

tion of the Governor in Council, that there is a scarcity of seed for planting and sowing in any Parish, that the Governor in Council may afford relief by authorizing the Commissioners of Bye Roads appointed in such Parish to expend a portion of the Bye Road money in the purchase and distribution of seed for planting and sowing, such Commissioners taking an agreement from the person assisted, to perform work on the Bye Roads under the direction of the Commissioners to the value of such seed, and on refusal to perform the work, such person may be sued for the amount by the Commissioners before any Justice of the Peace in the ordinary way of collecting debts, and the said Commissioners shall severally keep an exact account of such moneys, and shall produce receipts in writing of the several and respective persons to whom any part of the said money shall be paid, as vouchers for such payment, and render an account thereof in duplicate upon oath, which oath any one of the Justices of the Peace of the several Counties is hereby authorized to administer; one copy of which, with vouchers, to be transmitted to the Secretary's Office on or before the first day of December next, to be laid before the General Assembly at the next Session, and the other copy to be filed in the Office of the Clerks of the Peace in their respective Counties for public information.

3. The Commissioners appointed by the Municipalities of any of the incorporated Counties, when any of the aforementioned sums of money appropriated for Roads and Bridges is issued to such Municipality, shall account to the Municipality appointing them for the same, and the Municipality shall account therefor in the same manner as the Commissioners appointed by the Governor in Council; but the Municipality shall take bonds in the name of the Queen from each of the Commissioners so appointed by them, which may be enforced in the same manner as other Crown debts.

4. The before mentioned sums of money shall be paid by Warrant or Cheque, out of the public moneys now or hereafter in the Receiver General's hands.

5. The said Commissioners entrusted with the expenditure of the several and respective sums of money, shall for their time and labour be allowed to retain at and after the rate of five per centum out of the said moneys so entrusted to them respectively.

6. The said Commissioners for the expenditure of money on Roads and Bridges shall expend the said several and respective sums of money on the Roads on or before the first day of September; provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending moneys after the first day of September, when it shall be necessary to expend the same for building Bridges, removing rocks, stumps, trees, or other obstructions.

7. None of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

8. Every person who may be appointed a Commissioner for the expenditure of money hereinbefore granted, before entering upon the duties of his office, shall enter into a bond to her Majesty, Her Heirs and Successors, to the satisfaction of the Governor in Council, for the due performance

of his duties as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

9. Notwithstanding the provisions of any law in force for the election of Commissioners of Bye Roads or otherwise, no person shall be appointed to expend any of the aforesaid moneys who shall be a defaulter, or who shall not have fully accounted for the expenditure of any money previously entrusted to him, until he shall have satisfactorily accounted therefor; and in case of the election of any such person, the Governor in Council shall appoint Commissioners in the same manner as if no election had taken place.

10. In case of a vacancy by death of any Commissioner elected to expend money on Bye Roads, the Governor in Council shall appoint a Commissioner to fill such vacancy.

CAP. V.

An Act to establish Parish Courts.

Sec.

- 1 Courts established; Commissioners how appointed.
- 2 Jurisdiction of Commissioners; exceptions.
- 3 By and against whom action may be brought.
- 4 When Commissioner is interested, where action may be brought.
- 5 When neither plaintiff or defendant reside in Parish, Commissioner not to act.
- 6 When Commissioner of one Parish may act in another.

Sec.

- 7 Proceedings under what law held.
- 8 Commissioner to be sworn; form of oath.
- 9 Parties to suit may conduct case personally or by attorney.
- 10 Affidavits to be used, before whom sworn.
- 11 Costs of suit, how taxed and recovered.
- 12 Right of review granted.
- 13 Power to arrest, imprison, grant bail, &c. given to Commissioner.

Passed 13th April 1876.

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

1. A Court is hereby established in each Parish in this Province, except in Parishes where there is a resident Police or Stipendiary Magistrate having civil jurisdiction therein, for the trial of civil causes as herein provided, to be held before a Commissioner, being a Justice of the Peace, which Commissioner for each Parish shall be appointed by the Lieutenant Governor in Council, and such Court shall be called "The Parish of Civil Court."

2. Every such Commissioner shall have jurisdiction in the County in which he resides and for which he may have been appointed a Justice of the Peace, over the following Civil actions:—

First. Actions of debt, including any claim for a sum certain due upon a specialty, when the sum demanded does not exceed forty dollars.

Second. Actions of tort to real or personal property when the damages claimed do not exceed sixteen dollars; but no Commissioner shall have jurisdiction over Civil actions where the Queen is a party, or where the title to land shall come in question, or the action is for the recovery of a debt exceeding forty dollars, unless the same be reduced by payment or abandonment to that sum, or when the action is for debt against the personal representatives, trustees of absconding debtors, assignees of bankrupts or banking or insurance companies, and the defendant in any suit where set-off is allowed, shall have the same right of crediting payment and of abandonment in setting off adverse claims.

3. Excepting as aforesaid, actions cognizable in a Parish Court may be brought by and against all persons, including Attorneys of the Supreme Court.

4. Where a Commissioner is of affinity to either party, or