

the Office of the Secretary of the Province; which Return shall specify the aggregate amount of the risks at that time taken by the said Corporation, the amount of losses incurred during the preceding year, the amount of Capital actually paid in, and how the same has been invested and secured, also, a particular statement of the manner in which the residue of the Capital Stock has been secured, the amount of the dividends for the preceding year and when declared, together with the amount of surplus profits, if any, then belonging to the said Corporation, and how the same has been invested and secured, the amount of Real Estate owned by the said Corporation, together with a particular statement of all other affairs of the said Corporation; which Return shall be signed by the Secretary of the said Corporation, who shall make oath or affirmation before some Justice of the Peace for the City and County of Saint John, to the truth of the said Return, according to the best of his knowledge and belief; and the Secretary of the said Corporation shall also at the same time make a Return under oath or affirmation of the names of the Stockholders, and the amount of Stock owned by each; and a majority of the Directors of the said Corporation shall certify and make oath or affirmation before the same Justice of the Peace, that the Books of the said Corporation indicate the state of facts so returned by their Secretary, and that they have full confidence in the truth of the return so made by him; and it shall be the duty of the Secretary of the Province annually to lay before the Legislature of this Province, so soon after the opening of the Session as practicable, such Returns as aforesaid as he may have received since the then next previous Session.

Limitation of Act.

XXXII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and sixty five.

CAP. XLIX.

An Act to incorporate the Maduxnikik Boom Company.

Passed 27th March 1845.

Preamble.

WHEREAS the erection of a Boom at or near the mouth of the Maduxnikik will be convenient and advantageous to the Commercial Interests of the Province;

Maduxnikik Boom Company incorporated.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That William F. Dibblee, James R. Tupper, and George Connell, their Associates, Successors and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate by the name of 'The Maduxnikik Boom Company,' and by that name shall have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, for the purpose of erecting, building and maintaining a Boom across the Maduxnikik River, at or near the mouth, above the Bridge, to secure the Timber, Logs, and other Lumber floating down the same, for the use and purpose of the Mills erected at the mouth of said River.

Authority given to erect Booms, but so as to admit the passage of Boats and preserve the Navigation.

II. And be it enacted, That the said Corporation may erect and maintain a Boom across the said Maduxnikik River, at some convenient place above the Bridge, at or near the mouth thereof, for the purpose of stopping and securing Timber, Logs, Masts, Spars and other Lumber floating upon the said River, and may erect certain Piers and Booms, such as they may think necessary, provided that the said Booms be so constructed as to admit the passage of rafts and boats, and to preserve the navigation of the River, but no person shall be allowed at any time to encumber the said Boom, either with rafts of Timber, Logs or other
Lumber,

Lumber, nor be allowed a passage through the same with such rafts, when the opening of the Booms would for that purpose endanger the safety of any Timber, Logs or other Lumber contained therein.

III. And be it enacted, That nothing in this Act contained shall extend or be construed to extend to authorize or empower the said Corporation or any of their Agents or servants to enter in and upon any lands or tenements of any person whomsoever, unless the consent of the owner or owners, lessee or lessees thereof be first had and obtained in writing.

Act not to authorize entering upon private Lands without consent.

IV. And be it enacted, That it shall be the duty of the Corporation to cause the passage ways or open spaces in said Boom to be carefully guarded, so that no Lumber be permitted to escape, and it shall be the duty of the said Corporation or their Agent to open the said Boom at reasonable times when requested by owners of Timber, Lumber or Logs, and that it shall be the duty of the owner or owners of said Timber and Logs to receive and take out of said Boom such Timber and Logs in a reasonable time after the same comes into the Boom; and should any one suffer loss in consequence of the neglect or carelessness of the said Corporation or their Agent or Agents, they shall be accountable for such loss.

Duty of Corporation and Owners of Lumber in preserving Lumber in the Boom and taking the same out.

V. And be it enacted, That if any person or persons shall wilfully injure or destroy the said Boom or any of the Piers thereof, such person or persons so offending, shall, upon conviction thereof before any two of Her Majesty's Justices of the Peace for the County of Carleton, forfeit and pay a sum not exceeding ten pounds, with costs of prosecution, to be levied by Warrant of Distress and Sale of the offender's goods and chattels, rendering the overplus, (if any) to the offender or offenders; and for want of sufficient goods and chattels whereon to levy, it shall and may be lawful for the said Justices to issue their Warrant to commit such offender or offenders to the Common Gaol of the County, there to remain without bail or mainprize for such period as may be specified in such Warrant, not exceeding one day for every two shillings of such penalty.

Liability.

Penalty imposed for injuring the Boom or Piers.

Recovery.

VI. And be it enacted, That there be allowed to the Corporation a Toll or Boomage upon all Timber thus boomed, the sum of two pence per ton, and for all other Lumber six pence for each thousand superficial feet, and that the said Corporation shall have a lien on all Timber and other Lumber thus boomed, for the payment of all such Toll or Boomage and other expenses; each and every person or persons owning Timber or Lumber to furnish to the Agent of the Corporation a proper and correct description of his or their several marks before the same comes into the Boom; the Corporation not bound to secure or take care of any Timber or Lumber, until the mark is so furnished: if no owner appears to claim Timber or Lumber so coming into the Boom, it may, after twenty days notice be sold, and if within two years the owner should appear and prove to the satisfaction of the Court of Common Pleas, he may receive the net proceeds, after deducting Toll and other expenses, but if not proved and claimed within two years, the proceeds to belong to the Corporation; all Timber and other Lumber to be measured by a sworn Surveyor appointed or approved by the Court of Common Pleas, the expense of surveying to be borne equally alike by both parties.

Boomage and a lien for security granted to the Corporation.

Marks on Timber or Lumber to be furnished before any obligation is incurred to take charge.

Disposition of unclaimed Timber and Lumber.

VII. Provided always, and be it enacted, That unless a good and sufficient Boom be actually erected as contemplated by the provisions of this Act, and a certificate of the said erection signed and verified on oath by the Directors or Managers of the said Corporation, which oath any Justice of the Peace may administer, shall be filed in the Office of the Secretary of the Province, before the expiration of two years after the passing of this Act, the operations of this Act shall cease, and the existence of the said Corporation is terminated at the expiration of the said two years.

Act to be void if Boom be not erected and Certificate filed in the Provincial Secretary's Office within two years.

Limitation.

VIII. And be it enacted, That this Act shall continue and be in force until the first day of May which will be in the year of our Lord one thousand eight hundred and fifty.

CAP. L.

An Act to incorporate the King's County Mechanics' Institute.

Passed 27th March 1845.

Mechanics Institute at Hampton Ferry, King's County, incorporated with powers incident to Corporations.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That there shall be established and located at Hampton Ferry, in King's County, an Association by the name of 'The Mechanics' Institute of King's County,' for the purpose of instructing Mechanics and others in Morality, Literature, and the different Branches of useful Science, and that S. Z. Earle, Oliver Hallett, James D. Perkins, Gilford Flewelling, Isaac Hoyt, James Stark, S. Z. Earle, Junior, M. D., and such other persons as are or may become Members of the said Institute, shall be and they are hereby constituted a Body Corporate for that and no other purpose, by the name aforesaid, with all the general powers and privileges incident to Corporations by Act of Assembly of this Province; Provided always, that the Real Estate which the said Corporation may at any time hold, shall not exceed five hundred pounds.

Real Estate to be held, limited.

CAP. LI.

An Act to amend the Act, intituled *An Act to incorporate the Charlotte County Bank.*

Passed 27th March 1845.

Preamble.

6 G. 4, c. 12.

WHEREAS in and by the Act made and passed in the sixth year of the 'Reign of His Majesty King George the Fourth, intituled *An Act to incorporate sundry persons by the name of the President, Directors and Company of the Charlotte County Bank*, there is no provision to prevent the issue of small 'Notes under the value of one pound currency: And whereas it is expedient to 'amend the said recited Act in this particular;

No Bank Notes under the value of one pound to be issued or circulated by the Bank.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, no Bank Note under the value of one pound shall be issued or circulated by the said Bank, any Law to the contrary notwithstanding.

CAP. LII.

A Bill to incorporate the Saint Croix Bridge Company.

Passed 27th March 1845.

Company incorporated with the general powers of Corporations.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That Thomas Wyer, Harris Hatch, Nehemiah Marks, Ninian Lindsay, William Todd, Junior, Daniel Sullivan, William Porter, George S. Hill, their Associates, Successors, and Assigns, be and they are hereby created and declared to be a Body Politic and Corporate, by the name of 'The Saint Croix Bridge Company,' and by that name have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province, and may make any Bye Laws for the management of their concerns not repugnant to the Laws of the Empire and of this Province, and may choose a Clerk, Treasurer, and any other Officer proper for the management of their Corporate business by a majority of votes present, allowing one vote to each Share; provided that no individual be entitled to more than ten votes on his Shares.

Number of Votes limited.