

death, expiration of the period of service, or refusal of any Commissioner to qualify and accept the office; at which annual meeting, some or one of the Commissioners remaining in office shall preside and take the poll to supply such vacancies, in all respects the same as is before provided for the Sheriff or his Deputy; which poll may in like manner be adjourned, and shall be finally closed on the second day at three o'clock, P. M., when the Commissioner or Commissioners taking such poll, shall proceed to count up the votes of duly qualified proprietors given at such election for the Candidate or Candidates, allowing the votes of any such proprietor of Marsh in any District which may then be under the jurisdiction and authority of the Commissioners of Sewers of such Parish, although a majority of acres in such District may not have been voted for at such election, but striking out the votes for Marsh in any District not then under the jurisdiction and authority of such Commissioners of Sewers, when it shall appear that a majority of the estimated number of acres therein shall not at such annual meeting have been voted for; and such Commissioner or Commissioners taking such poll, shall in like manner as directed for the Sheriff, return and file the proceedings and Poll Book of such election in the Office of the Clerk of the Peace, to be laid before the next Court of Sessions of the Peace, for examination and confirmation; which Court shall in like manner, as before directed, examine such proceedings and Poll Book, and if no substantial irregularity be made to appear, shall confirm the same, and proceed to ascertain from such return and Poll Book the name or names of the Commissioner or Commissioners elected, and fix the periods of service as follows: If only one Commissioner be elected, his period of service shall expire on the day preceding the annual election to take place five years after the time he was elected; and if two be elected, the period of the service of the Commissioner having the lowest number of votes shall be four years from the like time to expire on the like day, and so on if more be chosen; and in case of any two or more Commissioners having an equal number of votes, the Court shall determine by lot in like manner as before directed by the seventh Section of this Act, which Commissioner shall be deemed, for the purpose of determining such period of service, to have the greater number of votes; which determination and confirmation shall be entered in the Minutes of said Court, and notice of appointment given to the Commissioners in like manner as is provided in the case of the first election before the Sheriff or his Deputy; provided that the neglect of any Commissioner chosen and confirmed agreeably to this Act, to be sworn within the time prescribed, or the neglect or omission to hold any annual meeting for the choice of Commissioners to supply vacancies, shall not in any wise affect the powers or authority of the remaining Commissioners of Sewers, but the vacancies then or afterwards happening before the next annual meeting, may be then supplied.

X. And be it enacted, That when the proprietors of a majority of acres, in any District, shall be desirous of withdrawing the same from the jurisdiction and control of the Commissioners of Sewers in the Parish in which the District is situated, and shall make application in writing to any Court of Session of the Peace for the County, the said Court may, by order, allow the same to take effect at such time, not exceeding six nor less than three months from the time of such order, as such Court may in such order direct, and after the time appointed for such order taking effect, the Commissioners shall cease to have any jurisdiction or control over such District, and the same shall be deemed withdrawn; provided that any rate made before the time for such order taking effect, may still be enforced and levied in all respects the same as if the said District had not been withdrawn; provided that such District may, at any time, be restored to the jurisdiction and control of such Commissioners of Sewers, either by the consent

of the proprietors of a majority of acres therein given in writing, or by the proprietors of a majority of acres voting at any election of Commissioners of Sewers, as in other cases hereinbefore provided for.

XI. And be it enacted, That when and so soon as the Commissioners, or any two of them so chosen before the Sheriff, and confirmed by such Court, shall have taken the oath of office, any former existing Commission for the appointment of Commissioners of Sewers in and for the Parish, shall be deemed to be cancelled and void, and all the powers and duties of any such previous Commissioners shall cease and determine; provided that any matter or thing by them before done under such cancelled Commission, agreeably to the directions of the said first recited Act, shall be held valid, and all rates imposed may be enforced by the elected Commissioners; and provided also, that nothing in this Act contained, shall affect or be construed in any wise to affect the appointment of Commissioners of Sewers under the Act passed in the third year of the Reign of Her present Majesty, intituled "An Act in addition to the Acts now in force relating to Commissioners of Sewers."

XII. And be it enacted, That every person allowed by Law to make an affirmation instead of taking an oath, shall be allowed to affirm in every case where, by the provisions of this Act, an oath is required to be taken; and if any person taking any oath or making affirmation as required by this Act, shall willfully swear or affirm falsely, such person shall be deemed guilty of wilful and corrupt perjury, and shall be liable to all the pains and penalties by Law provided for that offence.

XIII. And be it enacted, That for holding such first election of Commissioners of Sewers for any Parish, the Sheriff shall be entitled to demand and receive the sum of — pounds, and the Clerk of the Court of Sessions for the services required of him by this Act, shall be entitled to such reasonable fees as are provided in other cases for services of like extent; all which shall be paid by the Commissioners of Sewers for such Parish, and may be by them rated and imposed on the Marsh under their jurisdiction and control, in like manner as the charges allowed for their own services are imposed.

XIV. And be it enacted, That throughout this Act, in the construction thereof, except there be something in the subject or context inconsistent with or repugnant to such construction, the word "Marsh" shall extend to and mean the Marsh, Low Lands, and Meadows, referred to in the first recited Act; the word "Proprietor" shall extend to and mean the owner in fee of any such Lands, either in possession by himself or his Tenant under a lease not having seven years to run, the Mortgager, Tenant by courtesy, Tenant in Dower, Tenant for life, or for years under a lease having seven years to run, of any such Lands, and being in possession thereof; and when the subject of context requires it, every word importing the singular number, or the masculine gender only, shall include and extend to several matters as well as one matter, and several persons as well as one person, and females as well as males, and bodies corporate as well as individuals.

(No. 217.)

CROWN LAND OFFICE, August 29, 1848.

THE undermentioned Lots of Crown Lands will be offered for sale by Public Auction, on Tuesday the third day of October next, at noon, by the respective Deputies, at their Offices, agreeably to the Regulations of 11th May, 1843, and no sale on credit will be made to any person who is indebted to the Crown for previous purchases.

NOTE—No person is allowed to hold more than one hundred acres payable by instalments.

RESTIGOUCHE.

By Deputy Montgomery, at Dalhousie.

102 acres, lot 43, block 1, Colborne, J. Gaudin.

66 acres, lot 28, block 2, Colborne, A. Dutch.

100 acres, lot 31, block 2, Colborne, J. Dutch.

55 acres, lot 11, Heron Island, improved by J. M'Allister, upset price 10s. per acre.