

## CAP. XLV.

An Act in addition to and in amendment of the Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes in this Province.

*Passed 3rd May 1853.*

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

1. That in addition to the Town and Parish Officers named in Article 1 of Section 1 of an Act made and passed in the thirteenth year of the Reign of Her present Majesty, intituled *An Act to consolidate and amend the Laws relating to the local government of Counties, Towns and Parishes*, it shall and may be lawful for any Town or Parish in the County of York to elect one or more Timber Drivers, who shall be elected, or may when requisite be appointed, in all respects as directed in and by the said recited Act.

Timber Drivers may be elected in the Parishes in the County of York, under Act 13 V. c. 30.

2. The Drivers of Timber so appointed shall have full power and authority when called upon by any person interested, to proceed to the River and take charge of the drive of timber, logs or lumber therein, and to determine the number of hands, rigging and implements required for the work, and to apportion the number of men and materials to be furnished by each owner of such timber, logs or lumber; and in case any of the parties shall not furnish such men and materials within two days after notice given to him or them by such Driver in writing, it shall be his duty to procure the necessary men and materials; and for the reasonable expense of the same, as well as for other expenses incurred, and his own reasonable charges, he shall have and hold a lien on the timber, logs and lumber, and unless the same be paid within sixty days after the same arrives at the rafting ground or market, as the case may be, such Driver may proceed to sell the property, or so much thereof as may be necessary to defray such expenses and charges, first giving notice to the owner, if in the limits of the Province, and advertising in three or more public places of the Parish where the property may be, for thirty days.

Authority given to take charge of drives of timber, &c., and determine the men and materials to be furnished.

Lien for expenses.

3. The General Sessions of the Peace for the County shall and may at their next or any subsequent Sessions, make rules and regulations for the guidance of such Driver, and to regulate the mode of conducting the drives, and the duties of the office, as also to establish a scale of fees and charges for the said work; which fees and charges shall be secured and recovered as prescribed in the last section of the said Act, by lien upon and sale of the timber, logs or lumber of the respective parties, in proportion to the quantity owned by them respectively.

General Sessions to make regulations for the guidance of the Drivers.

## XLVI.

An Act to authorise the granting Letters Patent for the manufacture of Malleable Iron from the Ore.

*Passed 3rd May 1853.*

**‘**WHEREAS one John Cairns, of Dundas, in the County of Kent, has made application to the Government to obtain Letters Patent for an improved mode of smelting and manufacturing malleable or bar iron from the ore without reducing it to pig iron: And whereas under the present Law the Government is not authorised to grant Letters Patent to any but the original inventor or assignee of the whole Patent: And whereas the said John Cairns alleges that he is the proprietor of a share in a Patent taken out in Great Britain by one William Neale Clay, for such process, which has not been worked under in consequence of the death of the original inventor: And whereas the benefits of such process cannot be obtained unless such Patent be granted to the said John Cairns;’

Preamble.

Be

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

Authority given to grant a patent to John Cairns, or any proprietor of a certain patent in Great Britain, on application with proof.

1. That the Lieutenant Governor in Council be and he is hereby authorised and empowered to grant Letters Patent to the said John Cairns, and to all or any other proprietor of said patent so granted in Great Britain, or his representative or assignee, when any such person or assignee may apply for the same, for the said process of smelting and manufacturing malleable or bar iron direct from the ore, if upon his application it be made to appear to the satisfaction of His Excellency in Council, that a cheaper or better material can be thus obtained, and private rights not be interfered with.

Duration and rights to inure to John Cairns.

Proviso for further conditions.

2. The patent so granted is not to be of longer duration than ten years, and is to be subject to the same provisions, and entitled to all the benefits of protection in this Province, as if the said John Cairns had been the original inventor; provided always, that the Lieutenant Governor in Council may at the time of granting such Letters Patent, make such further conditions or provisions for the regulation of such patent, or the protection of the public interest, or the rights of individuals, as may be deemed necessary, in order that the other proprietors or joint owners, or their representatives, may have the like advantage of the said patent when granted; and that the patent shall not issue until the provisions of any law in force at the time of such issue, relating to the assignee of any patent obtained in any other country, are complied with.

#### CAP. XLVII.

An Act to authorise the Rector, Church Wardens and Vestry of Saint Mark's Church, in the Parish of Saint George, in the County of Charlotte, to sell and dispose of certain Glebe Lands in said Parish, and invest the proceeds in other Lands.

Passed 3rd May 1853.

Preamble.

**W**HEREAS a certain tract of land situate on the north side of LeTang Harbour, in the Parish of Saint George, in the County of Charlotte, known as Glebe Lot, containing four hundred and fifty five acres, more or less, granted by Letters Patent under the Great Seal of the Province of New Brunswick to the Rector, Church Wardens and Vestry of Saint Mark's Church, in the Parish of Saint George, and their successors, for a Glebe: And whereas it is believed that the said tract of glebe land could be sold at a fair price, and that the moneys arising from such sale might be invested in the purchase of other lands more conveniently situated and more beneficial and productive for the use and benefit of the said Rector;

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

Corporation of Saint Mark's Church authorised to sell described tract of land.

1. That the Rector, Church Wardens and Vestry of Saint Mark's Church, in the Parish of Saint George, be and they are hereby authorised and empowered to sell, dispose of and convey all and singular the said lot or tract of glebe land, and make, seal and deliver good and sufficient deeds of conveyance of the same, in fee simple, by and with the approbation of the Lord Bishop of the Diocese, or in his absence, of the Archdeacon or Ecclesiastical Commissary of the Province, signified by either of them being a party to such deeds signing the same.

Proceeds of sale to be invested in other freehold property.

2. The amount arising from such sale of glebe land shall be invested by the said Rector, Church Wardens and Vestry in the purchase of other freehold property more conveniently situated for the use and behoof of the Rector of the said Church for the time being, to hold the same to the said Rector, Church Wardens and Vestry, and their successors for ever, for a glebe for the use and behoof of the Rector of the said Church for the time being.

CAP.