

Section.

58. Powers of Sessions as to Taverns, &c. transferred to the Council.
 59. No citizen or officer to be an incompetent witness in Town actions.
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 61. No Mayor or Councillor to receive pay.
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Section.

64. Arrangements for support of poor to be made with Overseers of the Parish.
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 66. New election on equal votes for two or more Candidates for Mayorship.
 67. First election for Mayor, &c. to be held by the Sheriff of the County.

Passed 12th April 1855.

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

1. That from and after the passing of this Act, all the inhabitants of that part of the Parish of Moncton which is bounded as follows, viz:—On the north and east by Hall's Creek, on the south by the Petitcodiac River, and on the west by the division line between the Grants to Christian Trites and Jacob Trites, Junior, shall be a Town Corporate, in right and in name, by the name of "The Town of Moncton," and shall have perpetual succession and a common seal, with power to break, renew, and alter the same at pleasure, and shall be capable in law of suing and being sued, and of purchasing and holding lands and tenements for the use of the said inhabitants, and of making and entering into such contracts and agreements as may be necessary for the exercise of their corporate functions, and to do and execute every other matter or thing incident to such Corporation, subject to the provisions hereinafter mentioned.

2. That the said Town of Moncton shall be and is hereby divided into three Wards, viz: Ward number one, Ward number two, and Ward number three, to be severally bounded as follows:—

Ward number one, bounded on the north and east by Hall's Creek, southerly by the Petitcodiac River, and westerly by the centre of Steadman Street and the Great Road to the Bridge crossing said Creek:

Ward number two, bounded easterly by Ward number one, southerly by the River, westerly by a line running from the River northerly through the centre of Wesley Street to Hall's Creek, and on the north by Hall's Creek:

Ward number three, bounded on the east by Ward number two, on the south by the River, on the west by the westerly boundary of the Town, and on the north by Hall's Creek.

3. That the administration of the fiscal, prudential, and municipal affairs, and the whole legislative power and government of the said Town, shall be vested in one principal officer, who shall be the Mayor of the Town of Moncton, and in six other persons, (and in no other power or authority whatever,) two of whom shall be annually elected for each Ward, and who shall be styled Councillors of the Town of Moncton, all of whom shall be severally elected as is hereinafter directed; and such Mayor and Councillors for the time being shall be the Town Council, and all bye laws made by the said Council shall express to be enacted by the Town Council of the Town of Moncton.

4. That there shall be annually elected at the same time hereinafter appointed for the election of Mayor and Councillors, one Assessor for each Ward; and no person shall be eligible for that office unless he be resident in the Ward for which he may be elected, and qualified to the extent required in the case of a Councillor.

5. That no person shall at any time be qualified to be elected as Mayor, Councillor, or Assessor for the said Town, unless at the time of his election he be resident within the said Town, of the full age of twenty one years, and shall have been assessed in the assessment next preceding such election, for real or per-

sonal estate, or both, within the said Town, to the value of one hundred pounds or upwards, and shall have paid before the time of such election all rates and taxes legally due from him within the said Town.

6. That at the first election under this Act for Mayor, Councillors, and Assessors, no person shall be qualified to vote unless he be of the full age of twenty one years, and possessed at the time of such election of real estate within the said Town of the value of twenty five pounds or upwards; at every subsequent election all persons of the full age of twenty one years, who shall have resided within the said Town for the period of two years, and shall have been assessed for the assessment next preceding such election, and non-residents who shall have been assessed as aforesaid for real estate within the said Town, of the value of twenty five pounds or upwards, and shall have paid all rates and taxes due previous to such election, shall be qualified to vote; the evidence of such payment shall be a receipt from the collector of rates, who is hereby required to furnish the same under a penalty of forty shillings for each refusal.

7. That it shall be the duty of the Assessors in each and every year, to file a copy of the assessment lists for each Ward with the Town Clerk within one month after the same shall be made up, and it shall be the duty of the said Clerk on or before the first day of March in each and every year, to make up from the assessment lists a true and correct registry or list for each Ward, of the persons qualified under this Act to vote at the next ensuing election for Mayor, Councillors, or Assessors, and shall on or before ten of the clock in the morning of the day appointed to hold any election under this Act, deliver to each of the officers appointed to hold the same a copy of the registry or list for the Ward in which he is to preside.

8. That no person shall be qualified to be elected to serve in the office of Mayor or Councillor, so long as he shall hold any office or place of profit in the gift or disposal of the Council, nor during such time as he shall by himself, his partner, or in any other way or manner, directly or indirectly, have any share or interest in any contract or employment with or on behalf of the said Council, nor shall any person accountable for the Town revenues or any part thereof, nor any officer or person presiding at any election of a Mayor, Councillor, or Assessor, while so presiding, nor any Clerk or assistant employed by him at any such election while so employed, be elected to the office of Mayor, Councillor, or Assessor in the said Town; provided nevertheless, that no person shall be disqualified to serve as Mayor, Councillor, or Assessor as aforesaid, by reason of his being a proprietor or shareholder in any Company which shall or may contract with the Town Council for lighting, or supplying with water, or insuring against fire, any part of the said Town; provided always, that such disqualification shall not arise from holding any lease of land from the Corporation; and that no Councillor shall receive into his hands any moneys for and on account of any contract, work, or employment made, done, or performed by or on behalf of or by direction of the said Corporation, but that all moneys due by the said Corporation on any such account shall be paid by the Treasurer of the Town to the person or persons who shall have actually done such work, and shall be entitled to such moneys by, under, or for such contract, work, or employment, or to his or their order.

9. That when any person duly elected to the office of Mayor,