

In the County of Sunbury, on the last Tuesday in February.
In the County of Restigouche, on the last Tuesday in August.
In the County of Victoria, on the Wednesday before the last Tuesday in September.

3. Special Courts of Oyer and Terminer and General Gaol Delivery may be held when necessary in any County, with the same powers, privileges, incidents, and duties in all respects as to crimes and offences, as the several Courts provided by this Act, for which purpose a Commission shall be issued as is now the practice.

4. The several Courts shall be opened and commence at the time prescribed therefor, and continue as long as may be necessary for the dispatch of business. If it should happen from any unavoidable cause that a Court should not be opened on the day appointed therefor, the same may be done on the following day, unless it be a day of public rest, then on the next succeeding day; but all proceedings shall be as of the first day, and relate thereto. All parties, witnesses, jurors, and other ministers of the law, shall attend, and be bound by the same penalties in all respects as if the Court had been opened at the proper time.

5. The Clerk of the Crown in the Supreme Court shall be Clerk of the Crown and of Nisi Prius at the Sittings for the County of York.

6. When it may be necessary to finish the business, the presiding Judge may adjourn any of the said Courts to a future day, though a Term of the Supreme Court intervene, and though in case of a Special Court, the time limited by the Commission expire.

7. All parties, ministers of the law, jurors and witnesses summoned, shall, if required by the presiding Judge at the time of adjournment, attend such adjourned Court, or new juries may be drawn and summoned to attend, and be charged with the like pains and penalties for any misdemeanor or default at such adjourned Court, as at the first Court, but no witness in a civil cause shall be liable to any proceeding for non-attendance, unless duly served with a Subpœna to attend such adjourned Court, and his expenses be paid or tendered.

8. The record and proceedings shall in all respects be dealt with as if they were expressed to be returnable at the Term next following the adjourned Courts, and no new cause shall be entered for trial.

9. All Acts and parts of Acts inconsistent with this Act, are hereby repealed.

CAP. XXXI.

An Act to alter and amend the Act providing for the establishment of Municipal Authorities in this Province.

Section.

1. Repeal of Section.
2. Mode of obtaining Incorporation.
3. Duty of Sheriff as to publication.
4. Presiding Officers at the Meetings.
5. Duty of Collector of Rates as to lists; Penalty.
6. Mode of ascertaining opinion.

Section.

7. Duty of Sheriff as to adjournment.
8. Duty of Town Clerks as to return of votes to Sheriff, and his duty thereon.
9. Duty of Sheriff on two-third vote.
10. When subsequent Meetings may be called.
11. Expenses how ascertained and paid.

Passed 1st May 1854.

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

1. The first Section of an Act made and passed in the fourteenth year of the Reign of Her present Majesty, intituled *An Act to provide for the establishment of Municipal Authorities in this Province*, is hereby repealed; provided that all matters and things heretofore done, and all Municipalities heretofore formed and established under and by virtue of the Section hereby repealed, shall remain in full force and effect in like

manner as if the said Section had not been hereby repealed, any thing in this Act contained to the contrary notwithstanding.

2. If it be desired that any County shall be incorporated under the provisions of the Act of which this is an amendment, the same shall be signified to the Lieutenant Governor in Council in manner following:—At least one hundred of the resident freeholders and householders of the County, paying rates upon property, shall by Petition to the Sheriff, pray that public meetings may be called at some one of the Polling places fixed by law for the election of Representatives to serve in General Assembly, in the several Parishes in the County, for the purpose of taking into consideration the propriety of incorporating the County.

3. The Sheriff shall thereupon give at least three months public notice of the day and hour at which such public meetings shall be held; the notice shall contain a copy of the Petition, and of the names of the signers, it shall be published at least in eight weekly numbers of a Newspaper printed and circulating in the County, if any, and also shall be published by printed hand bills in at least ten of the most public places in each Parish.

4. At the meeting in the Shire Town the Sheriff shall preside, and in the other Parishes the Town or Parish Clerk shall preside.

5. On such notice being given, the Collectors of Rates in each Parish shall, at least ten days previous to the day appointed for such meetings, furnish the officer appointed to preside thereat, with correct lists under oath of all the rate payers upon property within such Parish, who were rated for Parish and County rates at the last assessment, and on failing to deliver such lists, he may be committed by two Justices of the Peace to the County gaol, there to remain without bail or mainprize until such lists be furnished.

6. At such meetings it shall be put to vote whether the County shall or shall not be incorporated; and the presiding officer shall take down in writing the names of all resident householders and ratepayers upon property who shall vote on the question, and shall state whether they vote in the affirmative or negative.

7. The Sheriff shall, after taking the question, adjourn the meeting at the Shire Town to some day not more than six days after the first meeting.

8. The Town or Parish Clerks in the several Parishes shall, within two days after the meeting, return to the Sheriff of the County the list of the names of those voting both for and against the incorporation of the County at the said meetings, and the Sheriff shall on the day to which the meeting at the Shire Town shall have been adjourned, cast up the number of those who shall have voted at the several meetings in the County, and shall then publicly declare the number of those voting in the affirmative and negative on the said question.

9. If two thirds of those voting on the question shall have voted in the affirmative, the Sheriff shall certify the same under his hand and seal to the Lieutenant Governor in Council.

10. If it be decided that the County shall not be incorporated, subsequent meetings may be called at any time after six months from the preceding meetings on the like Petition, and similar notice for taking the question again into consideration as hereinbefore prescribed.

11. All official expenses attending the holding from time to time of the several meetings for the purpose of ascertaining whether or not a County shall be incorporated, and for the purpose of making the returns thereof as required by law, shall be laid before any General Sessions for the County, and after being audited by such Sessions, shall be ordered by them to be paid out of the County contingencies.