

viction, order, warrant, search warrant or other process or proceeding as justice may require so as to impose upon the person charged or convicted the appropriate punishment for any offence disclosed by the evidence, whether such offence is the one set out in the information, conviction, commitment or order, or not.

(5) Provided that the Magistrate has territorial jurisdiction under this Chapter, and is not disqualified by bias or interest, and that either or any offence charged in the information, conviction, commitment, or order, or disclosed by the evidence, is an offence against any provision of this Chapter, or of the regulations, such Magistrate shall not be held by any court or judge to be without jurisdiction by reason of any irregularity, defect or variance whatever.

(6) It shall not be necessary in any information, summons, warrant, conviction or other proceeding, or in any process to allege or show that the offence committed or alleged to have been committed was committed within the territorial jurisdiction of the magistrate, but the same shall be presumed, unless specific evidence is given to the contrary before the magistrate.

13. Section 115 of said Chapter 28 is hereby amended by striking out the word "report" in the fifth line thereof and inserting the word "order" in lieu thereof and by adding at the end thereof the words "and that the money penalty or term of imprisonment imposed or both be remitted, reduced, cancelled or altered, as the Board may determine."

14. Sub-section (9) of Section 116 of said Chapter 28 is hereby amended by adding thereto the following: "No time during which the person convicted is out on bail shall be reckoned as part of the term of imprisonment to which he was sentenced."

15. (1) Sub-section (1) of Section 117 of said Chapter 28 is hereby amended by designating such sub-section (a) and adding thereto the following paragraphs:

(b) Should the appellant fail or neglect to apply to the Judge for such summons, the judge at the expiration of said fifteen days shall direct the clerk of the County Court to deliver or transmit to the Magistrate the depositions and all other papers filed with the said clerk in connection with such appeal, and upon receipt of the same the Magistrate shall proceed thereon as if no such appeal had been instituted.

(c) The production to the judge of the notice of appeal, with proof of due service thereof as required by section 116, shall be sufficient to give the judge jurisdiction to grant such summons and to proceed with the hearing and determination of the appeal.

(2) Sub-section (2) of said Section 117 is hereby amended by designating such sub-section as (a) and adding thereto the following paragraph:

(b) The order of the judge and the papers filed with the Clerk of the County Court under sub-section (10) of section 116 shall be returned to the magistrate, who shall enforce the original conviction or the order of the Judge, as the case may be, in the same manner as convictions are enforced under this Chapter.

16. Section 121 of said Chapter is hereby amended by numbering said section as sub-section (1) and adding thereto the following sub-section:

(2) It shall not be necessary to give the judge jurisdiction to issue the summons and to hear and determine the appeal that such consent of the Attorney General shall be produced or communicated to the judge until the actual hearing of the appeal, and the production of such consent purporting to be signed by the Attorney General and dated within fifteen days of the date of the order of dismissal appealed from, shall be a sufficient compliance with the provisions of this chapter.

17. Sub-section (2) of section 124 of said Chapter 28 is hereby amended by adding thereto the following:

"Such notice shall be given for the sitting of the Court of Appeal next

after the date of such notice."

18. Amendments made by this Act, except Sections 1, 5 and 6 thereof, shall be deemed to have come into operation on the twentieth day of April, 1927.

ACTS PASSED, SESSION 1928

1. An Act to provide for the redemption of \$1,000,000.00 Provincial debentures falling due in the year 1928.

2. An Act to amend an Act to provide for the extension of time for the building of the Saint John and Quebec Railway to Andover.

3. An Act to Amend Chapter 100 of the Revised Statutes 1927, respecting The Suppression of Fires.

4. An Act to amend Chapter 109 of the Revised Statutes 1927 "Respecting the Inter-Provincial Home."

5. An Act to Provide for References by the Governor-in-Council to the Appeal Division of the Supreme Court.

6. An Act to provide for the redemption of \$1,700,000.00 Provincial Debentures falling due in the year 1928.

7. An Act to amend Chapter 56 of The Revised Statutes 1927, respecting payment of pensions and disability allowances to public school teachers and officials.

8. An Act in amendment of the Act 15, George V, Chapter 23, an Act to authorize the sale of the Saint John and Quebec Railway to the Dominion of Canada.

9. An Act to amend Chapter 24 of The Revised Statutes, 1927, respecting The Generation and Distribution of Electric Power.

10. An Act to provide for the redemption of \$575,000.00 Provincial Debentures falling due in year 1928.

11. An Act to provide for certain expenditures in connection with Jordan Memorial Sanitarium.

12. An Act relating to the Canadian Dexter P. Cooper Company.

13. An Act to fix the valuation for assessment purposes on the plant, property, assets and income of the Mann Axe Company, Ltd., in the Town of St. Stephen.

14. An Act to incorporate the Grand Manan Light and Power Company.

15. An Act respecting La Societe L'Assomption.

16. An Act to provide for the payment of an annuity to Gertrude Hayward, widow of the late Russel P. Hayward.

17. An Act to amend Chapter 13 of The Revised Statutes of New Brunswick, 1927, "The Audit Act."

18. An Act to confirm a grant of certain Crown Lands to Alexander Pratt and William K. Swim.

19. An Act to authorize the City of Moncton to issue debentures.

20. An Act to amend 45 Victoria Chapter 95, entitled "An Act to incorporate the Trustees of the Young Men's Christian Association of the Town of Moncton and amending Acts."

21. An Act to amend Act II, George V, Chapter 56, entitled City of Moncton Assessment Act, 1921.

22. An Act for fixing the assessment value of Maritime Cap, Ltd., a certain industry in the City of Moncton.

23. An Act to amend Chapter 52,

The Revised Statutes, 1927, The Schools Act.

24. An Act to make available an Act of the Parliament of Canada, entitled "An Act for the purpose of establishing in Canada a system of long term mortgage credit for farmers."

25. An Act to amend Chapter 95, Revised Statutes, 1927, "The Women's Institute Act."

26. An Act relating to the Live-Stock and Live Stock Products of New Brunswick.

27. An Act to amend Chapter 59 of the Revised Statutes, 1927, being an Act respecting public health.

28. An Act to make better provision for furthering British Settlement in the Province of New Brunswick.

29. An Act to amend an Act to incorporate the Bath, Bristol, and Florenceville Hydro Electric District.

30. An Act to amend Chapter 52, Acts of Assembly, 16 George V (1926) intitled "An Act to incorporate Nepisiguit Power Company, Limited."

31. An Act relating to Bathurst Company, Limited, and Bathurst Power and Paper Company, Limited.

32. An Act to amend Chapter 54, Acts of Assembly 15, George V (1925), intitled "An Act to incorporate the Nepisiguit Railway Company."

33. An Act to make certain bonds issued by the Roman Catholic Bishop of Saint John authorized investments for Trustees.

34. An Act to empower the Town of Woodstock to issue debentures and with the proceeds to retire certain pure water debentures accruing due.

35. An Act to authorize the Town of Sackville to issue debentures.

36. An Act to fix the taxation of the Admiral Beatty Hotel Company, Limited.

37. An Act to authorize the exemption of the Swift Canadian Company, Limited, from taxation.

38. An Act to authorize the City of Fredericton to issue debentures for the purpose of extending Carleton Street from Needham to Aberdeen Street.

39. An Act to amend Chapter 25, Revised Statutes, 1927, "The Highway Act."

40. An Act to amend Chapter 53, Acts of Assembly 16, George V (1926), intitled "An Act to incorporate Nepisiguit Storage Company, Limited."

41. An Act to provide for the issue of debentures to retire debentures of the Board of School Trustees of the town of Woodstock, falling due in the years 1928 and 1929.

42. An Act to amend Chapter 129-1, George V, (1911) being an Act to incorporate "The Saint Leonard Electric Company, Limited."

43. An Act to amend Chapter 62 of the Revised Statutes 1927, respecting Local Sanitariums.

44. An Act to amend Chapter 206 of the Revised Statutes, 1927, "The Illegitimate Children's Act."

45. An Act to vest certain lands in His Majesty, The King, for the Saint John Harbor Commissioners.

46. An Act in amendment of the Act 32, Victoria, Chapter IV, intitled "An