

member of the said firm doing business in the County in which such process may have been issued, provided that no execution issued upon a judgment obtained upon any such process shall be levied upon other than partnership property.

CAP. LVIII.

*This Act Repealed in R. Laws Vol 2. Page 178. & Continued*

An Act further to extend the provisions of the Bank for Savings at Saint John.

Passed 7th April 1852.

*Trusty Amendment the ending of our further 1852.*

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

1. That it shall be lawful for the Treasurer of the Province to receive further deposits from the Savings Bank established in the City of Saint John and to issue Debentures for the same, in like manner and subject to the like restrictions and provisions as are contained in the Act of Assembly passed in the sixth year of the Reign of His Majesty George the Fourth, intituled *An Act to encourage the establishment of Banks for Savings in this Province*, provided that the whole amount shall not exceed fifty thousand pounds over and above the amount for which Debentures have already issued and deposits been received within the Province; and provided further, that the interest which the said Savings Bank in Saint John shall be entitled to receive on such Debentures shall not exceed the rate of five per cent. per annum.

Province Treasurer authorized to receive further Savings Banks deposits in St. John, subject to Act 6. G. 4, c. 4.

Whole amount not to exceed £50,000, and interest not to exceed 5 per cent.

2. The Provincial Treasurer shall from time to time call in any of the Debentures already issued, and pay the same, as well as any of the said deposits, unless the holders of such Debentures or the depositors shall prefer to continue the same in the public Treasury, in which case he shall issue new Debentures at a reduced rate of interest, or reduce the rate of interest to the amount per cent. per annum above mentioned, by indorsement on the Debentures already issued; such Debentures to be of the like form and subject to the like restrictions and provisions as in the said recited Act mentioned, except so far as this Act shall control the same.

Debentures already issued to be called in and paid off unless holder be willing to take a reduced rate of interest.

3. 'And whereas a grant of the sum of one thousand two hundred and ninety three pounds ten shillings and ten pence was made out of the Treasury of this Province, in the year of our Lord one thousand eight hundred and thirty six, to make up a loss sustained by the Savings Bank at Saint John, and it is just that the same should be repaid out of the profits arising from the management of the said Savings Bank;' It shall be lawful for the Trustees or Managers of the said Savings Bank from time to time to pay out of any profits which may at any time be in or belong to the said Savings Bank, after all interests due the depositors and expenses of management are paid, into the hands of the Province Treasurer for the public service such instalments of the said sum of one thousand two hundred and ninety three pounds ten shillings and ten pence as they may deem advisable, until the whole of such sum shall be finally repaid.

Provision for the repayment of £1,293 10 10 granted in 1836 to make up a loss sustained by the Bank in St. John.

CAP. LIX.

*Not repealed by R. Laws.*

An Act to secure to the holders of certain outstanding Debentures of the City and County of Saint John payment of the principal money and interest due thereon.

Passed 7th April 1852.

**W**HEREAS in pursuance of the power and authority given to them by certain Acts of the General Assembly, the Justices of the Peace of the City and County of Saint John did borrow divers sums of money for the purpose of erecting a House of Correction for the said City and County, for which,

Preamble.

4. V. e. 4.

‘ which, Certificates, Notes or Debentures were made and given as required by  
 ‘ the said Acts, and it was in and by such Acts provided that annual assessments  
 ‘ should be made for payment of the same, as by reference to such Acts will  
 ‘ more fully appear: And whereas afterwards an arrangement was made for  
 ‘ making the said House of Correction a Provincial institution; and under the  
 ‘ provisions of an Act passed in the fourth year of Her Majesty’s Reign, intituled  
 ‘ *An Act to establish a Provincial House of Correction*, the House of Correction,  
 ‘ and the land, tenements and hereditaments held by the said Justices of the  
 ‘ Peace for the site and purposes of the said House of Correction were transferred  
 ‘ to and became vested in the Queen’s Majesty, provision being made in the said  
 ‘ Act for payment of a certain part only of the debt incurred by the said Justices,  
 ‘ for which Certificates or Debentures had been issued, it being expressly pro-  
 ‘ vided by the said Act that no greater sum of money than four thousand pounds  
 ‘ should be drawn from the Treasury for that purpose, nor any greater sum than  
 ‘ five hundred pounds in any one year: And whereas the whole of the said sum  
 ‘ of money so granted by the Legislature has been applied to payment of the  
 ‘ said Certificates or Debentures, and a large portion thereof has been fully dis-  
 ‘ charged, and several years’ interest paid on the remainder: And whereas the  
 ‘ Debentures remaining unpaid amount to the sum of two thousand pounds  
 ‘ for principal, with a considerable arrear of interest due thereon, for the payment  
 ‘ of which no provision has been made by the Legislature, and the same remain  
 ‘ a charge on the said City and County of Saint John, on the credit and for the  
 ‘ purposes of which City and County the moneys were borrowed: And whereas  
 ‘ it is unjust that payment according to the requisition of the Acts of Assembly,  
 ‘ in reliance on which the Loans were obtained, should not be made in a reason-  
 ‘ able time: And whereas in consequence of the transfer so made to the Province,  
 ‘ and the provision made for part payment from the Treasury, the annual assess-  
 ‘ ments on the said City and County were discontinued; and the Justices of the  
 ‘ Peace of the said City and County entertain doubts of their power and authority  
 ‘ to resume the said assessments, and to make rates and assessments for the pay-  
 ‘ ment of the said outstanding Debentures; and it is expedient to give express  
 ‘ authority by law for raising the sum necessary to discharge the said outstanding  
 ‘ Debentures or Certificates;’

Be it therefore enacted by the Lieutenant Governor, Legislative Council and  
 Assembly, in the manner following, that is to say:—

Justices in Sessions  
 authorized to make  
 annual assessments  
 of not exceeding  
 £600 and expenses  
 of collecting, to dis-  
 charge interest  
 and principal due  
 on the Debentures.

1. The Justices of the Peace of the City and County of Saint John at any  
 General Sessions of the Peace, or at any Special Sessions for that purpose to be  
 convened, are authorized and required to make a rate and assessment each and  
 every year of a sum not less than four hundred pounds and not exceeding six  
 hundred pounds, besides the expenses of assessing, levying and collecting, in any  
 one year, for the purpose of discharging in the first place all arrears of interest  
 which have accrued on such outstanding Certificates or Debentures, and after-  
 wards the principal sums and after accruing interest on any part of the principal  
 remaining unpaid, annually, until the whole of said Certificates or Debentures are  
 fully paid and discharged; all which said several sums of money so to be assessed  
 are to be assessed, levied, collected and paid under and by virtue of any Act or  
 Acts of Assembly which at the time of making such assessments respectively  
 may be in force in the Province for the assessing, levying and collecting of rates  
 for public charges; provided always, that the last assessment to be made shall  
 not be for any greater sum than may be necessary to discharge the balance of  
 principal and interest on the said Debentures with the incidental expenses.

2. The moneys so to be assessed as aforesaid shall from time to time be applied, after the discharge of such arrears of interest now due and the yearly interest hereafter becoming due, to the payment of the principal sums mentioned in such Certificates or Debentures as are now outstanding and unpaid, in due numerical order, as provided for by the Acts or Act of Assembly under which the moneys were borrowed, beginning with the first or earliest number.

Moneys assessed to be applied to pay the Debentures in numerical order. after the interest on all is discharged.

3. The Treasurer of the said County of Saint John shall from time to time give one month's public notice by advertisement in one of the newspapers published in the said City of Saint John, for calling in such and so many of the Certificates or Debentures as he is prepared to pay off, specifying the number or numbers of the same in such advertisement; and from and after the expiration of the time named in the said notice, the interest on the Certificates or Debentures so appointed to be discharged shall cease; provided that at any time after such notice, and before the expiration of the month, the holder shall be entitled to payment, on demanding the same, of the principal and interest up to the time of payment.

County Treasurer to give public notice for calling in the Debentures he wishes to pay off.

4. The County Treasurer shall be entitled to the like remuneration of one per centum for his services upon the moneys to be from time to time paid into his hands under the assessments to be made by virtue of this Act, as allowed to be retained by him in the Act or Acts under which the Certificates or Debentures were given.

Remuneration of County Treasurer.

*See N. Laws. Vol. 1. Page 425, CAP. LX.*

*repealed by N. Laws*

An Act to prevent the placing and leaving of Poison for the destruction of animals on private property and on the public Roads and Streets in the City and County of Saint John.

*under this provision*

*Passed 7th April 1852.*

*N. L. Vol. 1, Page 426  
Preamble. S. 16.*

WHEREAS much and serious evil has arisen from the practice of placing and leaving poison for the destruction of wild animals in the woods and fields on private property in the City and County of Saint John, and also on the public roads and streets therein, whereby many domestic animals have been destroyed;

Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That whosoever shall wilfully place or leave poison of any kind on the property of any private individual or individuals, or of any Body Corporate, or on any of the public roads or streets in the City and County of Saint John, for the purpose of destroying animals whether wild or domestic, shall be guilty of a misdemeanor, and being convicted thereof shall be liable to pay a fine of five pounds, to be recovered before any two Justices of the Peace in the said City and County of Saint John; which penalty when recovered shall be applied as follows, that is to say: one half part thereof, after paying all the necessary expenses of recovery, shall be paid to the informer or informers, upon whose information such conviction may be obtained, and the remaining half part to the Overseers of the Poor for the said City and County for the use of the poor thereof; in default of payment of the said fine, the party convicted as aforesaid shall be committed to the Provincial Penitentiary for a period not exceeding ten days nor less than two days, as the said Justices in their discretion shall think fit; and the said fine or imprisonment shall be in addition to any other legal remedy for loss or damage sustained by any party by means of such poison.

Penalty for wilfully leaving poison of any kind on any private or Corporation property, or on any of the streets in Saint John, with the view to destroy animals.

Recovery.

Application.

Imprisonment on default of payment.