

the said Rector, Church Wardens, and Vestry, and their successors, shall deem it expedient, any Act or Law to the contrary notwithstanding.

2. Nothing in this Act shall be construed to empower or authorize the Rector, Church Wardens, and Vestry, or their successors, to sell or dispose of the whole or any part of the lots of land lying between Germain and Charlotte Streets in the said City, on which the Parish Church and School House now stand; nor of the lots on either side of King Street, under mortgage to the Lord Bishop of Fredericton; nor of the Burial Ground in the Parish of Simonds, belonging to the said Rector, Church Wardens, and Vestry.

3. The moneys arising from any such sale or sales shall be applied to the reduction of the Bond Debt of the said Rector, Church Wardens, and Vestry, as soon as may be after the same are realized; but it shall not be necessary for any purchaser under this Act to see to the proper application of the purchase money, nor shall his title be in any way affected by the misapplication thereof.

CAP. XXXIII.

An Act in addition to and in amendment of an Act to alter and amend the Act to incorporate the City of Fredericton.

Section.	Section.
1. Administration of affairs, in whom vested.	12. In any case of protest, Mayor or person presiding to swear witnesses.
2. Ratepayers only allowed to engage in trade, &c., without licence.	13. Mayor may issue Subpœna to compel attendance of witness, or production of papers, &c.
3. Mayor to grant licence; licence to be in force one year.	14. Witness neglecting Subpœna, penalty.
4. Meaning of term 'Councillor.'	15. Mayor not to have jurisdiction in Civil Suits.
5. Designation of the Meetings of City Council.	16. Power of Mayor and one Alderman to try certain cases; Summons or Warrant may be served or executed in any part of County.
6. Person nominating Candidate for office, to produce Certificate that such Candidate has been assessed, and paid assessment; presiding officer not to enter name in Poll Book, unless Certificate is produced; penalty.	17. Justice of the Peace not to try offences committed within City; exceptions.
7. City Treasurer to furnish duplicate Receipts.	18. In absence of Mayor, Justice of the Peace to try cases.
8. When presiding officer is unable to attend, Mayor or City Clerk to appoint; time for opening Court at nomination; time for holding Court on polling day.	19. City Clerk to be Attorney of Supreme Court.
9. If Election not held on day appointed, Mayor to order new Election within ten days.	20. Persons convicted of any offence, how punished.
10. If Election be declared void, when new Election to be held.	21. Fines, &c., how recovered.
11. Protest against Election, when to be made.	22. Act 22 Vic. c. 8, in part repealed.
	23. Accounts to be published.
	24. Council to establish rates of anchorage.
	25. Mayor, &c. accepting certain offices, penalty.

Passed 20th April, 1863.

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

1. The administration of the fiscal, prudential and municipal affairs of the City of Fredericton, shall be vested in one principal officer, who shall be styled the Mayor of the City, and in ten other persons, and in no other power or authority whatever, two of whom shall be annually elected for each Ward of the said City, and who shall be styled Aldermen, all of whom shall be annually elected as directed in and by an Act made and passed in the twenty second year of Her Majesty's Reign, intituled *An Act to alter and amend the Act to incorporate the City of Fredericton*, and in and by this Act; and such Mayor and Aldermen shall be a body corporate and politic in deed, fact, and name, by the name of 'The Mayor, Aldermen and Commonalty of the City of Fredericton,' and in and by that name to sue and be sued; and all bye laws made by the said Mayor, Aldermen and Commonalty, in City Council convened, shall express to be enacted by 'The Mayor, Aldermen and Commonalty of the City of Fredericton.'

2. No person not being a rate-payer in the City of Fredericton, or the County of York, shall engage in any trade, profession, occupation or calling within the limits of the said City of Fredericton, under a penalty not exceeding twenty dollars for each and every offence, unless he obtain a licence therefor as hereinafter directed.

3. The Mayor of the said City is hereby authorized to ask, demand and receive for the use of the City, a sum not exceeding twenty dollars from any person not being a rate-payer in the said City or County, engaging or wishing to engage in any trade, profession, occupation or calling within the said City; and on the receipt of such sum, to grant unto such person a licence under the Seal of the City, to engage in any such trade, profession, occupation, or calling; which licence shall have force only for one year from the date thereof, or until the said person shall be rated or assessed in the general assessment of the said City.

4. Whenever in the said Act to which this is an amendment of and addition to, the words 'Councillor' or 'Councilors' occur, they shall be deemed to mean Alderman or Aldermen, as the case may occur.

5. When the Mayor and Aldermen meet in Council for the despatch of business, such meetings shall be designated 'The meetings of the City Council.'

6. At any election for Mayor, Aldermen, or Assessors, an elector nominating any person as a candidate for any of the said offices, shall produce to the presiding officer or person holding such election, a receipt or certificate of the City Treasurer, shewing that the person so nominated has been assessed as provided for in and by the sixth Section of the said Act to which this Act is an amendment, and that he has paid such assessment twenty days before said election; and the presiding officer or person holding such election, shall not enter in the Poll Book the name of any person as a candidate, unless such receipt or certificate be produced; for each and every wilful violation of the provisions of this Section, by any presiding officer or person holding any City Election, he shall forfeit and pay a sum of twelve dollars.

7. The City Treasurer shall furnish a duplicate receipt to any rate-payer in the City requiring the same.

8. Should any presiding officer, or person appointed to hold any City Election, from any cause be unable to attend at the time and place appointed for holding the election, the Mayor, or in his absence, the City Clerk, shall, on receiving notice of such inability, forthwith appoint a person to hold such election; and such person shall be sworn to discharge the duties of said office by the Mayor, if appointed by him, or by the City Clerk, if appointed by him; if such application be made on the morning of the day of holding such election, and there be not time after the person so appointed shall have been sworn in, to open the Court for nomination at nine o'clock in the forenoon, the said person so appointed and sworn, shall forthwith, after being sworn, open and continue the Court for nomination open for at least one half hour, but in no case to close the said Court for nomination before ten o'clock on the forenoon of the same day, nor shall he open any Court for nomination after twelve o'clock noon of the day appointed for holding any such election; if the Court for polling votes be opened after ten o'clock, and before twelve o'clock noon, the said presiding officer shall keep the said Court for polling votes open as many minutes after four o'clock in the afternoon, as will keep the said Court for polling votes open six consecutive hours.