

of Her Majesty's Executive Council, actually located himself or themselves upon the Land applied for, resided three years thereon, built a Cottage, and cleared ten acres of such Land.

Titles to the Land acquired under this Act exempted from the operation of the Act 8 W. 4. c. 1.

II. And be it enacted, That all Locations, Grants, and Letters Patent, made and issued for Land situate on that part of the said contemplated new Road between Quebec and Halifax, which shall be within the limits of this Province, under the provisions, restrictions and regulations of this Act, shall be good and valid and sufficient to pass the Estate which such Locations, Grants, or Letters Patent, made in pursuance of the provisions of this Act, purport to grant, any thing in an Act made and passed in the eighth year of the Reign of His late Majesty King William the Fourth, intituled *An Act for the support of the Civil Government in this Province*, contained to the contrary notwithstanding.

Act suspended until Her Majesty's approbation be declared.

III. And be it enacted, That this Act shall not come into operation until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CIII.

An Act to increase the Representation of King's County.

*Passed 27th March 1845.*

Preamble.

‘ WHEREAS the increase of population, advancement of improvement, and importance of King's County, render it expedient to increase the Representation of said County in the General Assembly of this Province;’

King's County to send an additional Member to the General Assembly.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the said County of Kings shall be entitled to send one additional Member to serve in General Assembly of this Province for the said County, to be elected by the Freeholders of said County in like manner, and subject to the like laws and regulations under which the other Members are elected in other Counties in this Province respectively: provided always, that no such election of such Member shall take place until the next General Election.

Act suspended until Her Majesty's approbation be declared.

II. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

### CAP. CIV.

An Act to divide the County of Westmorland into two Counties, and to provide for the Government and Representation of the new County.

*Passed 27th March 1845.*

Preamble.

‘ WHEREAS from the great extent of the present County of Westmorland, and other causes, it is necessary and expedient that the same be divided into two Counties;’

County of Westmorland divided, and County of Albert erected.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the County of Westmorland which lies westward of the Bay of Fundy and the Petitcodiac River, commencing at the eastern line of the County of Saint John on the Bay Shore; thence along the Bay Shore easterly and northerly, (including Grindstone Island), to the mouth of the Petitcodiac River; thence by the channel of the said River, up stream, until it strikes the eastern line

line of lot number twelve, situate in the Parish of Salisbury, lying on the South side of the Petitcodiac River, and bounded by the said River, and heretofore granted to George Blakney; thence South twenty three degrees East along said Blakney's eastern line and its prolongation, to the rear of lot number thirteen, granted to George Pitfield; and thence South forty five degrees West to the eastern line of King's County; thence southerly and along said King's County Line, and also its prolongation along the said line of the said County of Saint John to the place of beginning, at the Bay Shore aforesaid, be and the same is hereby erected into a County, separate and distinct from the said County of Westmorland, and shall be called and known by the name of the *County of Albert*.

II. And be it further enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers constituted and appointed in the said new County as are now erected and established, constituted and appointed in the said County of Westmorland, and with the like powers and authorities.

Establishment of Courts of Justice, of Justices and other Officers for the new County.

III. And be it further enacted, That the Courts of General Sessions of the Peace and Inferior Courts of Common Pleas shall be holden in the Shire Town of the said new County twice in every year, at the times following, that is to say: On the fourth Tuesday in June and the second Tuesday in November, and continue until the business shall be finished, not exceeding five days; and that two additional Terms of the said Inferior Court of Common Pleas for the said County shall be holden as follows, that is to say: On the second Tuesdays in March and September in each year, and to continue until the business be finished, not exceeding five days, at which additional Terms no Jury shall be summoned.

Terms of the Court of Sessions and Common Pleas.

IV. And be it further enacted, That the Town of Hopewell, in the said new County of Albert, shall be the Shire Town of the said County, and that a Court House and Gaol shall be erected in the said Shire Town in like manner and by the like ways and means as such buildings have been or may be erected in other Counties in the Province, and in such place within the said Shire Town as the Lieutenant Governor or Administrator of the Government for the time being shall direct; and that all the Public Offices in the said new County shall be kept at the place so to be directed and determined by the Lieutenant Governor or Administrator of the Government for the time being.

Hopewell to be the Shire Town.

Court House and Gaol to be erected, and Public Offices kept there.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognizances for the said County, to be managed and executed by a Register to be constituted in like manner, and under and subject in all respects to the like laws, rules and regulations as any other Registry in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments, Recognizances, which may affect any Lands, Tenements or Hereditaments in the said County, shall be entered and registered at full length in the said Registry; provided the same Deeds or other documents have not been before registered in the said County of Westmorland.

A Registry of Deeds, &c. to be established.

VI. And be it further enacted, That the several Parishes of the said County of Westmorland, in whole or in part, comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County, until altered by the General Assembly; and that the Town or Parish Officers to be hereafter annually appointed for the said new County shall in all respects possess the same powers as the like Officers in any other County: provided always, that the powers and authorities of the present or any other Officers appointed or to be appointed by the Court of General Sessions of the Peace for the

Parishes of Westmorland comprised in the new County to be the Parishes of the new County until altered.

the said County of Westmorland shall continue until after the first General Sessions of the Peace shall be holden in and for the said new County of Albert.

New County to send one Member to the General Assembly.

VII. And be it further enacted, That the said new County shall be entitled to send one Member to serve in the General Assembly of this Province, to be elected by the Freeholders in like manner and subject to the like laws, rules and regulations under which other Members are elected in any other County; and that all such Freeholders whose Title Deeds may have been registered in the County of Westmorland before this Act shall come into operation, shall be entitled to vote, without having their Deeds registered anew in the said new County: provided always, that no Writ shall be issued for the election of such Member until there shall be a General Election for the Province.

Proclamation to be issued before new County be deemed to be established.

VIII. And be it further enacted, That the said new County shall not be deemed to be erected and established until the Commission shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Lieutenant Governor or Administrator of the Government for the time being.

Act suspended until Her Majesty's approbation be declared.

IX. Provided always, and be it further enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto first had and declared.

[*This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845, and published and declared in the Province the 17th day of September, 1845.*]

#### CAP. CV.

An Act to amend an Act to facilitate the negotiation of a Loan to pay off the Public Debt.

*Passed 27th March 1845.*

Preamble.

6. V. c. 43.

**W**HEREAS under and by virtue of an Act made and passed in the sixth year of the Reign of Her present Majesty Queen Victoria, intituled *'An Act to facilitate the negotiation of a Loan to pay off the Public Debt, a Loan of Seventy thousand pounds, Sterling, was advanced to the Province by the Bank of British North America, repayable with Interest after the rate of five pounds ten shillings per centum per annum, by fourteen equal annual instalments of five thousand pounds each; and it hath been agreed by and between the Commissioners appointed under the said recited Act, and the said Bank of British North America, that the said Interest on the said Loan shall be paid semi-annually, that is to say, on the first day of June and the first day of December in each year, after the rate aforesaid, at the Office of the Bank of British North America, in London; for which said Loan, Debentures have been issued and delivered to the said Bank of British North America, which said Debentures were intended to have been made in the form set out in and according to the directions of the said recited Act; and the first Instalment of the said Loan, with Interest, was paid on the first day of September, Anno Domini one thousand eight hundred and forty four, and the Debentures so given for that Instalment have been taken up, discharged, and cancelled, as required by the said recited Act: And whereas the said Debentures so given for the said Loan were not made in the form directed by the said recited Act; and also that the form set out in the said recited Act for the said Debentures is defective and liable to misconstruction; it is therefore deemed expedient that the Debentures so given for the said Loan now remaining undischarged shall be called in and cancelled, and that new Debentures should be given in lieu thereof, in the form set forth in the Schedule to this Act annexed;*