

received as aforesaid, shall with all convenient speed be signified to the Warden of the County wherein such Bye Law shall have been passed, and such Bye Law so disallowed shall be void and of no effect; and provided also, that any Bye Law repugnant to the Law of the land, or to any of the provisions of this Act, shall be void and of no effect.

LII. And be it enacted, That the County Council of any such County, at any of their Quarterly Meetings, shall have power to order and direct the raising of such sum or sums of money by assessment on the inhabitants of such County as may be requisite for the payment of all salaries and accounts due to the County Officers that shall be appointed under the provisions of this Act, and other persons by such Council, or to defray the costs of any work which such County Council may direct to be performed at the expense of such County.

LIII. And be it enacted that the Warden of every such County shall, at least ten days before the day appointed for the meeting of the Legislature of the Province, in every year transmit to the Governor a statement of the Accounts of such County, exhibiting an abstract of the receipts and expenditure during the preceding year, and all such Accounts so transmitted shall, by the said Governor be laid before the two Houses of the Legislature of this Province at the Session of the General Assembly next following the transmission of such Accounts.

LIV. And be it enacted that no Counsellor of any such County shall in any case receive, or be entitled to any salary, allowances, profit, or emoluments whatever for his services as such Counsellor, or by reason of his being such Counsellor.

LVI. And be it enacted, That all and every the powers and authority which by any Act or Acts of the General Assembly of this Province now in force are vested in the Justices of the Peace of any County in this Province so to be Incorporated with regard to Highways and Bridges, or work connected therewith, and to appointment of Surveyors of Roads and other road affairs, or to the making of any rates or assessments for any purpose connected with any of the subjects, concerning which power is hereby given to the County Council of any such County to make Bye Laws, or to the making of any orders, rules or regulations touching any such subjects, shall from and after the time of such Incorporation (so far as relates to such Incorporated County) become and be vested in and may be exercised by the County Council for such County within the limits of such County, and the same powers and authority shall cease to be vested in or exercised by any of such Justices of the Peace; but nothing in this Act contained, shall be construed to extend to abridge any judicial power or authority of any Justice of the Peace, or of any Court in this Province now legally vested in such Justices or Court within the limits to which any such County may extend, except so far as the same are by this Act taken away or abridged, or the exercise thereof may be inconsistent with the provisions of this Act.

LVI. And be it enacted, That nothing in this Act contained shall extend to any Toll Bridge or Road belonging to any Company whether incorporated or otherwise, or to any individual or number of individuals, nor to any Public Work that may hereafter be vested in any Board of Works that may be legally established in this Province, or placed by Law under the exclusive controul of any such Board of Works, or to any Provincial Work or Works belonging to or under the controul of Her Majesty's Home or Provincial Government or the Military Authorities.

LVI. And be it enacted, That all fines and penalties imposed by this Act or by any Bye Law that may be made by the County Council of any such County under the direction of this Act, and with regard to which no special provisions for the recovery thereof is hereby made, may be recovered with costs, on the oath of one credible witness other than the prosecutor, by summary proceeding before any Justice of the Peace resident within the County in which such fine or penalty shall have been imposed and may upon conviction thereof, if not then forthwith paid, be levied by distress and sale of the goods and chattels of the offender, by warrant under the hand and seal of such Justice, and all such fines and penalties as are imposed by this Act shall when so recovered be paid and applied as this Act directs, and all fines and penalties that may be imposed by any Bye Law to be made by any such County Council, shall when recovered be paid and applied as such Bye Law may direct; provided always, that no informer or other person who is to receive for his own benefit any part of any such fine or penalty when recovered shall be a competent witness for the prosecution for such fine and penalty, unless he first relinquish in writing all his proportion of such fine or penalty, and in that case the whole fine or penalty shall be paid and applied in the same manner and to the same purpose as the Law imposing the same may direct that portion of it to be applied which was not to go to the informer or prosecutor: Provided always and be it enacted, That no person shall be deemed incompetent to be a witness in any prosecution or suit for the recovery of any such fine or penalty or in any suit for the recovery of any sum of money payable to the Treasurer of any such County, or due to the Corporation thereof, or in any suit wherein such Corporation may be a party, or interested in the result thereof, by reason of such person being an inhabitant of such County, or member or officer of such County Council, or in their employ, provided such person have no other or immediate interest in the result of such suit or prosecution which would by Law render him incompetent to be such witness.

LVII. And be it enacted, That all Rates and Tolls imposed by any County Council of any such County as aforesaid, under the authority of this Act, shall be assessed, collected, paid, recovered, secured and levied in manner as may be directed by the Bye Laws imposing the same, and by such officers as may be appointed by such County Council at any quarterly meeting as Assessors and Collectors for that purpose, so far as the provisions of any such Bye Law may not be inconsistent with the provisions of this Act or any Law of the Province in force at the time such Bye Law may be made.

LVIII. And be it enacted, That all rates for any public purpose whatsoever not within the scope of the provisions and authority hereby vested in such County Councils as aforesaid, which the inhabitants of any such County are now liable to or may hereafter be made liable to by any Law of the Province, shall be continued to be assessed upon and paid by such inhabitants of any such County under the provisions of this Act as before the passing of this Act until it be otherwise directed by any Acts of the Legislature of this Province.

LIX. And be it enacted, That the expenses of levying, collecting and managing the Rates and Taxes that may be legally imposed by the County Council by Bye Law or otherwise in any such County as aforesaid, shall form the first charge on such County Funds; that all sums of money which may be made payable out of the funds of any such County to the Sheriff, Coroner, Gaoler or any other officer or person for the sufficient care and safe keeping of prisoners in any Gaol, or for the building, repairing and maintaining of any Court House or Gaol, or for any other purpose whatever connected with the administration of

justice within such County, which may be made chargeable upon the funds of such County by any Law of the Province, or by any Bye Law of such County Council shall form the second charge upon such County Funds, and shall be paid out of the same by the County Treasurer before and in preference to all other charges whatever, except the expenses forming the first charge; That all debts and liabilities of any such County created before the Incorporation thereof, and assumed by such County Council under the provisions of this Act, shall at the time and on the condition on which they shall become due, and payable be the third charge upon such County Funds; that all sums of money that may hereafter be made payable out of the County Funds of any such County, for any public purposes whatsoever, other than those before mentioned in this section, and not within the scope of the powers of the County Council, shall form the 4th charge on such County Funds, and that all sums and expenses not included in any of the before mentioned charges directed by any Bye Law of any such County Council, to be paid out of any such County Funds, shall in the order in which they shall be so directed to be paid form the fifth charge on such said Funds.

LX. And be it enacted, That nothing in this Act contained, shall be construed to repeal or affect any enactment or provisions of any Law in force in this Province, or any power, right, authority, duty, obligation or liability thereby conferred and imposed upon any officers, party or person or the election or appointment of any County or Parish officers, unless so far only as such enactment or provision shall be inconsistent with or repugnant to the express enactments or provisions of this act, or the attainment of the objects and purposes thereof, according to its true intent and meaning.

LXI. And be it enacted, That it shall be lawful for the Governor of this Province by Proclamation to be issued by and with the consent of the Executive Council, when and as often as circumstances shall in his and their opinion warrant such a measure, to dissolve all or any of the aforesaid County Councils that shall be then established under the provisions of this Act, and in every case of a dissolution of such Council or Councils, the Warden of every such County Corporate wherein such dissolution shall have taken place, shall within ten days after such dissolution, issue his warrant in the name of Her Majesty, Her Heirs or Successors, under his hand and seal, directed to some competent person in the several Parishes as hereinbefore provided to preside at the election of Councillors, requiring him to proceed after due notice in that behalf to the electors qualified as aforesaid, to cause a new Election to be made in such County of Councillors for the County Council, according to the provisions of this Act; and such new Election shall in all cases be governed by the same rules and provisions as are herein before provided for the election of such County Councillors, and in all cases where such new election of County Councillors after a dissolution shall have taken place as aforesaid, the period at, from and after which Councillors shall vacate their seats in certain proportions as hereinbefore provided shall commence upon and be accounted from the day of next following such new Election, and the retirement of Councillors in the first and second years after such new Election, shall in all respects be regulated by the provisions hereinbefore contained with respect to the retirement of Councillors to be first elected at the first Election to be held under and by virtue of this Act in the first and second years after that in which such new Election shall be had.

LXII. And be it enacted, That nothing in this Act contained shall abridge, limit or defeat any rights, power, privileges or jurisdictions of the Corporation of the City of Saint John.

LXIII. And be it enacted, that the word Governor, wheresoever it occurs in the foregoing enactments of this Act, shall be understood and construed as comprehending the Lieutenant Governor or person authorized to execute the office or functions of Lieutenant Governor and Commander in Chief of this Province; and where the words Executive Council are used, they shall be understood and construed to mean the Executive Council of this Province for the time being.

LXIV. And be it enacted, That if the inhabitants, freeholders and householders of any Town, District or portion of any County in this Province shall be desirous of being incorporated for particular purposes, and shall make it appear by Petition to the satisfaction of the Governor that not less than two thirds of the male inhabitants of such District or portion being freeholders and householders within such District paying Parish and County Rates, and having signed such Petition thereby setting forth their desire that such Town, District or portion of such County shall be constituted and incorporated as a Borough by a particular name, with certain metes and bounds, in such petition to be specified, that then it shall be lawful for the Governor, by and with the advice of the Executive Council, if he shall think fit, to grant to such Town, District or portion of such County, a Charter of Incorporation under the Great Seal of this Province, specifying therein the particular bounds and limits to which such Charter of incorporation shall extend, and thereby constituting such Town, District or portion of such County by such bounds or limits a Borough Corporate by the name therein to be mentioned, under and subject to all the provisions of this Act which shall be applicable to the same, with such powers, authorities and provisions as shall be particularly set forth and expressed in such Charter of Incorporation, and thereupon the said Town, District or portion of such County shall be a distinct Borough Corporate, and shall be freed and exempted from the controul and jurisdiction of the Corporation of the County so far as regards the said powers, authorities and provisions expressed and contained in the said Charter so to be granted to the said Borough and no farther; provided always, that before any such Charter shall be granted, such petition with the signatures thereto shall be published and proof of such publication made in all respects as is hereinbefore directed in the case of a Petition for a County Charter before any such Charter shall be granted; and it is hereby declared and enacted, that all and every such Charters and Charter of Incorporation that may hereafter be granted without the publication of such Petition for the same for the time and in the manner herein directed being first made, are and is hereby declared to be null and void and of no effect, any thing herein contained to the contrary thereof in any wise notwithstanding.

SCHEDULE.

NAMES Of the Inhabitants, Freeholders or Household- ers in the last Assessment Roll for the	NAMES OF CANDIDATES.					
	A	B	C	D	E	F
John Bull,	-	-	-	-	-	-
Patrick O'Neill,	-	-	-	-	-	-
David Loyd,	-	-	-	-	-	-
Dugald Scott,	-	-	-	-	-	-
Peter Jones,	-	-	-	-	-	-
Amos Squiggs.	-	-	-	-	-	-