

ment, &c. of the premises.

Destruction, &c. of tombstones, trees, &c., firing of guns, commission of nuisances, &c. made a misdemeanor.

Punishment.

Offender to be also liable to an action of trespass.

Cemetery lots not to be liable to seizure in execution,

Nor interfere with insolvent debtor Act.

in and by the eleventh section is provided, the proceeds of all sales of Lots, after deducting the annual expenses of the said Cemetery, shall be forever devoted and applied to the preservation, improvement, embellishment and enlargement of the said Cemetery, and for no other purpose whatsoever.

XIII. And be it enacted, That if any person or persons shall wilfully destroy, mutilate, injure or remove any tomb, monument, grave stone, or other structure placed in the Cemetery aforesaid, or any fence, railing, or other work for the protection or ornament of any tomb, monument, grave stone, or other structure aforesaid, or shall wilfully destroy, remove, cut, break, or injure any tree, shrub, or plant, within the limits of the said Cemetery, or shall play at any game or sport, or discharge any gun or other fire arm, save at a military funeral, within the said Cemetery, or who shall wilfully and unlawfully disturb any persons assembled in the Cemetery for the purpose of burying any body therein, or who shall commit any nuisance within the said Cemetery, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof before any Justice of the Peace, be punished by a fine of not less than one pound nor more than five pounds, or be committed to the Common Gaol for the space of not more than ten days, according to the nature and aggravation of the offence; and such offender shall also be liable in an action of trespass to be brought against him in any Court of competent jurisdiction, in the name of the Corporation of the Saint John Rural Cemetery Company, to pay all such damages as shall have been occasioned by his or their unlawful act or acts; which money, when recovered, shall be applied by the said Corporation to the reparation of the property destroyed or injured as above; and members of the said Corporation shall be competent witnesses in such suits.

XIV. And be it enacted, That the Lots in the said Cemetery shall not be levied upon or taken in execution, but shall be altogether free from seizure at the suit of any person or persons whomsoever, and that the property in any such Burial Lots, or part thereof, shall not prevent any confined debtor from receiving support under the Law in force for the relief and support of confined debtors.

## CAP. LVII.

An Act to incorporate the Saint John Temperance Temple Company.

Passed 30th March 1848.

Preamble.

**W**HEREAS the dissemination of total abstinence principles tends greatly towards improving the morality of society, and it is desirable to erect a Building in the City of Saint John, in which Temperance Lectures may be delivered, and for other purposes;

Company incorporated by the name of "The St. John Temperance Temple Company."

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That Nathan S. Demill, John Paddock, M. D., Thomas Harding, John Humbert, Peter LeSueur, Robert Reed, Colin E. Cross, Levi H. Waterhouse, and Douglas B. Stevens, their associates, successors and assigns, shall be and they are hereby erected into a Body Politic and Corporate, by the name of "The Saint John Temperance Temple Company," and shall have all the general powers and privileges made incident to a Corporation by the Acts of Assembly in this Province, for the purpose of erecting a Temperance Temple in the City of Saint John, and for other purposes connected therewith, and maintaining, supporting and managing the same.

Capital to be £6000, with power to increase it to £10,000.

II. And be it enacted, That the capital stock of the said Corporation shall be six thousand pounds of current money of New Brunswick, and shall be divided into

into twelve hundred shares of five pounds each; provided that the said Corporation, if necessary, have leave to extend the said capital stock to the sum of ten thousand pounds of like current money, and shall have power to increase the number of shares accordingly, or to assess such increase upon the original number of shares; and provided also, that the said Corporation shall not be entitled to purchase any property, real or personal, or incur any debts or liabilities whatsoever, until ten per centum of the capital stock as aforesaid shall be paid in.

No real property to be acquired till 10 per cent. be paid in.

III. And be it enacted, That the first meeting of the said Corporation shall be held at the City of Saint John, and shall be called by Nathan S. Demill, or in case of his death, neglect or refusal, by any two of the said Company, by giving notice in one or more of the public newspapers for twenty days previous to such meeting, for the purpose of establishing bye laws, choosing nine Directors, and such other officers as may be necessary for the management of the affairs of the said Company; which Directors and officers so chosen, shall serve until the first annual meeting, or until others are chosen in their stead, and shall have full power and authority to manage the concerns of the said Corporation, subject to the rules and regulations hereinafter provided, and the bye laws of the said Corporation.

First meeting of the Company to be called by public notice.

Directors and other officers to be chosen.

IV. And be it enacted, That an annual meeting of the stockholders of the said Corporation shall be held at the City of Saint John on the first Tuesday in June in each year, for the purpose of choosing nine Directors and such other officers as may be required by the bye laws of the said Corporation to be so chosen; which Directors and officers so chosen, shall remain in office for one year, or until others are chosen in their stead; and the said Directors shall at the first meeting after their election, choose one of their number President of the said Company; provided that not less than five Directors do form a quorum for the transaction of business, and that in case of the absence of the said President the Directors shall have power to appoint one of their number Chairman for the occasion.

A meeting to be annually held for choosing Directors.

Directors to choose a President.

V. And be it enacted, That no person, except he be of the full age of twenty one years, and hold four or more shares of the said capital stock of the said Corporation, shall be eligible as a Director.

Qualification of Directors.

VI. And be it enacted, That the number of votes to which each stockholder shall be entitled on every occasion when in conformity to the provisions of this Act or the bye laws of the said Corporation the votes of the stockholders are to be given, shall be for from one to two shares, one vote; from three to five shares, two votes; from six to ten shares, three votes; from eleven to twenty shares, four votes; from twenty one to forty shares, five votes; from forty one to seventy shares, six votes; from seventy one to one hundred and four shares, eight votes; one hundred and five shares and upwards, ten votes; all the numbers reckoned inclusively, and that all stockholders may vote by proxy, such proxy being a stockholder, and producing sufficient authority in writing from his constituent.

Number of votes ascertained.

VII. And be it enacted, That the shares in the said Corporation shall be assignable and transferable according to such rules and regulations as may be established in that behalf; but no assignment or transfer shall be valid and effectual unless the same shall be entered and registered in a Book to be kept by the Directors for that purpose; and that in no case shall any fractional part of a share or other than a complete share or shares be assignable or transferable; that whenever any stockholder shall transfer in manner aforesaid all his stock and

Shares to be assignable.

shares

shares in the said Company, he shall cease to be a member of the said Corporation.

Vacancies in the  
Directorship by  
death.

VIII. And be it enacted, That in case of any vacancy among the Directors by death, resignation, disqualification, or otherwise howsoever, it shall be lawful for the remaining Directors, or a quorum thereof, to fill the vacancy by choosing one of the stockholders who may be qualified to act as a Director, and the person so chosen shall serve as a Director until the next annual meeting.

Joint stock to be  
alone responsible  
for the debts.

IX. And be it enacted, That the joint stock of the said Company shall alone be liable for the debts of the said Company.

Corporation em-  
powered to assess  
the shares.

X. And be it enacted, That the said Corporation shall have power to levy and collect assessments upon the shares from time to time of such sums of money as may be deemed necessary for carrying on the business of the said Corporation; and when any assessment shall be made by the said Company, it shall and may be the duty of the Treasurer to give notice thereof in two or more newspapers printed in the City of Saint John, requiring payment of the same within thirty days; and if any stockholder shall neglect or refuse to pay to the said Treasurer the amount of such assessment upon his share or shares at the time prescribed, it shall be the duty of the said Treasurer to advertise all such delinquent shares for sale at public auction, giving at least thirty days notice of the time and place of such sale; and all shares so advertised, upon which the assessment and expenses tending such advertisement, together with the interest upon such assessment as not been paid, shall be sold to the highest bidder, and after retaining the amount of assessment, interest and expenses due, the residue, if any, shall be paid to the former owner, and a new certificate or certificates of the share or shares so sold shall be made to the purchaser; provided always, that no assessment shall be made except by a vote of the stockholders and a majority of all the shares.

Delinquent shares  
to be advertised  
and sold.

Shareholders may  
be sued for the  
assessments.

XI. And be it enacted, That each and every shareholder in the said Corporation shall be held liable to the said Company for each and every call or assessment made, (not however to exceed in amount the stock so subscribed for) for the purpose of enabling the said Company to pay the debts and engagements of the said Corporation, or to carry on the operations for which the said Company is incorporated, and shall and may be sued for by the said Corporation, and recovered in any Court of Record within the Province.

Meetings of the  
Corporation to be  
held by public  
notice.

XII. And be it enacted, That all the meetings of the stockholders of the said Corporation shall be called by public notice being given of the time and place in one or more newspapers printed in the City of Saint John seven days at least before the time of such meeting, and that special meetings may be called by the Secretary under the authority of the President, a quorum of the Directors, or by shareholders representing not less than two hundred shares, upon giving the like notice.

### CAP. LVIII.

An Act to incorporate the Woodstock Steam Mills and Manufacturing Company.

Passed 30th March 1848.

Company incor-  
porated by the name  
of "The Wood-  
stock Steam Mills  
and Manufacturing  
Company."

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That James Ketchum, Charles Marvin, James Tibbits, John Wilson, Adam B. Sharp, H. M. G. Garden, Ralph Ketchum, Benjamin Beveridge, Richard R. Ketchum, Hezekiah Stoddard, Andrew W. Rainsford, Francis E. Winslow, Elisha A. Cunliffe, Ambrose Sherman Carman, James A. Phillips, Thomas Pickard, Junior, their associates, successors and assigns, shall be and they are hereby