

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1845. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1845.

8 Victoria – Chapter 73

An Act to facilitate the Settlement of Accounts between the Justices of the Peace for the City and County of Saint John and John R. Partelow, esquire, late County Treasurer. Passed 27th March 1845.

Whereas certain differences and disputes have arisen and are depending between the Justices of the Peace in and for the City and County of Saint John and John R. Partelow, of the same City, Esquire, late Treasurer of the County of Saint John aforesaid, relative to the Public Accounts of the said County: And whereas it is deemed advisable that power should be given by Law, to enable the said Justices to refer and submit the said matters in dispute to arbitration;

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the said Justices, at any General Sessions of the Peace in and for the said City and County, or at any Special Sessions to be for that purpose called and holden by an order of Sessions to be by them passed and entered on their Minutes, to order and direct a reference to be made to arbitration of the said Accounts in dispute, to such persons and in such manner and upon such terms and conditions as to them the said Justices may seem fit, and as may be agreed upon mutually between them and the said John R. Partelow; and to this end the said Justices are hereby empowered, by the style and designation of 'The Justices of the Peace of the City and County of Saint John,' to enter into, conclude and execute, under the Seal of the Court of Sessions for the City and County of Saint John, and the signature of the Clerk of the Peace for the said City and County, and in the same style and designation to receive from the said John R. Partelow, any such agreements, bonds, covenants or other writings as may be requisite to submit and refer the said Accounts its dispute to arbitration as aforesaid, in such manner and in such terms as may be agreed upon mutually between the parties.

II. And be it enacted, That the award to be made in pursuance of such arbitration shall be binding and obligatory upon the said Justices and the said John R. Partelow respectively; and it shall and may be lawful for the said Justices to bring and institute any action or proceeding on the said bond and award, or either of them, against the said John R. Partelow, his Executors or Administrators, in any Court or Courts of Record in this Province, under the style and designation of 'The Justices of the Peace for the City and County of Saint John,' to enforce performance of such bond, award or otherwise, and to settle the same with the said John R. Partelow, his Executors and Administrators, as in the discretion of the said Justices, they may deem expedient; and in case any sum or sums of money shall be found and awarded to be due and owing to the said John R. Partelow, the same shall form and become a debt due by the said County to the said John R. Partelow, and shall be payable to him, and be borne and chargeable upon any funds in the hands of the County Treasurer for the time being, applicable to the payment of the contingent expenses of the said County: Provided always, and be it enacted, that nothing in this Act contained shall extend or be construed to extend to any sum or sums of money, accounts, prosecutions, suits,

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matters or things arising out of the operation of a certain Act of Assembly, intituled *An Act to authorize the Justices of the Peace of the City and County of Saint John to raise a sum of money for completing the Court House of the said City and County.*