

Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1862. Fredericton, NB: John Simpson, Printer to the Queen's Most Excellent Majesty, 1862.

25 Victoria – Chapter 23

An Act for the encouragement of Agriculture. Passed 23rd April 1862.

Section.	Section.
1. Cap. 38 Rev. Stat. Title 3, 17 V. c. 7, 18 V. c. 33, 22 V. c. 10, and 23 V. c. 46, repealed, with certain exceptions.	10. Soceities empowered to fix bounds for shows, &c.; penalty for intrusion.
2. Incorporation of local Societies.	11. Continues Provincial Board of Agriculture as corporate body.
3. Object of such Societies.	12. Provincial Board, how composed, and mode of elections.
4. Amount to be received by each Society annually.	13. Vacancies, how filled up.
5. Soceity shall elect officers and make bye laws, &c.	14. Empowers Provincial Board to hold triennial Exhibitions, and make rules regulations for conducting the same.
6. Disposal of stock and other articles imported by Society, and terms of sale.	15. Meetings of Prov. Board, powers of, defined; expenses limited.
7. Duties of Treasurer and Secretary as to accounts and audit.	16. Annual Report to be made to Legislature.
8. Restrains premiums and salaries paid by Provincial Board.	17. What may be deemed evidence of legal existence of any Soceity and of the Provincial Board.
9. Local Soceities subject to control of Provincial Board.	Schedules A, B, C.

Whereas it is expedient to consolidate and amend the Laws relating to Agriculture, Agricultural Societies, and the Provincial Board of Agriculture;—

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

1. That the thirty eighth Chapter of the Revised Statutes, Title the third, 'Of the encouragement of Agriculture;' and also an Act made and passed in the seventeenth year of the Reign of Her present Majesty, intituled *An Act for the encouragement of Agriculture;* and also an Act made and passed in the eighteenth year of the same Reign, intituled *An Act to amend an Act intituled 'An Act for the encouragement of Agriculture;'* and also an Act made and passed in the twenty second year of the same Reign, intituled *An Act to amend the Act for the encouragement of Agriculture, and to provide for the establishment of a Provincial Board;* and also an Act made and passed in the twenty third year of the same Reign, intituled *An Act relating to Agriculture;* be and the same are hereby repealed, saving always their effect in regard to any act or deed done or granted prior to the date of this Act coming into operation; and the Provincial Board of Agriculture, and all Agricultural Societies established under the said Act, or either of them, shall subsist and continue,

notwithstanding the repeal of the said Act; and the said Provincial Board and the said Societies shall be subject to and may avail them-selves of the provisions by this Act, as fully and effectually to all intents and purposes as if they had been incorporated under this Act.

2. Whenever forty persons or more, in any of the Counties of this Province, shall associate themselves together as an Agricultural Society, and shall subscribe and pay, in sums of not less than five shillings each, the gross amount however not to be less than fifteen pounds, to be applied for the improvement of agriculture and domestic manufactures, and shall subscribe the Declaration, letter A in the Schedule of this Act contained, and shall cause a copy of the same to be filed in the office of the Secretary of the Province, they shall thereupon become a body corporate by such name as they shall designate, with all the privileges and obligations incident to Corporations by law; but such privileges shall continue to each Society respectively so long only as it shall consist of forty members or more, and which members shall annually subscribe or raise and pay in as aforesaid, the sum of at least five shillings each in furtherance of the objects of the Society, as hereinafter set forth; provided nevertheless, that not more than four such Societies shall be entitled to the benefits and privileges of this Act in any one County, and that no Society shall go into operation under the provisions of this section without the previous sanction of the Provincial Board of Agriculture.

3. The object of such Societies shall be to encourage the production, cultivation and improvement of seeds, vegetables, and fruits; to promote the introduction of improved stock, implements of husbandry, better system of culture, management of bees, improvements in farm buildings, farm arrangements, and domestic manufactures; to hold shows, ploughing matches, and exhibitions; to award premiums for excellence; to collect and diffuse information on all subjects connected with agricultural, horticultural, and floral pursuits; to solicit and receive donations; and generally by every legitimate means to elevate the agricultural character of their respective districts.

4. The Agricultural Societies already established, as also any other Societies hereafter to be organized under the provisions and requirements of this Act, shall be respectively entitled to receive annually in the manner hereinafter provided, as a bounty, treble the amount of the subscription by them severally so made, raised, and paid in; but no County shall be entitled to receive a greater sum in the aggregate than two hundred pounds in anyone year, and the aggregate sum which any County may be entitled to receive, shall be apportioned among the several Societies within the same, where there are more than one, in just proportion according to the amount of the subscription made, raised and paid in by such Societies respectively; but the annual sum to be drawn for each County, where there is but one County Society, shall not exceed one hundred and fifty pounds.

5. Every Agricultural Society shall elect such and so many officers, and in case of death, absence, or refusal to serve, elect others in their stead, and make and ordain such bye laws for its government, and the establishment and regulation of its several meetings, and the times and places at which such meetings shall be held, as it may deem expedient for conducting the business of the Society, and for the maintenance of order and the promotion of the objects of the Society,

as set forth in the third Section of this Act; a copy of which bye laws shall be forthwith transmitted by the President of the Society making the same, to the Secretary of the Provincial Board of Agriculture hereinafter mentioned, and the said Provincial Board of Agriculture may, within twelve calendar months thereafter, disallow such bye laws, or any of them.

6. In the disposal of seeds, stock, implements, or other property imported by any Agricultural Society, such articles shall not be sold for less than the true cost and charges of the same, unless the same shall be sold at public auction, of which at least ten days previous notice shall be given by public advertisement, at which all persons present shall have a right to bid and compete, whether members of the Society or not.

7. The Treasurer of every Agricultural Society at least once in every year, shall prepare and transmit to the Secretary of the Provincial Board of Agriculture hereinafter mentioned, a detailed statement under oath, which oath any Justice of the Peace is hereby authorized to administer, as near as may be in the form letter B in the Schedule of this Act, shewing the amount of income and expenditure of the Society, together with a Report of its operations from the time of transmitting the Report immediately preceding; which Report it shall be the duty of the Secretary of the Society to prepare, with an estimate of the actual state of the land, crops, implements, stock, culture, productions, and domestic manufactures, in the district or County as the case may be, in the form letter C in the Schedule of this Act; whenever such Account shall have been audited and approved by the Provincial Board of Agriculture, the Secretary of the Provincial Board of Agriculture shall certify to His Excellency the Lieutenant Governor in Council the amount such Society is entitled to by virtue of this Act, who shall thereupon issue his Warrant on the Treasurer of the Province therefor, in favour of the Treasurer of such Society.

8. The amount of premiums to be awarded by each Society in any one year shall not exceed treble the amount of the local subscriptions and donations of the Society; the allowance for Salaries shall not exceed five per cent of the local subscriptions, donations, and Provincial allowance yearly.

9. The several Agricultural Societies shall be subject to the supervision and control of the Provincial Board of Agriculture hereinafter mentioned, and shall be accountable thereto; and the Provincial Board of Agriculture may make rules and regulations from time to time for the government of such Societies, and the conditions upon which they shall be entitled to their respective grants.

10. Any Agricultural Society, by its officers, is hereby authorized and empowered to define and lay off bounds for pens and yards, and appropriate such sums for cattle shows and exhibitions, and suitable places for ploughing matches, and ways and passages towards and about the same; and no person shall intrude upon such lands, or enter the same, unless in conformity with the rules of such Society, or without the authority and consent of some officer of the Society then present; and any person after notice intruding upon or entering such bounds, or violating any of the rules of the Society touching or concerning such bounds, shall forfeit the sum of ten shillings, to be recovered before any Justice of the Peace of the County, on complaint of any officer of the Society, according

to the provisions of the one hundred and thirty eighth Chapter of the Revised Statutes, and when received, shall be paid over to the County Treasurer for the use of the County; provided that nothing herein contained shall extend or be construed to extend to authorize any Agricultural Society to occupy any land without the consent of the owner, or any public highway in such manner as to obstruct the public use thereof.

11. The Provincial Board of Agriculture already established in this Province shall continue and be a body politic and corporate under the name of 'The Provincial Board of Agriculture,' and by that name have all the general powers and privileges made incident to a Corporation by Act of Assembly in this Province.

12. The Provincial Board of Agriculture shall be composed of one delegate from each County in this Province, three members who shall be appointed by the Governor in Council, and one member, chosen by the Board; such delegates (in case an election shall be deemed necessary as hereinafter mentioned) to be elected annually on the fourth Wednesday in October in each and every year, between the hours of twelve o'clock at noon and three o'clock in the afternoon of such day, at the Court House in each County, excepting King's County, where the election shall be held at the Finger Board House in the Parish of Norton; and also excepting in the County of Albert, where the election shall be held at the Post Office at Hopewell Hill in said last mentioned County; and also excepting in the County of Sunbury, where the election shall be held at the lower School House at Maugerville in said County; and such elections shall be held in such manner and under such regulations as the Agricultural Society of each County may prescribe: If there shall be more than one Agricultural Society in any County, the President, first Vice-President, and Secretary of the several Societies, shall elect the member by a majority of votes of those present in person or by written proxy; and the Chairman of the meeting, on or before the last day of November then next ensuing, shall transmit to the Secretary of the Provincial Board a certificate under his hand, setting forth the result of said election: If any County fails to elect according to the provisions of this Act, the Governor in Council shall appoint one of the Representatives for such County in the General Assembly, a member to act as delegate for such County for the year; provided always, that the delegates elected, who are at present time members of the Provincial Board of Agriculture, shall continue and remain such until others are elected in their stead, under the provisions of this Act; and provided also, that from and after the passing of this Act, in all Counties having more than one Agricultural Society, no new election of a delegate shall at any time be had or be holden, but the delegate in office shall be and remain in office as such, unless some one or more of the Presidents of the Agricultural Societies therein, on or before the first Tuesday in October in each year, shall give notice in writing to the President or Presidents of the Agricultural Societies of the intention of the Society or Societies giving such notice or notices to hold an election for a delegate for such County to the Provincial Board of Agriculture aforesaid.

13. In case of a vacancy in the representation to the Board of Agriculture from any County by death, resignation, or other cause, the Governor in Council, upon such vacancy being certified by the Secretary of the Board, shall appoint one of the members of the Legislature residing in such County as its delegate for the year.

14. It shall be the duty of the Provincial Board of Agriculture, at such time and place as they shall appoint, and once in every third year thereafter, to provide for the holding of an Exhibition of agricultural, horticultural, and floral productions, domestic manufactures of all kinds, natural resources of the Province, specimens of the fine arts, and new and improved agricultural, mechanical, culinary or sanitary implements or apparatus, raised, produced, manufactured or invented in this Province; the expense of such Exhibition nevertheless not to exceed the sum of seven hundred and fifty pounds, which shall be paid from the Provincial Treasury by Warrant of His Excellency the Lieutenant Governor in Council, on the certificate of the Secretary of the Provincial Board of Agriculture; and the said Provincial Board of Agriculture may make rules and regulations for the preservation of order and suppression of vice and immorality at such Exhibitions, and may prescribe the limits within which such rules and regulations shall be in force, not however to exceed two miles from the Exhibition Building; and to impose such fines and penalties, not exceeding five pounds or twenty days imprisonment, for every breach of such rules and regulations, to be sued for and recovered in like manner as directed in and by the tenth section of this Act ; provided nevertheless, that such rules and regulations shall not be in force until the same shall be approved of by the Governor in Council, and printed copies thereof posted up in three or more of the most conspicuous places in the Exhibition building or grounds; and the due execution of such rules and regulations shall be entrusted to such and so many constables, special constables, or policemen, as may be selected for that purpose by such Committee as the said Provincial Board of Agriculture may appoint to manage and superintend such Exhibition.

15. The said Provincial Board of Agriculture shall meet annually during the Session of the Legislature, or oftener if required, for the transaction of business; a Chairman shall be elected by a majority of votes of the members present of such Board; a Secretary shall be appointed in like manner, who shall be a member of the Board; the Board may also elect all other necessary officers, define their duties, and fix their salaries; five members of the Board shall constitute a quorum for the transaction of business, and a sum not exceeding three hundred and fifty pounds shall be allowed annually to defray the expense of such Board, which shall be drawn from the Treasurer of the Province by Warrant of the Governor in Council, on a certificate of the Secretary of such Board.

16. The Provincial Board shall annually report a statement of their doings, a digest of the returns of the several Agricultural Societies, with such statistics as they may be able to collect, accompanied with such suggestions and recommendations as the interest of agriculture may appear to require, together with a detailed account of the expenditure, for the purpose of being laid before the Legislature; and shall cause the same to be printed at the expense of the Government, and ready for circulation within ten days after the opening of the Legislature.

17. Whenever on the trial of any issue joined it may be necessary to prove the incorporation of any Agricultural Society organized under the provisions of this Act, or of any of the Acts repealed hereby, proof that the defendant dealt with such Society as a Corporation, or a certificate of the Secretary of the Province, or of the Secretary of the Provincial Board of Agriculture, or parol evidence of the President, Secretary or Treasurer of such Agricultural Society, that the returns required by this Act have been duly made, shall be evidence of the legal existence of the

Corporation; and the Provincial Board of Agriculture shall, without proof, be deemed and taken in all Courts to be a Corporation, with all its legal immunities and liabilities.

SCHEDULE A.

We, whose names are hereto subscribed, do agree to form ourselves into a Society under the provisions of the Act of the General Assembly, intituled *An Act for the encouragement of Agriculture*, to be called "The ----- Agricultural Society;" and we severally agree to pay to the Treasurer of said Society, towards the funds thereof, the sums set opposite our respective names, as our first year's subscription thereto.

___ day of _____ 186 ___.

Subscribers.	Sums subscribed.
A. B. - - - - -	
C. D. - - - - -	
E. F. - - - - -	

B

A.B., Treasurer of the _____ Agricultural Society, maketh oath and saith that the annexed Account contains a just and true statement of the income and expenditure of the said Society, from the ___ day of _____ last to the ___ day of _____ inclusive; that the several sums therein specified were actually received and paid by him for the purposes therein set forth; and that the same shews the true state of the funds of the said Society at the time the said Account was balanced and audited.

Sworn before me at _____ the ___ day of _____ 186 ___.

C

Season past—Character of.
Soil of District—Character of.
Crops of District—Principal.
Land cleared during the past season—Extent of.
Rotation of Crops in District—What.
Wheat—What average produced per acre.

Average for past season.

Disease.

Remedies suggested.

Price per bushel.

Best varieties.

Corn—Same as Wheat.

Oats—Do. do.

Rye and Barley, Peas and Beans—Do.

Buckwheat, Millet—Do.

Grass—Hay.

Clover and Timothy Seeds.

Root Crops—Potatoes.

Turnips.

Mangel Wurzel.

Fruit.

Sugar—Maple.

Honey—Bees.

Breeds of Cattle.

Dairy products.

Sheep and Wool.

Pigs and Pork.

Horses—Breeds.

Poultry—Breeds.

Implements and Machinery.

Manures.

Farm buildings, and shelter for Stock.

Proposals for improvements, or other remarks.

Names of the President, Vice President, Secretary, Treasurer, Directors, Members, paid in year,
and list of premiums.

Income { Certified Account.
Balance from previous year,
Subscriptions of year past,
Provincial Grant for year past,

Expenditure { Premiums,
Seeds imported,
Implements,
Stock,
Charges of management,

Account Current with Treasurer.