



BY AUTHORITY.

ANNO QUADRAGESIMO VICTORIÆ REGINÆ.

## CAP. III.

## An Act relating to Municipalities.

Sec.

## COUNTY INCORPORATION.

- 1 Counties heretofore incorporated, to continue so under this Act.
- 2 Counties not before incorporated, to be a body corporate under Act.
- 3 Title of Corporation.
- 4 Corporate powers of Cities or Towns already incorporated, not affected by provisions of Act.

## CONSTITUTION OF COUNTY COUNCIL.

- 5 County Councils in each County; powers of.
- 6 Council, of how many Members composed; Warden, head of.
- 7 Municipality of Saint John, Council of, how composed.
- 8 Number of Councillors for Parish of Moncton; Town of Moncton to appoint one; qualification of voters.
- 9 Number of Councillors for Parish of Saint Stephen; Towns of Saint Stephen, Milltown, and Upper Mills, each to appoint one; qualification of voters.

## QUALIFICATION AND ELECTION OF COUNCILLORS.

- 10 Councillor, qualification of.
- 11 Persons disqualified for Councillors.
- 12 Provisions of Sections 10 & 11 not to extend to *ex officio* Councillors.
- 13 Exemptions.
- 14 Elections, when and where held.
- 15 No Elections to be held in tavern, &c.
- 16 Meeting for election, when opened; Chairman ineligible for Councillor.
- 17 When nomination of candidate shall take place; Declaration to be made.
- 18 In what cases and when Poll shall be opened; time Poll shall be kept open.
- 19 Qualification of voters.
- 20 Collectors of Rates to furnish voting lists.
- 21 In Parishes when assessment for Poor is made by a different assessment from County assessment, County Collector to furnish lists.
- 22 At annual Elections, Collector or Deputy to attend at polling place; penalty for not attending.
- 23 Collector to give receipt on payment of Rates, such receipt to entitle ratepayer to vote for Councillor; Member of Firm may vote, when.
- 24 If Collector is unable to attend Election, Deputy to be appointed.
- 25 Duties of Deputies.
- 26 Collectors or Deputies neglecting their duty; penalty.
- 27 When Collectors may give duplicate receipts; penalty for refusing receipt or giving a false one.
- 28 Voting for Councillors to be by ballot; how ballots counted.
- 29 Chairman authorized to administer oath to Elector.
- 30 Chairman may administer oath to voter, when.
- 31 Keeping peace at Elections, who to aid in.

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- 32 Chairman to make return of Councillors elected within ten days; penalty for neglect.
- 33 On failure to elect Councillors, or in case of vacancy or absence, new Election to be held; duties of Warden and Secretary-Treasurer in such case.
- 34 Conviction of felony, insolvency, absence, &c. of Councillor, seat to become vacant.
- 35 Councillor not to act till he take oath; penalty for refusal. Provisions of Section not to affect *ex officio* Councillors.

- 36 Fine for refusing to serve, how recovered and to whom paid.

## ELECTIONS WHERE SEVERAL POLLING DISTRICTS ARE ESTABLISHED.

- 37 Power of Council to appoint Polling Districts in Parish; bounds of Districts to be defined, and Districts numbered.
- 38 In Parishes where there are more than one District, Council to appoint Clerk & Collector of Rates for each District; List of voters for each District.
- 39 In Parishes where there are more than one District, nomination of candidates, how made.
- 40 When not necessary to hold a Poll, Secretary-Treasurer to make a Return.
- 41 When Poll shall be opened; votes to be counted; Chairman to declare Councillors and make return.
- 42 Power of Council to make Bye Laws to regulate closing of Polls.
- 43 In Parishes in County of Carleton, where there are several Districts, duties of Chairmen.

## FIRST ELECTION IN COUNTIES NOT HERETOFORE INCORPORATED.

- 44 When first Election shall be held, Sheriff to give notice; returns to be made to Sheriff.
- 45 Clerk of Peace to furnish Parish Clerks with lists.
- 46 When Sheriffs may appoint officers to hold Elections.
- 47 Casual vacancies prior to October 1877, how filled.

## FIRST ELECTION IN NEW OR DIVIDED PARISHES.

- 48 Secretary-Treasurer to make out list for new Parish; Clerk of the Peace, when.
- 49 Persons qualified to vote in old Parish.

## WARDEN AND COUNCILLORS—INCIDENTS OF OFFICE.

- 50 Warden, when and by whom chosen; term of office.
- 51 Councillors; term of office.
- 52 Councillor may resign, how; Warden may resign.
- 53 Neither Warden nor Councillor to receive pay; proviso.
- 54 In Municipality of Carleton, when Councillors may be paid; amount to be paid and how paid.

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## MEETINGS OF COUNTY COUNCIL; COUNCIL MEETINGS, WHERE HELD.

- 55 Meeting for organizing Municipality, where held.
- 56 Semi-annual meeting of Council, when held; proviso; County Council, St. John, may provide for two additional meetings in the year. [long.]
- 57 Meetings may be adjourned; how
- 58 What number of Councillors shall form a quorum; absence of Councillor from meeting; penalty.
- 59 When special meeting may be called; Warden to give notice of object of.
- 60 Meetings of Council to be public; who may be expelled.

## COUNTY OFFICERS.

- 61 County Officers, how and by whom appointed.
- 62 When a Secretary and Treasurer are each appointed, duties of each.
- 63 Secretary-Treasurer or Secretary or Treasurer may appoint deputy; Sureties of former, when liable in such cases.
- 64 County Auditor, when and by whom appointed.
- 65 Qualification of persons holding County Offices.

## PARISH OFFICERS.

- 66 Parish Officers, when & by whom appointed. What officers to be appointed.
- 67 What officers shall be elected by French inhabitants in certain parts of County of Westmorland.
- 68 Commissioners of Alms House in certain Parishes in Charlotte; number of, and how appointed.
- 69 Qualification of persons appointed to Parish Offices.
- 70 When Parish Officers of preceding year shall remain in office.
- 71 Vacancy in Parish Officers, how filled.
- 72 List of vacancies filled by Parish Councillors, to be sent to Sec'y-Treasurer.
- 73 Secretary-Treasurer to furnish Parish Clerk with lists of County or Parish appointments; Parish Clerk to post up lists.
- 74 Officers appointed to be sworn; when.
- 75 Neglect of Officer to take oath or perform duties; penalty; proviso.
- 76 When Parish Officers shall give bonds; penalty for neglect.
- 77 Special Constables, how and by whom appointed; their powers.
- 78 Special Constable refusing or neglecting to serve or take oath; penalty.
- 79 In Counties not before incorporated, present County and Parish Officers to act till others are appointed by County Council.
- 80 All persons heretofore liable to account to Sessions, to account to County Council.
- 81 Revisors, how appointed; proviso.
- 82 *Ex officio* Councillors not to take part in appointment of Parish Officers; proviso.

## COUNTY ACCOUNTS.

- 83 Secretary-Treasurer to deliver his Accounts to Auditor one week before January meeting.
- 84 Duty of Auditor.
- 85 Warden to publish in month of January or February a statement of Receipts and Expenditure for past year.
- 86 Secretary-Treasurer to enter in a book all Bye Laws, &c. of Council, and to take charge of County or Parish money, property, books, documents, &c.

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- 87 What constitutes proof of appointment of Parish or County Officer.
- 88 Secretary-Treasurer giving false certificate; penalty.
- 89 Officer acting shall be deemed to have taken oath of office; exception.
- 90 Property, money, &c. in hands of Councillors or Officers, to whom to be delivered.
- 91 Duty of Overseers of Poor; penalty for neglect.
- 92 Duty of County and Parish officers on requisition as to rendering Accounts, paying over money, &c. For disobedience, Warrant may issue.
- 93 If Council adjourn before Warrant is executed, Justice may take recognition; in default of recognition, Justice to commit.
- 94 When Council may take recognition.
- 95 Order of Council for payment by Officer of money unlawfully applied or retained; proceedings thereon.

## POWER TO MAKE BYE LAWS.

- 96 Council authorized to make Bye Laws; objects for which Bye Laws may be made.
- 97 Copy of Bye Laws to be transmitted to Provincial Secretary's Office if required.
- 98 Power of Sessions vested in Council.
- 99 Bye Laws in force at commencement of Act, to be in force till repealed by Council.
- 100 Bye Laws and Regulations of Sessions relating to matters over which Council have control, to be in force until repealed by Council.
- 101 Copy of Bye Laws of Sessions or Council, certified by Secretary-Treasurer, to be evidence.
- 102 Council may impose fines for breach of Bye Laws, and imprisonment.

## GENERAL PROVISIONS.

- 103 Fines, &c., how applied.
- 104 Time within which actions against Officers under this Act shall be commenced.
- 105 Defendant may plead general issue and give special matter in evidence; when verdict may be given for defendant.
- 106 All debts due from or to the County or Sessions, to be paid by or become vested in Municipality.
- 107 Contracts to be signed by Warden, and countersigned by Sec'y-Treasurer.
- 108 When orders for assessment may be made by Council.
- 109 Contingencies of County assessment for, how ordered.
- 110 Parishes indebted to Municipality, assessment may be ordered for amount, in whole or in part, on Parish; Warrant therefor.
- 111 Salaries to County Officers, out of what fund paid.
- 112 Allowance to Sheriff, out of what fund paid.
- 113 What other amounts chargeable to Contingent Fund.
- 114 Allowance to special Constables, how paid.
- 115 Council may offer reward for apprehension of persons, how paid.

## COUNTY PROPERTY.

- 116 County may order assessment for building or repairing County Buildings; assessment, how paid.
- 117 County may assess for erection of Building with Safes, for safe keeping of Records, &c.; amount,