

9. Complaints under either of the two next preceding Sections may be brought by any party or person whatever, and the penalties mentioned in the three next preceding Sections shall be enforced and recovered in the same manner and subject to the same provisions as are provided in the Sections of this Act respecting the registration and protection of designs.

10. The use of any Trade Mark either identical with that of any manufacturer, producer, packer, or vender, or so closely resembling as to be calculated to be taken for it by ordinary purchasers, shall be held to be a use of such Trade Mark.

11. That on every application made under this Act, the applicant shall pay at the time of making the same, into the Provincial Secretary's Office, a sum not exceeding twenty dollars, to pay the expense of issuing such Grant and of publishing the same in the Royal Gazette.

12. Notwithstanding any thing in the preceding Sections contained, a suit may be maintained by any proprietor of a Trade Mark against any person using his registered Trade Mark, or any fraudulent imitation thereof, or selling articles bearing such Trade Mark, or any such imitation thereof, or contained in packages being or purporting to be his, contrary to the provisions of this Act.

CAP. XXXII.

An Act to erect a part of the Parish of Wellington, in the County of Kent, into a separate Town or Parish.

Section
1 Boundaries and Name of new Parish.
2 Laws and regulations of other Parishes to apply.

Section
3 When Act comes into operation; present officers to continue in office.
4 Polling place, where held.
5 List of Electors, how made up.

Passed 17th June 1867.

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

1. All that part of the Parish of Wellington, in the County of Kent, divided by a line lying to the west of a line commencing at the mouth of Mill Creek and following the course of the said Creek up stream to the eastern line of the Grant to John W. Holderness on said Creek, thence along that line to the rear line of said Grant, thence westerly along

said line to the western line of the Grant to John Cameron, thence northerly along that line and its prolongation to Mill Creek, thence following the various courses thereof up stream to eastern line of Lot number 101 granted to John M'Eachran, thence along that line and its prolongation to northern line of Lot No. 95 granted to John M'Nairn, thence westerly along the said last mentioned line and its western prolongation to meet the eastern line of Lot No. 138 granted to George Holder, thence along said eastern line and its prolongation in a northerly direction to northern line of Lot No. 110 in Block O, thence along that line in an easterly direction to meet the southern prolongation of the eastern line of Lot No. 52 granted to John Cochrane, thence along said prolongation and eastern line of said last mentioned Grant to the northwestern line of the Parish of Wellington, and on the south side of the River to follow the upper line of the Lot No. 13 granted to Michael Basterash in a southerly direction to the rear line of Lots on the south side of Buctouche River, thence westerly along that line to western line of Lot No. 1 granted to Francis King, Junior, thence along that line and its southeastern prolongation to the rear or southeastern line of Lot No 7 granted to Caleb Finney, thence along that line in a northeasterly direction to the western line of Lot No. 5 granted to Joseph Robicheaux and others, and thence along that line in a southerly direction to the southern line of the Parish of Wellington, shall be and the same is hereby erected into a separate Town or Parish to be known by the name of the Parish of Saint Mary.

2. The said Town or Parish shall have the same privileges, and be subject to the same laws and regulations, as extend to or govern the other Parishes in the County.

3. This Act shall not come into operation or be in force until the first day of July next, and it shall not interfere or prevent the recovery of any assessment which may have been previously ordered, or with any fines, penalties or money which may have accrued or become due, or with the discharge of the duties of any officer who may have been appointed for the year then running, but every such officer shall discharge his duty until the end of the year, in the same manner as if the Parish of Wellington had not been divided; and nothing in this Act contained shall be con-

strued to relieve either section of the said Parish hereby divided from their respective liabilities.

4. That the Polling place for the said Parish of Saint Mary shall be, and the same is hereby declared to be, at or near the Chapel in the said Parish, for the Election of Members to serve in the General Assembly by virtue of an Act made and passed in the eighteenth year of the Reign of Her present Majesty, intituled *An Act to regulate the Election of Members to serve in the General Assembly;*” and that the Polling place for the Parish of Wellington shall be the same as now established by law.

5. If any Election shall be held before a new Revisors' List of Electors shall be made out for the said Parish of Wellington, the Sheriff shall from the present List select the Electors who reside in the Parish of Saint Mary hereby created, which shall be the List for such last mentioned Parish, who are to vote at the Polling place established by this Act for the said Parish of Saint Mary.

CAP. XXXIII.

An Act in addition to an Act intituled *An Act in addition to an Act intituled “An Act to incorporate the Saint Stephen Branch Railroad Company.”*

Company authorized to issue additional Debentures.

Passed 17th June 1867.

WHEREAS by the said recited Act, passed in the twenty eighth year of Her present Majesty's Reign, it was made lawful for the said Company, from time to time, to issue Debentures or Certificates of Debt bearing interest, with Coupons attached, at six per centum, in such number and in such denominations as the said Company might see fit; and whereas the amount of such Debentures was limited to the sum of one hundred thousand dollars; and whereas it is found necessary by the said Company to have power to issue Debentures to a further sum;—

Be it therefore enacted by the Governor, Legislative Council, and Assembly,—That the said Saint Stephen Branch Railroad Company may and they are hereby authorized to issue Debentures to the further sum of fifty thousand dollars, which Debentures when issued shall constitute a charge upon the property of the said Saint Stephen Branch Rail-