

Sec.	Sec.
118 Council may enter into contracts for erection, &c. of such Public Building.	suits for rents, ferries, trespasses, lands, incorporeal hereditaments, &c.
119 Buildings erected under Section 117, to what use applied.	126 When proceedings may be instituted against Municipality, Process, how served; assessment to be ordered, to pay Judgment against Municipality.
120 Lands formerly vested in Justices, vested in Municipality.	COMMENCEMENT OF ACT.
121 Municipality may hold real property, and may alienate same.	127 When Act to come into operation.
122 Municipality may hold lands in trust for public uses, and execute trust.	128 Acts repealed.
123 Lands reserved for Schools, to vest in Municipality.	Schedule.
124 Council may lease lands held by Municipality; for what term.	
125 Municipality may distrain for rents due Institute, and defend.	

Passed 16th March 1877.

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

COUNTY INCORPORATION.

1. The Ratepayers of every County heretofore incorporated by Charter of Incorporation under the Great Seal of the Province, or by Act of Assembly, shall continue to be a body politic and corporate under this Act.

2. The Ratepayers of every County not heretofore incorporated shall be a body politic and corporate under this Act.

3. The name of every body corporate continued or erected under this Act shall be—"The Municipality of _____";—*[name of County or City and County as the case may be]*; and such corporate bodies shall have and be subject to all the powers, rights, duties and liabilities made incident to a Corporation, subject to the provisions hereinafter mentioned.

4. Nothing in this Act contained shall interfere with, limit or restrain the corporate powers or privileges of any City or incorporated Town, nor shall this Act extend to or include within the Municipality of any County, any City or incorporated Town in the County which by Act of Assembly is wholly withdrawn from the jurisdiction of the County Council; and the term "County" shall, except where enlarged by the context, mean that part of the County within the territorial jurisdiction of the County Council.

CONSTITUTION OF COUNTY COUNCIL.

5. In each County there shall be a County Council which shall exercise all the powers of the body corporate.

6. Except as herein otherwise provided, the Council shall consist of two Councillors for every Parish, to be elected in accordance with the provisions of this Act, one of whom, selected as hereinafter provided, and to be called the Warden, shall be the head of the Council.

7. The Council of the Municipality of the City and County of Saint John shall consist of twenty five Councillors: The City of Saint John shall be represented by ten County Councillors; the Town of Portland by five County Councillors; the Parishes of Simonds and Saint Martins each by three County Councillors; and the Parishes of Lancaster and Musquash each by two County Councillors: The Mayor and the nine Aldermen of the City of Saint John shall be *ex-officio* the County Councillors for the City of Saint John; the Chairman of the Town of Portland and four of the Councillors of the said Town, being one Councillor from each of the Wards in said Town, to be selected by the Town Council each year as the Town Council may determine, shall be *ex-officio* the County Councillors for the Town of Portland; and any Town Councillor so chosen shall continue to act as County Councillor until the first meeting of the Town Council

after the next succeeding election of Town Councillors, or until the appointment of a successor: The three Councillors for each of the Parishes of Simonds and Saint Martins, and the two Councillors for each of the Parishes of Lancaster and Musquash, shall be elected in the manner in this Act provided for the election of County Councillors.

8. There shall be three County Councillors for the Parish of Moncton, of whom two shall be elected by that portion of the Parish not included in the Town of Moncton, in the manner in this Act provided for the election of Councillors, except that no person being a resident of the Town of Moncton shall be entitled to vote at such election, unless he owns and was in the year in which the assessment lists were made up on which the voting takes place, assessed on real estate in the portion of the Parish outside the Town limits, and one *ex-officio* County Councillor shall be selected by the Town Council of Moncton each year from the members of the Town Council, and such Councillor shall continue to act as County Councillor until the first meeting of the Town Council after the next succeeding election of Town Councillors, or until his successor shall be appointed.

9. There shall be five County Councillors for the Parish of Saint Stephen, of whom two shall be elected by that portion of the Parish not included in any incorporated Town in the Parish, in the manner in this Act provided for the election of Councillors, except that no person being a resident of either of such incorporated Towns shall be entitled to vote at such election unless he owns and was in the year in which the assessment lists were made up on which the voting takes place, assessed on real estate in the portion of the Parish not included in the limits of any of the incorporated Towns, and one *ex-officio* County Councillor shall be selected by each of the Town Councils of the Town of Saint Stephen, Milltown, and Upper Mills, in the manner above provided for the Town of Moncton.

QUALIFICATION AND ELECTION OF COUNCILLORS.

10. No person shall be elected a Councillor unless he is an inhabitant of the County legally seized as of freehold for his own use at the time of his election of real estate in the County to the value of six hundred dollars above incumbrances; provided that in case there are not in any Parish at least two persons for each seat to be filled qualified to be elected a Councillor, no qualification beyond the qualification of an elector shall be necessary in the persons to be elected.

11. No Judge of the Supreme or County Court, no Judge of Probates, no Police or Stipendiary Magistrate, no Parish Court Commissioner, no person by himself or his partner interested in any contract with the Municipality (otherwise than as a member of a joint stock Company or as a lessee of the Municipality), no person receiving pecuniary allowance from the Municipality, and no person licensed to sell spirituous liquors by retail, shall be qualified to be a member of the County Council; but nothing in the above disqualification shall extend to Coroners, nor to Revisors under the law relating to the election of Members to the General Assembly.

12. The provisions of Sections ten and eleven shall not extend to *ex-officio* Councillors.

13. Members of the Executive Council and of the Legislature, Members of the Parliament of Canada, persons in the Civil Service of the Crown, Ministers of Religion, Attorneys in actual practice, Officers of Courts of Justice, practising Physicians and Surgeons, Schoolmasters actually engaged as