

amount of fine or penalty imposed and received, and the date of receiving and the manner of disposing of the same, together with such explanatory notes as may be necessary.

2. Every such annual return shall be filed in the office of the Clerk of the Peace, or in incorporated Counties, with the Secretary Treasurer, on or before the first day of the Court of General Sessions or meeting of the Municipality, as the case may be, at which all Parish Officers in each year are confirmed and appointed; and such returns shall be made up to the Tuesday next preceding such Court of General Sessions or meeting of the Municipality, and the same shall be submitted by such Clerk of the Peace or Secretary Treasurer to the said Sessions or Municipal Council at their then or first subsequent meeting; provided that in the City and County of Saint John the annual return shall be filed at the December Term thereof, and shall be made up to the Tuesday next preceding such Term.

3. It shall be the duty of the Clerk of the Peace, or Secretary Treasurer, as the case may be, to have blank forms of the returns required by this Act printed at the expense of the Sessions or Municipality, and supply the same gratis to any Justice on application therefor.

4. Any Justice of the Peace neglecting or refusing to make any such return, shall be subject to a penalty of not less than five dollars nor exceeding twenty dollars for each offence, (and the omission to make a return of each conviction shall for the purposes of this Act constitute a separate offence), to be recovered before any Justice of the Peace for the County in which the penalty may have been incurred, in the name of the County Treasurer or Secretary Treasurer, as the case may be; provided that in the City and County of Saint John, such penalties shall only be sued for and recovered before the Police Magistrate of the City of Saint John, or before the Police Magistrate of the Town of Portland.

5. It shall be the duty annually of the several Clerks of the Peace, immediately after the last day of the Term or meeting of the Sessions at which the returns required by this Act ought to have been submitted, to furnish the County Treasurer with a certified list of the names of all Justices who have not complied with the requirements of this Act, and the County Treasurer shall forthwith institute proceedings against them severally for the recovery of the fine or penalty above named, and in incorporated Counties the Secretary Treasurer shall take the like proceedings against each and every delinquent Justice; and in any such proceedings for the penalty, the certified list aforesaid shall be admitted in evidence without further proof, and shall be *prima facie* evidence that the party proceeded against, whose name is therein contained, has made default in complying with the requirements hereof.

6. The County Treasurer shall have power at any time before conviction had to stop proceedings against any Justice who may produce to him a certificate of the Clerk of the Peace of the County, that he has filed the returns required by this Act, and on payment of all costs actually incurred; and in incorporated Counties, the Secretary Treasurer may stop proceedings, on the necessary returns being filed, and costs paid as aforesaid.

7. All fines and penalties recovered under this Act, shall be paid to the County Treasurer or Secretary Treasurer, as the case may be, and by him be placed to the credit of the Contingent Fund of the County or Municipality in which

the same may have been recovered, subject to such commission for his services as the Sessions or Municipal Council may from time to time see fit to allow.

8. The Police Magistrates of the Cities of Saint John and Fredericton, and the Town of Portland, shall be exempt from the operation of this Act.

9. The provisions of this Act shall only extend to require a return of convictions in matters relating solely to subjects as to which the Legislature of New Brunswick has, under The British North America Act 1867, exclusive powers of legislation, and to convictions under any Law of this Province, passed or to be passed for enforcing by fine, penalty or imprisonment, any Law in relation to any such subject as last aforesaid, or to any Municipal bye law relating to any offence within the scope of the powers of the Municipality.

#### CAP. VII.

An Act temporarily to establish a Circuit Court in and for the County of Kent.

Sec.	Sec.
1 Term to be held fourth Tuesday in May.	2. Not to affect March Circuit.

Passed 11th April, 1872.

WHEREAS the Circuit Court for the County of Kent, established by law to be holden in and for the said County on the second Tuesday in March one thousand eight hundred and seventy two, was not held at the appointed time, owing to the absence of the Judge; and whereas it would promote the interests of all parties interested in the business to come before the Court, that a Circuit should be temporarily established for the disposal of such business as may legally come before it;—

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

1. That a Circuit Court shall be held in and for the said County of Kent, (in lieu of the one that should have been held in and for the said County on the second Tuesday in March, 1872), on the fourth Tuesday in May next, at which any Judge of the Supreme Court may preside, and the said Court shall have and possess all the powers, rights, privileges, incidents and duties, as pertain and belong to any Circuit Court now established by Law in the Province of New Brunswick.

2. That nothing in this Act shall affect or in any way interfere with the Act establishing the said March Circuit in and for the said County of Kent.

#### CAP. VIII.

An Act to enable the Lieutenant Governor in Council to appoint Commissioners to expend the Tax imposed upon unimproved wilderness lands in the County of York.

Section.	Section.
1 Commissioners, by whom appointed.	and Vouchers with Secretary Treasurer and Prov. Secretary.
2 Moneys collected, to whom paid.	5 Remuneration to Commissioners.
3 Commissioner responsible for expenditure of moneys.	6 Parts of former Acts repealed.
4 Commissioners to file Accounts	7 Commissioner to give Bonds.
	8 Duties of Commissioners.

Passed 11th April, 1872.

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

1. That the Lieutenant Governor in Council shall, and he is hereby authorized and empowered to appoint a fit and proper person in each Parish in the County of York, being a resident of the said Parish, to expend the taxes upon unimproved granted lands, under the authority of an Act made