

for principal and interest, to such obligors, so that no claim shall thereafter be had either against the said Company or the said obligors for the said sum of five thousand pounds or any part thereof, or for all or any interest on the same, but the same shall be wholly satisfied, cancelled and discharged forever thereafter.

XI. And be it enacted, That for the purpose of furnishing to the Poor of the City of Saint John a gratuitous supply of water, if the Corporation of the City of Saint John shall erect, or cause to be erected within the said City, in such places as the Mayor, Aldermen and Commonalty of the said City may deem most convenient and suitable, tanks, fountains or hydrants, not exceeding six in number, the said Water Company shall, if tanks are constructed, fill with water such tanks once in every day for the free use of the Poor of the said City; and if fountains or hydrants, then shall for two hours in each day furnish a free full flow of water through such fountains or hydrants for the like use; which tanks, fountains or hydrants shall at all times be kept in repair and in good working order by the said Corporation of the said City; and should the said Corporation of the said City deem it expedient to erect or build a greater number of tanks, fountains or hydrants than six, then the said Water Company shall be bound to furnish a full supply of water for such additional tanks, fountains and hydrants for the purpose aforesaid, on payment of such sum or sums of money as may be agreed and contracted for by the Corporation of the said City with the said Water Company.

On the erection of not exceeding six tanks, fountains or hydrants, by the City Corporation, the Water Company are to supply the same with water for the free use of the poor;

If more than six, water to be furnished at a contract price.

XII. And be it enacted, That in order to encourage subscription to the additional Stock hereby created, the subscribers for such additional Stock so created under and by virtue of this Act, shall from time to time, out of the net profits of the said Company, be entitled to receive a dividend of six per centum per annum upon such new Stock, from the date of the payment of such stock respectively, before any division of the profits of the said Company shall be applicable to the original Stock heretofore created; but no dividend exceeding six per centum shall be payable on such new Stock until the proprietors of such original Stock shall receive the like sum of six per centum per annum on such Stock from the time of the passing of this Act, and when the net profits of said Company shall be more than sufficient to pay six per centum on both Stocks, then any surplus of such profits shall be divided pro rata on all the Stock of the said Company without distinction.

Rate of dividends on additional and original stock,

CAP. LII.

An Act in addition to and in amendment of the Act relating to the Navigation of the River and Harbour of Saint John.

Passed 14th April 1849.

I. **BE** it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, all and every of the provisions of an Act made and passed in the seventh year of the Reign of Her present Majesty, intituled *An Act for more effectually securing the Navigation of the River and Harbour of Saint John, in the City and County of Saint John*, shall and are hereby made to extend to saw dust as well as to slabs, edgings, rinds, bark, or chips, in the same manner and as fully and effectually as if the said saw dust had been included with the said slabs, edgings, rinds, bark or chips in the said recited Act at the time of the passing of the same.

Provisions of 7 V. c. 37, extended to saw-dust.

II. And be it enacted, That whenever any proceedings may be commenced before any Justice of the Peace under this Act, or the said recited Act, it shall and may be lawful for such Justice, by Summons, to require the attendance of any witness or witnesses that may by him be considered necessary to give evidence,

Attendance of witnesses, and production of documents may be enforced in proceedings under this or the recited Act.

evidence, or to produce any document before him in such proceedings; and if any witness who shall be summoned to give evidence or produce any documents as aforesaid, shall not appear at the time and place specified in such Summons, or if the said Justice shall deem it to be necessary, before issuing any Summons, it shall and may be lawful for such Justice to issue his Warrant, under his hand and seal, to any Constable of the City and County of Saint John, requiring such Constable to bring the said witness before him at the time and place therein specified, in order to compel the attendance of the said witness to give evidence or produce the documents aforesaid, touching any breach of the provisions of this Act or of the said recited Act.

CAP. LIII.

An Act to make provision for a Public Burial Ground in and for the City and County of Saint John.

Passed 14th April 1849.

Preamble.

‘ WHEREAS it is found necessary to provide a Public Ground for the interment of the dead in the City and County of Saint John, in consequence of the Burial Ground in the City of Saint John being closed by law;’

Justices in Session authorized to purchase land for a Public Burial Ground.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the City and County of Saint John, at their General Sessions, or at any Special Sessions for that purpose to be holden, be and they are hereby authorized and empowered to contract and agree with any person or persons, or body corporate, for the purchase of any piece or parcel of land in the City and County of Saint John, which to them in their discretion may seem meet as and for a Public Burial Ground for the said City and County of Saint John, and to take, accept and receive a conveyance of such piece or parcel of ground so to be purchased for the purpose aforesaid; provided always, that the purchase money of such piece of land shall not exceed the sum of four hundred pounds.

Land to be vested in the Justices of the Peace, in trust for free interments.

II. And be it enacted, That the said land, so to be purchased in pursuance of this Act, shall be and forever remain vested in the Justices of the Peace for the City and County of Saint John, in trust, as a Public Burial Ground for the said City and County of Saint John, for the free interment of the dead of all religious denominations, without any charge for such interment; and that all charges which may be necessarily incurred in marking out such ground in lots for interments, and superintending the said Burial Ground, shall be annually paid out of the contingent funds of the said City and County; and that the said Justices, in Sessions, may make such rules and regulations for the management and government of the said Public Burial Ground as to them may seem meet.

Charge of superintendence to be defrayed from the contingent funds.

Purchase money to be paid by instalments, and assessed with the contingencies.

III. And be it enacted, That the purchase money of the said Burial Ground shall be paid by the said Justices, in Sessions, in five equal instalments; and the said Justices are hereby required and directed, in ordering the assessment for the contingencies of the said City and County for this current year, and for the four years next ensuing, to add thereto a sum not exceeding eighty pounds, together with the expenses of levying and collecting the same.