

such County so to be appointed as aforesaid, to receive all monies which shall be raised under any Bye Law to be made as herein provided by the Council of the County wherein he shall have been so appointed Treasurer, and also all fines and penalties authorized to be inflicted in any such County by this Act, and made payable to such Treasurer, and also all monies which under any Act of the General Assembly of this Province in force at the time shall be made payable to such Treasurer, and also all other monies belonging or due to the Corporation and made payable to the Treasurer, and to apply and account for the same in such manner as may be prescribed by any Bye Law of such County, or by any Act of the General Assembly of this Province in force for the time being, and shall at all times when required render accounts to the Council of all monies received and paid by him, and such Treasurer shall be allowed to receive such salary or per centage on the monies received by him as the Council shall by any Bye Law order and direct for his service.

XLII. And be it enacted, That there shall be appointed at the first Quarterly Meeting in each year of the County Council two persons to be and be called County Auditors, one of whom shall be appointed by the Warden and the other elected by the Council; provided always, that no person shall be appointed or elected to be such Auditor who shall be a member of the Council, or the Clerk, or Treasurer, or Surveyor of the County, nor any person who shall have directly or indirectly by himself or in conjunction with any other person, any share or interest in any contract or employment with, by or on the behalf of such Council; and provided also, that no person appointed or elected Auditor for such County, shall be capable of acting as such, unless he shall have previously made and subscribed before the Warden or any two of the Councillors for such County, (who are hereby authorized to administer the same) an oath in the words or to the effect following, (that is to say):

"I, A. B. having been appointed or elected (as the case may be) to the office of Auditor for the County of _____ do hereby promise and swear that I will faithfully perform the duties thereof, according to the best of my judgment and ability, and I do hereby solemnly declare and swear that I have not directly or indirectly any share or interest whatsoever in any contract or employment with, by or on behalf of the Council of this County. So help me God."

XLIII. And be it enacted that every person authorized by Law to make an affirmation in stead of taking an Oath, shall make such affirmation in every case in which by this Act an Oath is required to be taken, and if any person taking any Oath required by this Act, or making any affirmation instead of taking such Oath, shall wilfully swear, or affirm falsely, such person shall be deemed guilty of wilful and corrupt perjury, and be liable to the pains and penalty by Law provided for that offence.

XLIV. And be it enacted that it shall be the duty of the County Auditors appointed for any such County, after having been duly sworn, to examine into and audit the Treasurer's and all other County Accounts as may be referred to them by the County Council from time to time for that purpose and to report thereon to the County Council at the then next Quarterly Meeting, and for this purpose such Auditors are authorized to call for all Vouchers and Books that they may judge requisite for elucidating such Accounts from the County Treasurer and all other persons rendering such Accounts, and no Accounts shall be allowed and passed by the Council against the County until the same shall have been so audited and reported upon by such Auditors, and all Accounts so Audited shall be open at all reasonable times to the inspection of any elector of such County.

XLV. And be it enacted that it shall be lawful for the Council of any such County at any Quarterly Meeting to appoint in and for such County, some fit and proper person to be and be called the County Surveyor, whose duty it shall be to superintend the execution of all works undertaken in pursuance of any Bye Law of the Council of such County, and to take care of all fixed property belonging to such County, to examine and report upon all estimates of proposed works, and to enforce the observance of all contracts for the execution of works undertaken for, or, on the behalf of such County Corporation, and to report annually, or oftener if need be to the Warden upon the state of the works in progress, and of the fixed property belonging to the Corporation of such County, and all such annual or other reports shall be laid by the Warden before the Council at the Quarterly Meeting next, after any such report shall have been received, together with an estimate of the probable expenses of carrying on such works and managing such fixed property during the then current or next ensuing year; provided always, that no person shall be appointed to be such Surveyor, unless and until he shall have been examined and declared qualified for the office by the Board of Works for the Province, if any such there be at the time, and if no such Board of Works shall have been established, then by such competent body or person or persons, as the Lieutenant Governor shall appoint for that purpose.

XLVI. And be it enacted, That it shall not be lawful for any person to hold at the same time more than one County office in any County incorporated by this Act, nor shall it be lawful for the partner of any County officer to hold any County office in the same County wherein such officer shall be employed, nor shall it be lawful for any such officer to have directly or indirectly any share or interest whatever either for himself or his partner in any contract for executing any work to be undertaken by, for, or on behalf of the Council of such County.

XLVII. And be it enacted, That it shall be lawful for the Council of every such County to make Bye Laws for all or any of the following purposes that is to say:

For the making, maintaining or improving of any new or existing Road, Street or other convenient communication and means of transit within the limits of such County or for the putting up, altering or diverting of any Road, Street or communication within the limits aforesaid, (not being any of the Great Roads of communication then under the control of the Board of Works of the Province.)

For the erection, preservation or repair of new or existing Bridges and public buildings.

For the purchase of such real property situate within the limits of such County as may be required for the use of the inhabitants thereof.

For the sale of such part or parts of the real property belonging to such County as may have ceased to be useful to the said inhabitants.

For the superintendence and management of all property belonging to the said County.

For providing means for defraying such expences of, or connected with the administration of justice within the said County as are or may be hereafter by Law directed to be defrayed by the County or out of the County funds.

For providing for the establishment of and the reasonable allowance for the support of Schools, Hospitals, and the erection of School Houses.

For raising, assessing, levying and appropriating such monies as may be required

for the purpose of carrying into effect all or any of the objects for which the said County Councils are hereby empowered to make Bye Laws, which monies shall be raised either by means of Tolls to be paid in respect of any Public Work or Works within the limits of the said County, or by means of rates or assessments to be assessed and levied on real or personal property, or both, within the limits of such County, or in respect of such property upon the owners and occupiers thereof.

For the collection of and accounting for all Tolls, Rates and Assessments imposed or raised under the authority of any such Council, and of the Revenues belonging to such County.

For imposing and determining reasonable penalties to be recovered from such persons as having been elected to offices as hereinbefore provided, shall refuse to serve the same, or refuse or neglect to take and subscribe the Oaths of office as heretofore prescribed for such officers respectively, and for any breach of any of the Bye Laws of the Councils.

For determining the amount, and manner and time of payment of all salaries, fees or other remuneration of County officers, to be appointed under the authority of this Act.

For establishing rate of commutation to be paid in money by each person bound to perform Statute Labour on any Road within the County, in lieu of such labour, and for directing how such commutation money shall be collected, levied and applied until some general Law of the Province shall be made in that respect.

For providing for any other purpose, matter or thing which shall be specially subjected to the direction and controul of the said County Council by any Act of the Legislature of this Province but no such Bye Law shall impose any punishment of imprisonment or any penalty exceeding £5.

Provided always and be it enacted, That it shall not be lawful for any such County Council to impose, lay or levy, or to make any Bye Law for that purpose, any rate or assessment whatever on any land or tenements, goods or chattels, real or personal estates belonging to Her Majesty, Her Heirs or Successors: Provided also and be it enacted, that in assessing any rate or tax which shall be levied under the authority of the provisions of this Act, such property only shall be assessed for rates in any such County as is now or shall hereafter be made by any Act of the General Assembly liable by Law to be assessed for County and Parish Rates, and that in making any such assessments, all such property shall be respectively valued at the rates at which it is by the Laws of the Province directed to be valued in making assessments for County and Parish Rates; provided always, that the assessments shall not in any case exceed the sum of _____ pence in the pound on the assessed value; and provided also, that the sum to be raised under any Bye Law, shall be limited by such Bye Law, and shall be apportioned and assessed equally upon all such property within the limits of such County as is made liable to assessment for Parish and County Rates by the Laws of the Province.

XLVIII. And be it enacted that all lawful debts and liabilities of any County that shall be hereafter incorporated under the provisions of this Act existing, undischarged at the time of such incorporation, shall be assumed and paid by the Council of such County, corporate from and after the time when the Charter of such Corporation shall have been put into operation, on the same terms and conditions as they would have been payable or might have been enforced against such County before so incorporated, and all debts, obligations and liabilities of any kind whatever due or contracted in favor of any such County, prior to such incorporation, and all property of a public nature belonging to such County shall at the same time become vested in and due to, and may be enforced by the Council of such County, on the same terms and conditions as they would have been due to and might have been enforced by the Justices or other public authorities of such County, if this Act had not been passed; provided always, that it shall not be lawful for any such County Council to issue, or authorize the issuing of any Bill or Note, or in any way to act as Bankers, or to authorize any person or party to act as such.

XLIX. And be it enacted, That all allowances or per centage granted to any Collector or Treasurer by any Law now in force on monies collected or received by him which will after the granting of any such Charter of Incorporation, be subject to the disposal and controul of the County Council, shall and from after the said day, continue to be allowed to such Collector or Treasurer, until it be otherwise ordered by a Bye Law of such Council subject always to the provisions hereinbefore made for the auditing all accounts, and all salaries, wages and allowances of any kind enjoyed by any County, Town or Parish officers for any such County, for any services performed with regard to matters placed under the controul of the County Council, shall continue to be allowed and paid until otherwise ordered by such Collector.

L. And be it enacted, That all rules, orders and regulations of any kind made before the granting of any Charter of Incorporation to such County by the Justices of the Peace of the County, relating to any assessment, road, public work, matter or thing within the limits of such County, and by this Act placed under the controul of the County Council shall remain in force and effect until it be otherwise ordered by the County Council: Provided always and be it enacted, That it shall not be lawful for any such Council to pass any Bye Law for performing any public work within the limits of any such County not commenced or ordered to be commenced by the Justices of the Peace for the County before the day last aforesaid, without having first received an estimate of such work prepared, examined and reported on by the County Surveyor, and if the costs of such work in the opinion of such Surveyor exceed the sum of £ _____ currency, such estimate shall also be examined and reported upon by the Board of Works for the Province if any there be, and if not by some other competent body or person for that purpose to be appointed by the Governor; and provided also, That every such work to be executed in pursuance of any such Bye Law shall be executed under a contract in writing: Provided always and be it enacted, That an authentic copy of every Bye Law passed by any County Council shall forthwith after the passing thereof be transmitted by the Warden of the County, or Chairman of the Council for the time being, who may have supplied the place of the Warden to the Secretary of the Province who on receipt of the same shall note on such copy the time of its receipt, and shall lay the same before the Governor; and no such Bye Law shall be of any force or go into operation until the expiration of forty days, after an authentic copy thereof shall have been received at the office of the Secretary of the Province as aforesaid; and it shall be lawful for the Governor, by and with the advice of the Executive Council, at any time within the said period of forty days after such receipt, by his order in Council, to declare his disallowance of any such Bye Law, and such disallowance together with a certificate under the hand of the Secretary of the Province, certifying the day on which such Bye Law was