said County; the same to be assessed, levied, collected and paid, agreeably to any Acts now or hereafter to be in force for the assessing, collecting and levying of County Rates.

CAP. LXVIII.

See 5th Vic. c. 35

An Act relating to Wrecked Property.

Passed 31st March 1840.

*Amended by
12 vic cap
47*

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Lieutenant Governor or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint and also to re-appoint and supply, where it may be expedient, in each of the Counties of this Province, where he shall think it necessary, one or more Commissioners of Wrecks and shipwrecked Goods; which said Commissioners before they enter on the duties of their office shall be sworn to the faithful discharge thereof by the Clerks of the Peace respectively of the several Counties for which the said Commissioners may be appointed.

Governor in Council to appoint Commissioners of wrecks and shipwrecked goods.

To be sworn.

II. And be it enacted, That the Commissioner or Commissioners for each County, or any two Commissioners (should more than two be appointed for any County), shall immediately on receiving information of any Shipwreck, or of the finding any Shipwrecked Goods or Property of any kind, to the amount or value of twenty five pounds or more, on any of the shores or waters within his or their County, or of any abandoned or wrecked Ship or Vessel, Property or Goods having been brought into his or their County, repair to the place where the said property may be found or brought, and in case the same shall not be in the custody of any owner, or agent of such owner, or other lawful authority, or any owner or agent or lawful authority as aforesaid shall so request, shall take charge thereof, and shall preserve and secure the same for the owner.

Commissioners on information of a Shipwreck or of finding wrecked property to the value of £25, to repair to the place and take charge.

III. And be it enacted, That the said Commissioner or Commissioners may employ as many persons as he or they shall think necessary to assist in preserving the property, and may appoint guards to secure the same, and shall and may have full power and authority to suppress all tumults and disorders; and if any person shall disobey any lawful order of such Commissioner or Commissioners, for the suppression of any tumults or disorders, he shall forfeit for every such offence the sum of ten pounds, to be recovered by action of debt, in any Court of Record in this Province, by and in the name of the said Commissioner or Commissioners to his or their use.

May employ persons to assist in preserving the property, appoint guards, and suppress tumults.

Penalty for disobeying a Commissioner.

IV. And be it enacted, That the said Commissioner or Commissioners shall on every such occasion take an inventory of all the Property that shall come to his or their possession; and when required by the owner of the Property or his agent, or by any Insurance Company or Underwriter, or other person interested in the said Property, shall make oath to the truth of such Inventory, and shall deliver a copy thereof, if required, together with all the said Property to the owner, agent or other person lawfully authorized to receive it as aforesaid: Provided that there shall first be paid, or secured to be paid to the said Commissioner or Commissioners a reasonable compensation for his or their services and expenses, and such duties and other charges as he or they shall have paid, or become liable to pay, upon or for the Property in question.

To take an inventory of property that shall come to their possession.

To attest on oath if required, and deliver property to the owner;

Compensation and expenses being first paid.