

Schedule B.

Received from — Province Treasurer, the sum of — being one year's interest on Treasury Debenture Class — Number — up to the — day of — one thousand eight hundred and forty —.

CAP. LX.L

An Act to amend the Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates.

Passed 26th March 1841.

WHEREAS in and by the provisions of an Act made and passed in the third year of the Reign of Her present Majesty, intituled "An Act in amendment of the Law relating to Wills, Legacies, Executors and Administrators, and for the settlement and distribution of the Estates of Intestates," the time allowed for an Executor or Administrator to make application for a licence to sell real estate for the payment of debts is limited to three years after the granting of the Letters Testamentary or of Administration: And whereas it is found necessary to authorize any such application at any time within the period of three years after the passing of such recited Act;

Preamble.
3 Vict. c. 61.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That in any case where the Letters Testamentary or of Administration may have been granted before the time of passing the said recited Act, the Executor or Administrator may at any time within the period of three years from the time of passing such recited Act, apply for and receive licence to sell or lease real estate for the payment of debts in like manner in all respects as if such application and licence had been made within the time prescribed by the said recited Act.

Licence to sell or lease real estate may be applied for at any time within three years after the passing of 3 Vict. c. 61.

II. And whereas it is found convenient and necessary to authorize a Justice of the Peace to administer the oath to Appraisers; Be it therefore enacted, That any Justice of the Peace of the County wherein any Warrant of Appraisement shall be issued pursuant to the directions of the said recited Act, may administer the oath to Appraisers in like manner in all respects as the Surrogate or any person authorized to take affidavits to be read in the Supreme Court is by the twenty eighth section of the said recited Act now authorized to administer.

Justices of the Peace authorized to administer the oath to Appraisers.

CAP. XLI.

An Act to amend an Act to incorporate the Central Fire Insurance Company of New Brunswick.

Passed 26th March 1841.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much of the fourth section of 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 Central Fire Insurance Company of New Brunswick," as requires the Bonds or other securities given for the payment of the residue of the Capital Stock of the said Corporation to be renewed at least as often as once in three years; and also the whole of the twenty fifth section of the said recited Act be and the same is hereby repealed; and in lieu thereof,

Act 6 Wm. 4, c. 55. s. 4 and 25 in part repealed.

II. Be it enacted, That the said Bonds and other securities, of what nature or kind soever, already taken or hereafter to be taken for the payment of the residue of the Capital Stock of the said Corporation, and all and every and any of them, shall

Bonds taken for the payment of the Capital Stock may be renewed or changed as the Directors may require:

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On refusal legal proceedings may be had or stock forfeited.

shall from time to time be renewed or changed, and such further or other security or securities for the same be given as the Directors of the said Corporation or a majority of them shall from time to time require; and in case of any refusal or delay to renew or change any such security or securities, and to give and grant other and further security or securities therefor, to the satisfaction of the said Directors or a majority thereof, within thirty days after notice thereof given, then and in such case it shall and may be lawful to and for the said Directors or a majority of them, to cause such proceedings both in law or equity or either as may be deemed requisite to be taken for the recovery of the amount of such several and respective securities, or it shall and may be lawful to and for the said Directors or a majority of them, if they shall think fit, to declare the shares in the Capital Stock of the said Corporation for the amount of the residue of which such security or securities shall have been given, forfeited to the said Corporation, together with all deposits, instalments, interest, profit or dividends thereto belonging or appertaining, and that such stock so forfeited shall be sold by public auction for and on account of the said Corporation, and the purchaser or purchasers thereof shall give such security or securities for the payment of the amount due to the said Corporation on account of such forfeited shares, at the time of such forfeiture, as is hereinbefore provided, and shall likewise be subject to all the provisions of this Act, and of the said recited Act to which this is an amendment, anything therein contained to the contrary notwithstanding.

6 Wm. 4, c. 53. s. 31, repealed.

III. And be it enacted, That the thirty first section of the said recited Act be and the same is hereby repealed.

Reference in s. 15 to s. 13 in 6 W. 4, c. 53, to be taken as referring to s. 14.

IV. And be it enacted, That the reference mentioned in the fifteenth section of the above recited Act to the thirteenth section of the said recited Act be deemed and taken to refer to the fourteenth section of the said Act, any thing therein contained to the contrary notwithstanding.

Limitation.

V. And be it enacted, That this Act shall continue and be in force for and during the continuance of the said in part recited Act.

Repealed by 5-1841 c-8

CAP. XLII.

An Act to prevent disorderly Riding or Driving on Public Bridges.

Passed 26th March 1841.

Riding or driving on public Bridges faster than a walk.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That if any person or persons, except in cases of extreme necessity, shall ride or drive any horse, mare or gelding in any carriage or other vehicle, or on Horseback, over any of the public Bridges on the Great Roads in this Province, (said Bridges being of the length of one hundred and fifty feet,) at a greater speed than a walk, shall forfeit and pay a sum not less than five shillings nor more than forty shillings, with costs of prosecution, to be recovered on view of any Justice of the Peace in the County where such Bridge may be situated, or by the oath of one or more credible witness or witnesses, and levied by Warrant of Distress and Sale of the offender's goods and chattels, and for want thereof, such offender to be committed to the Common Gaol of the County, there to remain for a time not less than two days nor exceeding eight days, to be specified in the said Warrant; which fines shall be paid into the hands of the Overseers of the Poor for the use of the Poor of the Parish where such Bridge shall be situated; and that any inhabitant of the Parish shall be a competent witness to prove the offence, notwithstanding that the said fine shall be payable for the use of the Poor of such Parish.

Penalty.

Recovery.

Application.

CAP.