

Flour and Meal shipped for exportation without the Province from any bonded Warehouse, exempted.

VIII. Provided always, and be it enacted, That all Flour and Meal imported into this Province, and landed and deposited within any Bonded Warehouse, and therefrom directly shipped on board of any vessel for exportation out of the Province, shall be exempt and altogether free from the regulations and operations of this Act.

Flour and Meal manufactured in the Province, and packed in barrels, half barrels or casks, to be liable to this Act.

IX. And be it enacted, That all Flour and Meal of every description, which shall be manufactured within this Province, and brought to market and offered or exposed to sale in barrels, half barrels or casks of any kind, shall be and are hereby declared subject and made liable to the operations of this Act, and shall, before being offered for sale or sold, be weighed and inspected in like manner as Flour and Meal imported into this Province, and the casks, barrels, or half barrels, wherein the same shall be contained, shall be marked as hereinbefore directed; and all and singular the clauses, regulations and provisions hereinbefore contained, and applicable to the inspection, weighing and marking of Flour and Meal imported into this Province, shall extend and be applied to Flour and Meal of all kinds manufactured in this Province and offered for sale in casks, barrels, and half barrels.

Inspectors may determine the tare of barrels without weighing them.

X. And be it enacted, In order to prevent any damage or loss which may be sustained in unpacking the said Flour and Meal, to ascertain the tare of the said barrel or half barrel, it shall and may be lawful for the said Inspector or Inspectors, or their Deputies, to affix a tare for the said barrels or half barrels, to the best of his or their judgment, without unpacking or weighing the same, which judgment shall be final, unless disputed by the buyer or seller of the said Flour or Meal, in which case the barrel or half barrel may be unpacked, but the expense attending the said unpacking and repacking shall be paid by the party complaining.

Act not to interfere with the rights of the Corporation of Saint John.

XI. Provided always, and be it enacted, That nothing in this Act shall extend or be construed to interfere with the rights and privileges of the Corporation of the City of Saint John, as granted by the Charter of the said City.

Certain Counties exempted from this Act.

XII. And be it further enacted, That nothing in this Act shall extend or be construed to extend to the Counties of Northumberland, Kent, Gloucester and Restigouche.

Limitation.

XIII. 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. LXXVIII.

An Act to enable the Justices of the Peace for the City and County of Saint John to make an Assessment for the payment of the County Contingencies.

Passed 27th March 1845.

Preamble.

‘**W**HEREAS the receipts of the Contingent Funds of the County of Saint John are inadequate to the payment of the Contingent Expenses of the County;’

Justices in Sessions authorized to assess the County to pay the contingent expenses.

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, or the major part of them, at any General Sessions of the Peace to be holden for the same City and County, to order and direct an assessment for the current year, not exceeding the sum of eight hundred and fifty pounds, together with the expenses of assessing and collecting the same, for the purpose of defraying the Contingent Expenses of the said County for the current year;

year; to be assessed, levied and collected in the same manner as any County Rates are assessed, levied and collected, under and by virtue of any Act or Acts of Assembly made or to be made for that purpose, and when received to be paid over by the Collector into the hands of the County Treasurer, to be disbursed by him from time to time, on the orders of the said Justices in any General Sessions to be made, for the purpose of paying such County Contingencies.

To be paid into the hands of the County Treasurer, and disbursed under orders of the Justices.

CAP. LXXIX.

An Act in further addition to the Acts regulating the sale of Real Estate seized and taken in Execution.

Passed 27th March 1845.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That in all cases where any Real Estate has been or shall hereafter be duly and regularly advertised and sold as by Law is required, under and by virtue of any Writ of Execution heretofore or hereafter duly issued out of any Court of Law of competent jurisdiction in this Province, directed to any Sheriff of any County in this Province, and the Sheriff or other person duly authorized making sale thereof has died or may hereafter die before any conveyance made of the property so sold to the purchaser thereof as the Law directs, then and in every such case it shall and may be lawful for the Sheriff for the time being, of the County in which such Real Estate shall be, and he is hereby required upon payment being made of the purchase money for which such Real Estate was or may be so sold, either to the said Sheriff of the County for the time being, or to the party lawfully entitled to receive the same, or upon the said purchase money having been paid to the deceased Sheriff, or other officer who made such sale, previous to his death, to make and execute a conveyance of such Real Estate to such purchaser thereof in the same manner as such deceased Sheriff or other officer making such sale would have been required to do by Law; and every such deed of conveyance so made and executed by such said Sheriff for the time being, shall be as good and effectual to pass the said title to such Real Estate to such purchaser thereof, the same as if it had been made by such deceased Sheriff or other officer making such sale: Provided always, that nothing in this Act contained shall extend or be construed to extend to relieve any person claiming title under any such conveyance to any such Real Estate from the evidence now required by Law to sustain such title, unless the Sheriff executing such deed of conveyance or some officer acting under such deceased Sheriff or other officer making such sale, who shall have been duly appointed to such office, shall at the time of the execution of such deed of conveyance by the Sheriff for the time being, make affidavit before some Justice or other officer authorized by Law to take acknowledgments and proof of the execution of deeds to be registered, who shall and is hereby required to take the same affidavit, and endorse the same on such deed, that the said property, by such deed conveyed, was regularly seized, advertised and sold in every respect as by Law directed; which deed, with such affidavit, when so made and endorsed thereon, shall be held and taken to be a deed and affidavit executed and made within the intent and meaning of an Act made and passed in the fourth year of the Reign of King William the Fourth, intituled *An Act in further amendment of an Act, intituled 'An Act subjecting Real Estates in the Province of New Brunswick to the payment of debts, and directing the Sheriff in his proceedings thereon,'* and shall be held as *prima facie* evidence to the same extent as the deed and affidavit mentioned in the recited Act is therein declared to extend to, anything in the said recited Act to the contrary thereof in any wise notwithstanding.

Sheriff for the time being authorized to convey property seized and sold under execution, when the Sheriff making the sale may die before executing a conveyance.

Act not to exempt party claiming under the Deed from usual evidence, unless affidavit of regular seizure, &c. be endorsed.

4 W. 4, c. 22.