

7. And whereas Auguste Renaud, a ratepayer of the said Parish of Wellington, obtained an order nisi, returnable in the Supreme Court in Michaelmas Term last past, for a certiorari to remove the said assessment for the Parish of Wellington into the said Court, with a view to quashing the same, which said order was discharged by the judgment of the said Court given in Hilary Term last; and whereas the said Auguste Renaud has asked for leave to appeal from such judgment of the said Court;—Be it therefore enacted, that provided the said Auguste Renaud *bona fide* prosecute his said appeal with due diligence, no proceedings shall be taken pending such appeal to enforce payment against the said Auguste Renaud of the amount which he is individually assessed in the said assessment, for the Parish of Wellington; but nothing in this section contained shall prevent the said assessment for the Parish of Wellington being enforced against all other persons therein named for payment thereof under the provisions of this Act.

8. Provided that nothing herein shall be taken to affect any suit heretofore brought against any person by reason or on account of any proceedings upon any execution issued to enforce the payment of any part of the said assessments hereby legalized, nor shall any thing in this Act afford any grounds of defence to such suits.

CAP. LXIX.

An Act to provide for the erection and maintenance of certain Bye Roads in District Number Three, in Letter A Division of Marsh Lands in Dorchester, in the County of Westmorland.

Sec.	Sec.
1 Commissioners authorized to repair, &c. 'Middle' or 'Pent road.'	4 Work done to be under supervision of Commissioners.
2 What number of acres constitutes District.	5 Separate Accounts to be kept by Commissioners of receipts and expenditures.
3 Expenses of repairs, &c. how levied.	

Passed 14th April, 1873.

WHEREAS it is desirable that a road leading through said District, usually known as the "Middle" or "Pent" road, and approaches from the main road thereto, should be maintained by the proprietors of said District, in proportion as near as may be to the benefit derived therefrom;—

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

1. The Commissioners of Sewers of Letter A Division of marsh lands in the Parish of Dorchester, in the County of Westmorland, are hereby authorized and empowered to make, repair and maintain the said "Middle" or "Pent" road, leading through and along the said marsh and the approaches thereto from the main post road, and connections therewith, and to keep and maintain the same in good repair and condition at the expense of the proprietors of said district, rateably in proportion as near as may be to the benefit to be derived therefrom by such proprietors respectively; provided always, that no expense be incurred by such Commissioner for the purpose aforesaid, without the request in writing of the proprietors owning a majority of the acres of marsh lands in such district.

2. That the number of acres upon which proprietors are now by law entitled to vote in the election of a Commissioner of Sewers in said district, shall be held and taken to be the number of acres contained in said district, for the purposes of this Act.

3. That any expense incurred by the Commissioner for the purposes aforesaid, shall be levied by the Commissioners

by an assessment on the lands in said district now by law liable to assessment for the erection and maintenance of sewers and dykes therein; and on making up such assessment, reference and regard shall be had to the use and benefit of said roads and the works done in connection therewith, to the respective proprietors, the rates therefor being apportioned, as far as in the Commissioner's power, equably and according to the benefit the same may be to such proprietors, and all rates imposed therefor shall be assessed, levied and collected as rates for dykes and sewerage purposes in said district are or may now be assessed, levied or enforced.

4. Any work done under this Act shall be under the supervision of the Commissioner of Sewers of said district, in the same manner as work on dykes and sewers therein, and the proprietors shall be allowed to furnish labour or otherwise, as is now done in the erection and maintaining of dykes and sewers therein.

5. The said Commissioner of Sewers of said district shall keep a separate and full account of all receipts and expenditures for or on account of the works contemplated by this Act, and shall be entitled to the same fees for his services, and liable to the same penalties for neglect, as are established and provided by any law now in force relating or applicable to the Commissioner of Sewers in said district.

CAP. LXX.

An Act to establish a District in the County of Westmorland, to be called the "Town of Moncton," and to more effectually maintain the Streets, Bridges and Sewers therein.

Sec.	Sec.
1 Bounds of Town defined.	13 Commissioners not allowed compensation, nor to be interested in any contract.
2 Qualification of voters for Commissioners and Auditor.	14 Commissioner or Auditor refusing to act; penalty.
3 First Board of Commissioners and Auditor, how chosen.	15 Qualification of voters at annual meeting.
4 Qualification of Commissioners and Auditor.	16 Special meetings, how and by whom called.
5 Commissioners and Auditor to act till others are chosen.	17 Ratepayers in Town, from what taxation exempted.
6 First and annual meetings, when held.	18 Power of Commissioners to call out persons to clear roads.
7 Amount to be expended for the year, when and by whom determined, and how collected.	19 Officers exempted from serving as Parish officers.
8 Money how and where expended.	20 Commissioners to be a Body Corporate.
9 Amount to be paid in lieu of statute labor.	21 Error in list of voters not to affect election of Commissioners or Auditor.
10 Appointment of officers; duty of Secretary; money to whom paid; compensation to officers.	22 What Acts or parts of Acts repealed.
11 Use of Sewers allowed for private purposes.	
12 Duty of Auditor.	

Passed 14th April, 1873.

WHEREAS the Laws now in force for the making, altering and repairing of Roads, Streets, and Bridges, are inadequate to provide for the wants and necessities of that part of the Parish of Moncton commonly known as the Town of Moncton, for such services; and whereas it is deemed expedient to make special provisions therefor;—

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

1. That that part of the Parish of Moncton, in the County of Westmorland, described as follows, viz., commencing on the Petiscodiac River, at the mouth of Jonathan Creek, in said Parish of Moncton; thence following the course of the Petiscodiac River eastwardly to the mouth of Hall's Creek; thence following the several windings of the west branch of Hall's Creek until it strikes the east line of the Milner lot, so called; thence in a southwest direction to the west boundary line of lands now occupied by Charles Jones, and at a point where the said line crosses said Jonathan Creek; thence following