

fifteen days after each meeting of the Legislature, lay before both Branches thereof full and detailed accounts of such proceedings, doings, expenditures, receipts and disbursements for, concerning, or on account of the said work.

14. The Executive Government, in the first instance, to fix the rate of Salary for the respective Commissioners appointed for the Province, subject to the revision and confirmation of the Legislature at its first session thereafter.

Salaries of the Commissioners.

15. If any Corporation or individual shall desire to invest moneys in the Railway fund applicable to the construction of this work, at their own risk, sharing with the Government the hazard and the profit of the enterprize, it shall be lawful for the Provincial Treasurer to issue Scrip in sums not less than twenty five pounds, bearing no interest, but entitling the holder to a share proportioned to his investment in the tolls and revenues of the road.

Investments of money in the Railway fund by Corporations or individuals.

16. Any person desiring to invest on the credit of the Province, moneys in the Railway fund applicable to the construction of this work, may pay any amount not less than twenty five pounds to the Provincial Treasurer, under the same guards and regulations as now secure the moneys invested in the Savings Banks; provided that the rate of interest to be paid on such instalments shall be the same as the Province pays for the loans advanced by Her Majesty's Government.

Investments on the credit of the Province.

17. Whenever the Railway shall be completed from Halifax to Quebec, it shall be lawful for the Lieutenant Governor in Council to make, in conjunction with the Governments of Canada and Nova Scotia, such arrangements as may be suitable for working the Railway as one line by a common management; such arrangement to be submitted to both Branches of the Legislature at the Session then next ensuing.

After completion arrangement may be made for a joint management.

18. The total sum to be raised for the purposes of this Act upon the credit of the Revenues of this Province shall never exceed in the whole the sum of one million five hundred thousand pounds sterling.

Not more than £1,500,000 sterling to be raised.

*Not repeated*

CAP. XXX.

An Act for raising, by way of Loan, Funds for the construction of a Great Trunk Line of Railway from Halifax to Quebec.

Passed 30th March 1852.

6 WHEREAS Her Majesty's Government is disposed, on certain conditions, to recommend to Parliament that the credit of the United Kingdom may be made available to enable the Provinces of Canada, New Brunswick, and Nova Scotia, to raise, upon advantageous terms, the funds necessary for the construction of a Line of Railway from Halifax, in Nova Scotia, through British Territory, to Quebec, in the Province of Canada: And whereas the General Assembly of this Province hath, during the present Session, passed an Act for the construction of a certain proportion of said Railway, provided the necessary funds shall be raised under the authority and guarantee of the Parliament of the United Kingdom, or advanced as a loan to this Province under such authority;

Preamble.

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows:—

1. The sum for defraying the expenses of constructing, building and completing such proportion of the Railway from Halifax to Quebec as will have to be made by this Province under the provisions of an Act passed in the present Session, intituled *An Act to make provision for the construction of a Great Trunk Line of Railway from Halifax to Quebec*, may be raised and borrowed under any Act which may hereafter be passed by the Imperial Parliament, authorizing the advance of moneys to this Province from the Treasury of the United Kingdom, or guaranteeing the repayment of the sums borrowed, with the dividends and interest thereon,

Money for constructing the Railway from Halifax to Quebec may be raised under an Act of the Imperial Parliament.

*In S. S. C. 41. Chap 93 of this Book -*

or providing in any other way for using the credit of the United Kingdom to raise the necessary funds on advantageous terms for the purposes aforesaid; the sums so raised not to exceed one million five hundred thousand pounds sterling, and to be applied solely to said purpose.

The money may be borrowed on Loan Debentures; dividends and interest charged on the profits and then on the general Revenue of the Province.

2. Such sums may be raised and borrowed under and subject to the provisions of any such Act of the Imperial Parliament, by Loan Debentures or otherwise; and the dividends and interest thereon are hereby charged, in the first place, on the profits accruing to this Province from such Railway, and in the second place, on the general Revenues of this Province, after any previously existing debts of the Province, and payments on account of the Civil List settled on Her Majesty by laws now in force.

The profits of the Railway and proceeds of lands under 15 V, c 29 to constitute a sinking fund.

3. For creating a sinking fund for payment of the loan to this Province, if required by the Imperial Government, the profits of the Railway accruing to this Province shall, after deducting interest, repairs, working and incidental expenses, to be allowed as such by Her Majesty's Government, and also the proceeds arising from the sale and leasing of the Lands appropriated by the third section of the Act passed at this present Session, intituled *An Act to make provision for the construction of a Great Trunk Line of Railway from Halifax to Quebec*, shall be set apart, and shall form such sinking fund.

Receipt and disbursement of the principal.

4. The principal sums so to be raised and borrowed shall be received by the Province Treasurer, who shall, upon the Warrants of the Lieutenant Governor, by and with the advice and consent of the Executive Council, pay out of the same such sums as may from time to time be required for carrying out the Act of this Session hereinbefore referred to; and such Treasurer shall also upon the Warrants of the Lieutenant Governor pay the dividends and interest upon the sums so raised and borrowed; and the sinking fund shall be paid and managed in such manner, for the redemption and liquidation of the principal sums, as shall be agreed upon and negotiated when the principal sums shall be raised and borrowed; or if there be no agreement in that behalf, then in such manner as the Lieutenant Governor in Council shall from time to time direct and appoint, subject however to the provisions of this Act; and it is hereby declared that the Legislature of this Province will confirm and carry out, by such enactments as may be necessary, any arrangement or agreement consistent with the spirit of this Act, and of the Act of this Session hereinbefore referred to, which may be made or authorized by the Lieutenant Governor in Council, with regard to the raising and borrowing the sums aforesaid, under the provisions of any Act to be passed by the Imperial Parliament.

Management of the sinking fund.

5. The Province Treasurer shall before each Session of the Legislature transmit to the Lieutenant Governor, for the purpose of being laid before the two Houses of the Legislature, a correct and detailed statement and account of the sums raised under the authority of this Act, and of the debentures and other securities which shall have been issued, and of the dividends and interest paid thereon, and of the sinking fund, and of the redemption of the whole or any part of the principal sum by means of the sinking fund or otherwise, and of the expenses attending the negotiation, management, payment and redemption of the loan.

Detailed accounts to be rendered by the Provincial Treasurer for the Legislature.

6. The due application of the moneys raised under the authority of this Act shall be accounted for to Her Majesty, through the Lords Commissioners of Her Majesty's Treasury for the time being, in such manner and form as Her Majesty shall direct; and an account thereof shall be laid before both Houses of the Legislature within fifteen days after the opening of the Session next after such expenditure.

Application of moneys to be accounted for to Her Majesty through the Lords of the Treasury.

7. ' And whereas for the maintenance of the credit and good faith of this Province ' it is indispensable that the annual revenues from all sources should never fall short ' of the amount collected in the present year, while any portion of the loan contem- ' plated by this Act remains due and unpaid; ' Until the moneys advanced or guar- ' anteed by the Imperial Government shall have been repaid, or until the Railway built with the same shall yield a net income sufficient to pay the interest upon the moneys to be borrowed under the provisions of this Act, the Tariff of the year one thousand eight hundred and fifty one shall form the basis of the Revenue Laws of this Province, and shall not be varied or changed so as to diminish the amount of security which it is the intention and meaning of this Act should be pledged to Her Majesty's Government; but nothing herein contained shall be construed to prevent the Legislature from annually revising particular duties comprised in such Tariff, or from making regulations in respect to Trade and the protection of the Revenue, due care being taken that any alterations to be made shall not diminish the net income of the Province below the amount collected in the year one thousand eight hundred and fifty one; and changes which may so operate shall, before becoming law, be reported to and approved of by Her Majesty's Government.

The Tariff of the year 1851 not to be varied so as to diminish the security granted by this Act.

*See R. L. Vol. 1. Page 484*

CAP. XXXI.

*In further provision thereof*

An Act in amendment of and in addition to the Act relating to the definition of offences and the punishment thereof.

*R. L. Vol. 1. Page 410. &c. &c.*

Passed 30th March 1852.

**B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, as follows :—

1. The following Sections and Articles of an Act made and passed in the twelfth year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the several Acts of Assembly relating to the Criminal Law of this Province so far as relates to the definition of offences and the punishment thereof*, that is to say :—Article 2 of Sub-Chapter III., Article 6 of Sub-Chapter V., Article 4 of Section 2 of Sub-Chapter VII., Article 16 of Section 2 of Sub-Chapter VII., Article 17 of Section 2 of Sub-Chapter VII., Article 16 of Section 1 of Sub-Chapter IX., Section 4 of Sub-Chapter IX., Article 1 of Section 1 of Sub-Chapter X., Section 2 of Sub-Chapter X., and Article 1 of Sub-Chapter XI., are hereby repealed; provided always, that as regards any offence perpetrated before the passing of this Act, and also as regards any offence perpetrated in part by any act done prior thereto, and which offence shall be completed or consummated on or after the passing hereof, the offender shall be punished as if this Act had not been passed; and nothing in this Act contained shall extend or be construed to extend to affect or annul any proceeding, conviction, judgment, sentence or commutation of punishment heretofore or which before the passing of this Act may be commenced, had, made, passed or allowed under and by virtue of any Section or Sections, Article or Articles hereby repealed, but all such proceedings, convictions, judgments, sentences and commutations of punishment, may be continued and proceeded in, and shall be as valid and effectual as if the Sections and Articles hereby repealed, continued and remained in full force and effect.

12 V. c. 29, in part repealed.

Reservation. Offence committed.

Proceedings, convictions, judgments or commutation of punishment.

2. Any person who shall be lawfully convicted of Adultery by any Court of Oyer and Terminer or General Gaol Delivery in this Province shall be adjudged guilty of a misdemeanor, and shall be liable to be fined or imprisoned in the discretion of the Court; provided, that if fined, in a sum not exceeding one hundred pounds, and if imprisoned, for a term not exceeding two years.

Adultery a misdemeanor, punishable by fine or imprisonment.