

' Sewers, and it is considered reasonable and proper that the proprietors of such Marsh should have power to choose such Commissioners of Sewers ;'

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council and Assembly, That when the proprietors of at least — acres of Marsh Land in the aggregate, situate in any Parish in this Province, shall be desirous of having Commissioners of Sewers chosen agreeably to the provisions of this Act, and shall signify such desire by Petition to the Court of General Sessions of the Peace of the County within which such Marsh Land may be situated, it shall be the duty of such Court to take order therein, and by an order of such Court to divide into Districts, and describe by known metes and bounds, such parts and portions of the Marsh Land situate in such Parish as they may think proper, distinguishing each District by a number, (and having regard in establishing such District as near as may be to what has hitherto been treated and considered as separate bodies or blocks of Marsh Land,) with an estimate of the supposed number of acres of Marsh in each District ; and such Court may from time to time alter, add to, or increase the number of Districts of Marsh in such Parish ; which orders and determinations of such Court from time to time made shall be entered in the Minutes of such Court.

II. And be it enacted, That it shall be the duty of the Clerk of such Court of General Sessions, within thirty days after the first order of the Court dividing the Marsh into Districts as aforesaid, to furnish the Sheriff of the County with a copy of the same, certified under the Hand and Seal of Office of such Clerk.

III. And be it enacted, That such Sheriff or his Deputy in that behalf, shall, with all convenient dispatch after receiving such certificate, proceed to hold a meeting of the proprietors of Marsh in such Parish, at some convenient place within the Parish, first giving thirty days public notice in three or more public places within the same, of the time and place of meeting, for the purpose of choosing five Commissioners of Sewers in and for the said Parish ; and at the time and place appointed, such Sheriff or Deputy Sheriff shall preside at such meeting, and proceed to take the poll, and enter the same in a book to be provided for the purpose, in the form of the Schedule hereunto annexed (or in words and figures to like effect) ; which poll shall be kept open until six o'clock in the afternoon ; and if all the proprietors shall not have then voted, the same may be adjourned until nine o'clock in the forenoon of the next succeeding day, and kept open until three o'clock in the afternoon of such succeeding day, when the poll shall be finally closed.

IV. And be it enacted, That every proprietor of Marsh Land which may be of the annual value of not less than five shillings per acre, situate in any District established in such Parish, whether male or female, shall be entitled to vote at such election, except children under the age of sixteen years ; provided that no proprietor at such election shall be entitled to vote for any Bog or sunken Marsh not yielding from the produce thereof the annual value of five shillings or more per acre.

V. And be it enacted, That the votes of such proprietors of Marsh to be given and taken at such election, shall be as follows : each proprietor shall have as many votes as he owns acres of Marsh in such District, exclusive of all fractional parts ; and in case the number of votes claimed by any voter should be disputed at the time he offers to vote, by any other proprietor, then before such votes are received and entered, the person claiming the right to vote shall take the following oath : " You do swear that you are the proprietor of — acres of Marsh, of the annual value from the produce thereof of five shillings for each and every acre, situate in District number —, of the Parish of —, [or — acres in District number —, and — acres in District number —,] and that you are entitled to vote therefor at this election of Commissioners of Sewers ; and that you have not before

voted at this election : " Which oath the said Sheriff or Deputy is hereby authorized and required to administer ; and no other proof of qualification shall be required of such voter.

VI. And be it enacted, That the Sheriff shall forthwith, after the final closing of the Poll, make return of his proceedings, together with the Poll Book, sealed up, into the Office of the Clerk of the Peace for the County, to be by such Clerk laid before the next Court of General Sessions of the Peace for said County.

VII. And be it enacted, That it shall be the duty of such Court to open and examine the Poll Book so returned ; and if no substantial irregularity shall be made to appear, the same shall be confirmed, and the Court shall thereupon proceed to ascertain from the Poll Book which five Candidates have the highest number of votes ; and if it shall appear on such examination of the Poll Book, that the proprietors of one half of the estimated number of acres in any District shall not have voted at such election, then the votes given on account of the Land in such District, shall be struck off and not allowed : and if after such examination and adjustment it appear that two or more Candidates have an equal number of votes, such Court shall then determine by lot which of such Candidates shall be deemed to have the majority, one over the other ; and such Court shall then fix and determine the respective periods of service of each Commissioner, as follows : The Commissioner having the lowest number, to serve until the last day of April which shall first happen after the expiration of one year from the time of such examination and confirmation by such Court ; the Commissioner having the next lowest number of votes, to serve for the period of two years, reckoned in like manner ; and so on with the others ; so that the Commissioner having the highest number of votes shall serve until the thirtieth day of April which shall so happen after the expiration of five years from the time of such examination and confirmation as aforesaid ; which confirmation and determination shall be entered in the Minutes of said Court : and it shall be the duty of the Clerk of said Court forthwith to furnish the Commissioners so elected and confirmed with a copy of the same, in order that such Commissioners may be notified of their appointment, and be sworn into office, which any Justice of the Peace of the County in which such Marsh Land is situate, is hereby authorized to do ; and any Commissioner so elected, confirmed and notified, who shall neglect for the period of one month after the receipt of such notice to take the oath of office shall be deemed to have refused to accept such office.

VIII. And be it enacted, That the persons so chosen, confirmed and sworn as Commissioners of Sewers for any such Parish, shall be deemed the Commissioners of Sewers in and for said Parish, with all the duties, powers, authorities and privileges imposed and conferred in and by an Act made and passed in the tenth and eleventh years of the Reign of His late Majesty King George the Fourth, intituled " An Act to repeal certain Acts relating to Commissioners of Sewers, and to make more effectual provisions in lieu thereof," during the period of their respective times of service ; and in case of refusal to act as aforesaid, death, or expiration of the time of service of any such Commissioners, the remaining Commissioners shall still have power to act, and shall be deemed the Commissioners of Sewers for said Parish ; provided that no rate shall be made or imposed without the consent of a majority of the existing Commissioners, and that not less than two shall be a quorum for the making of any rate or assessment.

IX. And be it enacted, That in any Parish for which Commissioners may have been so chosen and confirmed, there shall always afterwards be held a meeting of the proprietors of Marsh, on the first Tuesday in May in every year, at some convenient place in said Parish, for the purpose of choosing Commissioners to supply any vacancies which may have happened by the