

ported for draw-back.

shall make entry thereof and attest to the same at the office of the Treasurer or Deputy Treasurer at the Port from whence exported, setting forth the names of the vessel and master, and from whence imported, and the rate of Duty paid per bushel on such Wheat from which the Flour so as aforesaid may have been manufactured.

CAP. XXXIX.

2 G. 4, c. 6.

An Act to amend an Act intituled *An Act to make more effectual Regulations relating to Pilots within this Province.*

Passed 13th April 1844.

Preamble.

2 G. 4, c. 6.

WHEREAS by the Act made and passed in the second year of the 'Reign of King George the Fourth, intituled *An Act to make more effectual Regulations relating to Pilots within this Province*, no power is given to 'the Justices of the Inferior Courts of Common Pleas to remove any person who 'may have been once appointed to the office of Warden of any of the Ports in 'the several Counties in this Province, although such person from age or infir- 'mity, or other cause, may not be able or willing to perform the duties of such 'office: And whereas by the construction put upon the said recited Act, it 'requires the joint recommendation of all the Wardens who may be appointed 'for the several Counties for the time being, before the said Justices can appoint 'any Branch Pilot for the Port or Ports in such Counties respectively: And 'whereas great inconvenience frequently arises in consequence thereof;

Repealed by 2 G. 4, c. 6, 1830

Justices of Inferior Courts of Common Pleas in Term Time may remove or appoint Port Wardens.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Justices of the Inferior Courts of Common Pleas in Term Time in the several Counties in this Province to remove from time to time any Port Warden or Port Wardens who may have been or shall be hereafter appointed, and to appoint other fit persons in their room.

Port Wardens may examine and recommend persons for Branch Pilots, whom the Justices may in their discretion appoint.

II. And be it enacted, That it shall be lawful for two or more of the Wardens now or hereafter to be appointed in each of the several Counties in this Province, to examine, and in their discretion recommend such persons as shall make application to be appointed Branch Pilots, which persons so recommended, the said Justices may in their discretion in Term Time appoint Branch Pilots for the Port or Ports in such Counties respectively.

2 G. 4, c. 6, so far as inconsistent with this Act, repealed.

III. And be it enacted, That any provisions in the said recited Act inconsistent with the provisions of this Act, be and the same are hereby repealed.

CAP. XL.

An Act to enable the Justices of the Peace of the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John.

Passed 13th April 1844.

Preamble.

WHEREAS sundry large Debts are now due by the said Justices of the 'Peace for the City and County of Saint John, and it is expedient to 'authorize them to raise by a Loan a sum not exceeding three thousand pounds, 'to be applied in part payment of such Debts;

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Justices in Sessions authorized to borrow £3000 to pay off the County Debts.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the City and County of Saint John, at any General Sessions of the Peace for the said City and County, to raise by Loan a sum of money not exceeding three thousand pounds, for the purpose of paying off, or in part paying off, debts now actually

actually due by the said Justices of the Peace for the City and County of Saint John, to be paid off and discharged in the manner hereinafter mentioned, the same to be taken in Loans of not less than fifty pounds, and that Debentures in the following form, or to that effect, shall be prepared and delivered to the person or persons from whom such Loans may be obtained, viz:

Number

Form of Debenture.

City and County of Saint John, ss.

These are to certify, that [*here insert name, residence, and addition of lender*] hath lent and advanced to the Justices of the Peace for the said City and County the sum of _____ pounds, currency, which sum is payable to him [*or her as the case may be*] together with lawful interest, pursuant to an Act of Assembly made and passed in the seventh year of the reign of Queen Victoria, intituled "An Act to enable the Justices of the Peace for the City and County of Saint John to pay off a portion of the Debts now due by the County of Saint John."

Dated the _____ day of _____ in the year of our Lord one thousand eight hundred and forty

By order of the Sessions.

A. B., Mayor or Recorder.

Which same Debentures shall be signed by the Mayor, or in case of the absence of the Mayor, by the Recorder of the said City for the time being, as Justices of the Inferior Court of Common Pleas and of the Peace for the said City and County, and countersigned by the Clerk; and shall be respectively numbered according to the time at which the same may be made and issued; and a memorandum thereof shall be submitted by the Clerk at the next General Sessions, and the same be entered on the Minutes of the said Court.

II. And be it enacted, That the monies so authorized to be borrowed by the said Justices shall from time to time be paid to and received by the County Treasurer, and shall be paid out by him from time to time when required, by the order of the said General Sessions, in such sum or sums as they may think fit, for the purpose of paying off the debts aforesaid; and the said County Treasurer shall, at every General Quarter Sessions of the Peace for the said City and County, render a just and true account, and on oath, if required, of the sums of money received and paid by him on this account, separate and distinct from his other accounts.

Monies to be received and disbursed by the County Treasurer under the order of the General Sessions.

III. And be it enacted, That the said holders of such Debentures shall be entitled to receive interest for the same annually, not exceeding six per cent., to be paid by the Treasurer of the County out of the assessments hereinafter mentioned, upon the orders of the said General Sessions, to be made in manner hereinafter mentioned.

Debentures to bear not exceeding six per cent. interest.

IV. And be it enacted, That it shall and may be lawful for the said Justices of the Peace of the said City and County, and they are hereby authorized and required to make a rate and assessment of five hundred pounds in the present year, and a rate of assessment of a like sum in each and every succeeding year, besides the charge for assessing and collecting for paying off and discharging the Loans contracted for the purpose hereinbefore mentioned by virtue of this Act, until the same shall be paid off; the said several sums to be assessed, levied and collected in such proportions and in the same manner as any other County rates for public charges can or may be assessed, levied and collected, under and by

Assessment of £500 and expenses to be made annually to pay off the Loan.

To be levied as other County Rates.

virtue

virtue of any Act or Acts of Assembly made or to be made for assessing, levying and collecting County rates for public charges as aforesaid, and when collected, shall be paid into the hands of the said County Treasurer, for the purposes of this Act.

Debentures to be paid off in rotation.

V. And be it enacted, That the monies to be assessed as aforesaid shall from time to time be applied, after discharging the yearly interest due on the several principal sums mentioned in such Debenture, in due order, according to the number, beginning with number one; and that said County Treasurer shall, when so often as he may be directed by the said General Sessions of the Peace, give one month's public notice, by advertisement in one of the newspapers published in the City, for calling in such and so many of the Debentures as the said Justices are prepared to pay off; specifying the numbers in such advertisements, and the same by and under such orders as aforesaid shall pay off accordingly, and that from and after the expiration of such notice the interest on such Debentures shall cease.

Debts due to the County to be paid to and disbursed by the Treasurer.

VI. And be it enacted, That whenever the said Justices may receive any sum or sums of money as and for or on account of the said Debts due to the said County, the same shall be paid to and received by the said County Treasurer, and shall be paid out by him to the orders of the said General Sessions in such sums and at such times as the said Sessions may think fit, he rendering an account thereof in the same manner as in the case of monies hereinbefore mentioned; and it shall and may be lawful for the said Justices, in their said General Sessions, and they are hereby required to appropriate and apply such monies so as aforesaid received, for such debts from time to time in the payment of a certain number of the said debentures or notes, with the interest due thereon, in their due order as aforesaid, causing the like notice to be given thereof as aforesaid.

To be appropriated to the payment of the Debentures.

Compensation to the Treasurer.

VII. And be it enacted, That the said County Treasurer shall be entitled to the sum of one pound five shillings per centum for his services in receiving and paying all the monies ordered to be assessed by and under the provisions of this Act, and no more.

CAP. XLI.

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

Passed 13th April 1844.

Preamble.

‘WHEREAS it is expedient to enlarge the time for granting Licenses to sell or lease the Real Estate of any Testator or Intestate, for the payment of debts;’

3 V. c. 61, in part repealed.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That so much 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*, as requires the application by any Executor, Administrator or Creditor of any Testator or Intestate for a license to sell or lease any Real Estate for the payment of debts to be made within three years after the granting of Letters Testamentary or of Administration, be and the same is hereby repealed.

Time within which license for the sale of the Real Estate of a Testator or Intestate may be granted, extended.

II. And be it enacted, That the Court of Chancery or Surrogate Court, (as the case may be,) may at any time within the period of seven years from the death of the Testator or Intestate, when such death may have taken place after the first day