

THE
STATUTES OF NOVA SCOTIA

PASSED IN THE

FORTY-SECOND YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA,

BEING THE FIRST SESSION OF THE TWENTY-SEVENTH GENERAL
ASSEMBLY CONVENED IN THE SAID PROVINCE.



HALIFAX, N. S.:
ROBERT T. MURRAY, QUEEN'S PRINTER.
1879.

PRINTED AT THE MORNING HERALD OFFICE, 58 GRANVILLE STREET.

At the General Assembly of the Province of Nova Scotia, begun and holden at Halifax, on Thursday, 6th day of March, 1879, in the forty-second year of the reign of our Sovereign Lady VICTORIA, by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c., being the First Session of the Twenty-seventh General Assembly convened in the Province.*

In the time of His Honor the Honorable ADAMS G. ARCHIBALD, Member of the Privy Council for Canada, Companion of the Most Distinguished Order of St. Michael and St. George, Lieutenant-Governor; Robert Boak, President of the Legislative Council; E. T. Moseley, Speaker of the Assembly; Simon H. Holmes, Provincial Secretary; and Henry C. D. Twining, Clerk of Assembly.

CHAPTER 1.

An Act entitled "The County Incorporation Act."

(Passed the 14th day of April, A. D. 1879.)

SECTION.

1. Incorporation.
2. Incorporated cities and towns.
3. Warden and Councillors.
4. Warden, how chosen.
5. Election of Councillors, how conducted.
6. Elections, where held, and number to be returned.
7. Notice of Election, how given.
8. Notices after first Election.
9. Nomination of candidates.
10. Voting to be by ballot.
11. Notice to Councillors elect.
12. Presiding Officer and Clerk sworn.
13. Vote, where to be given.
14. Qualification of Electors.
15. Qualification of Councillors.
16. Disqualification.
 1. Clergymen, &c.
 2. Sheriffs.
 3. Contractors.
17. Exemptions.
 1. Judges.
 2. Legislators, &c.
 3. Retired Councillors.
18. Powers, &c., of Presiding Officers.
19. Oaths to be taken by Councillors.

SECTION.

20. Vacancy in Council, how supplied.
21. Organization of Council.
22. Officers' fees at first Election.
23. Returning Officer to administer Oaths.
24. Oath of Office to be taken.
25. Resignation of Office.
26. Occasional vacancy.
27. Subsequent Elections.
28. Quorum of Council.
29. Meetings of Council.
30. Meetings for despatch of business.
31. Special Meetings, how called.
32. Warden and Councillors to be paid.
33. Liability to fines.
34. Bye-Laws, Rules, and Regulations.
35. Appointment of County Officers.
36. Duties of Clerk.
37. Duties of Treasurer.
38. Duration of Office of Clerk.
39. Bye-Laws as to Offices.
40. Appointment of County Auditors.
41. Auditors' duty.
42. Auditors' authority.

SECTION.

43. Tenure of office.
44. Oath of office.
45. Qualification for office.
46. Forfeitures for neglect or refusal.
47. Clerks' powers and duties.
48. County property vested in Council.
49. Power of Municipalities.
50. Appointment of Assessors and Collectors.
51. Financial year.
52. Order for Assessment.
53. Contingent Fund.
54. District Assessment.
55. Existing Liabilities provided for.
56. Rates, how to be assessed.
57. Percentage, &c., to be continued.
58. Abstract to be laid before Legislature.
59. Excepted property.
60. Fines and Penalties, recovery of.
61. Assessment of Rates, Tolls, &c.
62. Existing Rates, how assessed, &c.
63. Poor Rates and Districts.
64. Poor Meetings discontinued.
65. Overseers of Poor.
66. Appointment of District Officers.
67. Appointment of Health Officers.
68. Powers of Warden and Councilors.
69. Councils' powers extended.
 1. Laying out roads, &c.
 2. Money for roads and bridges.
 3. Statute Labor.
 4. Road Districts.
 5. Poor Houses.
 6. Licenses for Intoxicating Liquors.
 7. Ferries, Public Wharves, &c.
 8. Administration of Justice.
 9. Municipality Overseers.
 10. Contracts.
 11. Officers' Salaries.
 12. Municipal Elections.
 13. General Supervision.
70. Oaths, how administered.
71. Jury Lists, revision of.
72. Grand Jury and Sessions.
73. Powers transferred to Council.
74. Exemptions of Warden and Councilors.
75. Affirmation authorized.
76. Actions against Municipality.
77. Judgments to bear interest.
78. Jurisdiction of Sessions.
79. Powers of Municipal Council.
80. Commissioners of Streets.
81. Commons.
82. Limitation of Action.
83. Protection of Council, &c.

SECTION.

84. By-Laws, &c., following objects.
 1. Management of Property.
 2. Administration of Justice.
 3. Assessments.
 4. Revenues.
 5. Elections.
 6. Good Government.
 7. Accounts and Claims.
 8. Markets and Fairs.
 9. Ferries.
 10. Streets, Sidewalks, &c.
 11. Docks and Landings.
 12. Coal and Wood.
 13. Truckage.
 14. Weights.
 15. Pound Keeping.
 16. Firearms, &c.
 17. Dog Tax.
 18. Disorderly Noises.
 19. Boomage, &c.
 20. Police.
 21. Gaol Limits.
 22. Workhouses and Gaols.
 23. Neat Cattle.
 24. Disorderly Riding, &c.
 25. Noxious Weeds.
 26. Burning Brush.
 27. River Banks.
 28. Lockup Houses.
 29. Immorality, &c.
 30. Licensing Exhibitions.
 31. Nuisances.
 32. Cattle at large.
 33. Wood Measurement.
 34. Bridge Preservation.
 35. Giving Security.
 36. Officers' duties.
 37. Ballast.
 38. Road Expenditure.
 39. Hawkers and Pedlers.
 85. By-Laws to be laid before Legislature.
 86. Lists of Electors to be furnished.
 87. Appointment of Revisors.
 88. Cap. 57 Rev. Stat. repealed.
 89. Special Election provided for.
 90. Appointment of Arbitrators.
 91. Existing Agreements.
 92. Appeals regulated.
 93. Existing Debts and Liabilities.
 94. Power of Governor in Council.
 95. Voting restricted.
 96. Power to loan money.
 97. Debentures may be issued.
 98. Transfer of documents, &c.
 99. Guysboro' Polling Districts.
 100. Queens and Shelburne.
- Schedule A.
Schedule of Oaths.

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

Incorporation.

1. The inhabitants of every County and Sessional District in this Province, as set forth in Chapter 20 of the Revised Statutes, fourth series, shall be a body corporate under the name of the Municipality of the respective county or district, as the case may be, shall have a perpetual succession and a common seal, with power to break, renew, or alter, such seal at pleasure, and shall be capable of suing and being sued, of pleading and being impleaded, in all

Courts and places whatsoever, of purchasing, acquiring, and holding lands and tenements, and other real and personal property, within such municipality for the use of the inhabitants thereof in their corporate capacity, and of making and entering into such contracts as may be necessary for the exercise of their corporate functions, and the powers of the corporation shall be exercised by and through, and in the name of the municipality of such county.

2. 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 Legislature, is wholly withdrawn from the jurisdiction of the General Sessions of the Peace; and the term "County" shall, except when enlarged by the context, mean that part of the County or Sessional District within the territorial jurisdiction of the County Council.

Incorporated
cities and
towns.

3. The council shall consist of a Warden and Councillors. The warden shall be head of the council and shall preside at all its meetings. The Warden and Councillors shall serve until their successors shall be sworn into office.

Warden and
councillors.

4. The Council elect and sworn shall at the first meeting next after their return, choose from among themselves a Warden, who shall hold office until the next election of councillors: should a vacancy occur in the office of Warden, the council at its first meeting thereafter, shall elect a Warden; but during his temporary absence they may choose a chairman from the members present; and should a majority of the councillors not agree upon the choice of a Warden, then the Governor in Council shall appoint one of the councillors Warden.

Warden, how
chosen.

QUALIFICATION AND ELECTION OF COUNCILLORS.

5. The first election of councillors shall be held on the third Tuesday of November, and shall be conducted by the sheriff and persons named by him; all succeeding general elections shall be held on the third Tuesday of November in each year, and shall be conducted by presiding officers named by the councils, and where there are two sessional districts in one County, the Sheriff shall at the first election, appoint a Deputy, for the purpose of conducting the said election, in one of said districts, who shall have and exercise all the duties and powers respecting such election, conferred upon sheriffs under this Act.

Election of
councillors,
how conduct-
ed.

tions,
reheldand
bor to be
rned.

6. The elections shall take place in and for each of the polling districts laid off for the election of members to serve in General Assembly as they may exist at the time of the first election, and each district shall return one councillor, except the districts mentioned in Schedule A to this Act annexed, which sections shall return two councillors; and the election shall take place in and for the several counties or districts mentioned in said Chapter, as therein directed, in the same manner as if Chapter 20 of the Revised Statutes were incorporated in this Act.

ice of elec-
, how
in.

7. It shall be the duty of the sheriff, or his deputy, in the case of the first election, and of the presiding officers in future elections, to give at least ten days' public notice, by handbills, of the times and places of holding the election, and to post the same on three of the most public places in each district, and the sheriff or his deputy, and persons deputed by them shall preside at such first election, and persons appointed by the Council shall preside at future elections.

ices after
t election.

8. It shall be the duty of the municipality Clerk to supply the presiding officers with the notices after the first election.

mination of
ididates.

9. Every election shall commence at eight o'clock in the morning. Every candidate shall be nominated the morning of the election by two electors, in writing, and no nomination shall be received after ten o'clock. If no more than the required number of candidates are nominated, the presiding officers shall declare the persons so nominated, duly elected. If more than the required number shall be nominated, a poll shall immediately thereafter be held, and kept open until five o'clock in the afternoon.

oting to be
-ballot.

10. The voting for councillors shall be by ballot; the names of the candidates shall be written or printed on white paper, and delivered by the elector to the presiding officer, who shall satisfy himself that the ballot is single, and deposit it in the ballot box without reading; at the hour of closing, each candidate, or in his absence some one on his behalf, may choose an elector, to be sworn before the presiding officer as tellers, and the presiding officer shall publicly open the ballot box and take out each ballot separately, and read the names thereon, so that each teller may take them down; when all are read and taken down, the presiding officer shall state the number of votes polled for each candidate, and declare those having the largest

number of votes, elected; the presiding officer in addition to his vote as an elector, shall give the casting vote, if necessary.

11. The proclamation and summons of the presiding officer shall be notice to every councillor elect, present in person, or by an authorized agent or clerk; councillors elect, not so present, shall be, immediately after the election, notified and summoned by the presiding officer, by mailing a notice of their election to their address. Notice to councillors elect.

12. Before the presiding officer shall allow any votes to be polled, he, and the clerk he may employ, shall take the oath in the schedule annexed before a justice of the peace, and they shall certify such oath in the poll book for the election. Presiding officer and clerk sworn.

13. No person shall vote except in the district in which he resides. Vote, where to be given.

14. Municipal electors shall have the same qualification, and be liable to the same objections, questions, and oaths, as electors for members of Assembly shall at the time by law be required to have, and be subject to; and the objections shall be taken and questions and oaths put and administered as the law regulating elections of members of Assembly shall require. Qualification of electors.

15. No person shall be qualified to be elected or serve as councillor who shall not at the time of the election be possessed of the same qualifications as is required in the case of members of the House of Assembly. Qualification of councillors.

16. None of the following persons shall be elected a councillor, or be appointed to office by any council; nor shall any person continue to act as councillor or hold any office under a municipal council after becoming one of the persons disqualified as follows: Disqualification.

1. Persons in holy orders, or ministers, or teachers of any religious sect or denomination; but this restriction shall not extend to school commissioners. Clergymen. &c.

2. The Sheriff. Sheriff.

3. Any person having a contract, or share or interest in a contract with the municipality. Contractors.

17. The following persons shall be exempt from being elected councillor or serving in any municipal office unless with their own consent. Exemptions.

Judges.

1. Justices of supreme and county courts and judges of probate.

Legislators,
etc.

2. Senators and members of House of Commons, members of the Executive or Legislative Councils, members of the Legislative Assembly, schoolmasters actually engaged in teaching, persons more than sixty years of age.

Retired coun-
cillors.

3. Persons who have served as councillors or in any municipality office, or paid the penalty for refusing, shall be exempt during the four years next after such service or refusal.

Powers, etc., of
presiding offi-
cers.

18. The presiding officer, at an election of councillors, during the time of such election, shall be a conservator of the peace, and shall be invested with the same powers for the preservation of the peace, the apprehension, commitment, holding to bail for trial, or trying or convicting offenders, as are vested in justices of the peace under any act of this province; and, for the purpose of preserving peace and good order, all justices of the peace residing in the district shall attend at the election, upon being notified in writing by the presiding officer; and such officer may command the assistance of all justices, constables, and other persons present at the election, and may swear in as many special constables as he thinks fit; he may commit any person for a breach of the peace, or for molesting or threatening any elector, at or coming to, or returning from, the election, or for any violation of good order, to the custody of any constable or person present, on view, for such time as he deems expedient; or may by writing under his own hand, commit the offender to the common jail of the county, for any period not exceeding ten days; and any justice of the peace or other person present at the election, who shall neglect to aid or assist the presiding officer during such election, when requested by him, shall incur the same penalty.

Oaths to be ta-
ken by council-
lors.

19. No person who may be elected a councillor shall act in that capacity until he shall have taken and subscribed, before a justice of the peace for the county, or the sheriff, in the case of the first election, and in case of subsequent elections, before the Warden or municipality Clerk, the oath of allegiance to her Majesty, and also the oath of office and qualification; such oath shall be taken and subscribed by each councillor, duly qualified, at the first meeting of the council after his election, or otherwise, within ten days after notice of his election; and, in default thereof, such person shall be deemed to have refused to accept the office of

councillor, and shall be liable to pay the municipality Clerk such fine, not exceeding forty dollars nor less than twenty dollars, as the bye-laws of the council shall prescribe; provided that no person elected a councillor shall be subject to a penalty for not taking the required oaths if he be not qualified, which fact he shall be required to verify on his own oath, before a justice of the peace, on the first election, and before the Warden or municipality Clerk, on subsequent elections.

20. In case of the death or resignation of any councillor, or his permanent absence from the municipality, or absence for more than six months, or incapacity after election, or refusal to accept office, or neglect to be sworn, the Warden of the county shall issue a warrant, under his hand and seal, to the presiding officer, requiring him to call a public meeting in the district to elect some other person to fill the vacancy, and such election shall be conducted in the manner prescribed in this chapter for holding elections; but no warrant shall issue for an election to supply a vacancy within three months of the annual election.

Vacancy in council, how supplied.

21. On the second Tuesday of January, after the first election, the sheriff and the councillors elect shall meet at the county court house, and the sheriff having produced the returns of the presiding officers, and the seals being then and there broken, and the returns examined, and the councillors elect having been sworn into office, the council shall be organized and proceed to business.

Organization of council.

22. In the case of the first election, the sheriff or his deputy, shall receive from the municipality funds, the sum of eight dollars, in full, for his services, and each presiding officer shall receive \$2.00, and each poll clerk, \$1.00, in full for their respective services. And such sums shall be a charge upon the municipality, and be assessed, levied, and collected, under the order of the municipal council.

Officers' fees at first election.

23. Every returning officer, or person holding any election under this chapter, shall have power to administer all oaths and affirmations required to be administered or taken at any such election.

Returning officer to administer oaths.

24. Every officer who shall be elected or appointed under this chapter, shall, before entering on the duties of his office, take and subscribe the general oath of office contained in the schedule, unless officers for whom the schedule contains a special oath of office.

Oath of office to be taken.

Resignation of office. 25. A warden or councillor may resign his office at any time by a declaration to that effect under his hand, and on payment of a fine of forty dollars.

Occasional vacancy. 26. The warden or councillor elected to fill an occasional vacancy, shall hold office for the residue of the term of the person whom he succeeds, but no longer; but he shall be capable of re-election if qualified.

SESSIONS OF COUNCIL.

Subsequent elections.

27. On the second Tuesday of January, after the annual elections in all subsequent years, the municipal council and the councillors elect shall meet at the county court house, and the municipality Clerk having produced the returns of the presiding officers, and the seals being then and there broken and the returns examined, the councillors elect shall be sworn into office.

Quorum of council.

28. A majority of the council shall be a quorum for the transaction of business; a smaller number may adjourn from time to time, and absent members may be compelled to attend under such penalties as may be provided by bye-law of the council. All questions arising in the council shall be decided by a majority of votes; and the Warden, or temporary chairman, shall have a right to vote on all questions before the council.

Meetings of council.

29. There shall be two regular meetings of the council in each year; the first, herein designated the annual meeting, shall be held at the county or district court house on the second Tuesday of January; the second, herein designated the half yearly meeting, shall be held at such place as the council may appoint, on the first Tuesday of May.

Meetings for despatch of business.

30. Besides these regular meetings, the council may meet as often as expedient for the despatch of business, at such time and place as they may appoint; public notice shall be given of the time and place of each meeting of the council, and all meetings shall be open and public; the council shall have power to adjourn and to appoint committees to act during the session and recess. If any council fails to meet at any time appointed by law, they shall not thereby be deemed to be dissolved, but may hold future meetings as if there had been no failure.

Special meetings, how called.

31. The Warden, on application of three members, shall call special meetings; the notice shall specify the object thereof, and be posted up in some public place in each dis-

trict, and each councillor shall be served with a copy thereof personally, or by leaving the same at his residence, at least two days before the meeting, or by sending a notice, post-paid, to his address at least four days before the meeting. In case of absence from the province of the Warden, or in case of there being no Warden, the Clerk, on the application of three members of the council, shall call a special meeting in the same manner and for the like purpose as the Warden.

32. The Warden and councillors shall be paid, that is to say; the Warden by a salary to be established by the council not to exceed \$50, without having expenses paid, and the councillors according to their actual attendance at such rate as the council by bye-law shall determine, not to exceed one dollar per day, and travel at the rate of five cents going and returning per mile. Warden and councillors to be paid.

33. The Warden and Councillors shall respectively be liable to such fines for non-attendance or other neglects, as the council by bye-law may appoint, of which the clerk shall keep a correct account; nor shall any of them be authorized to receive any payment for salary or fees until such fines as may stand against them be deducted. Liability to fines.

34. The council shall have power to make, and from time to time to alter, such rules and regulations as may be requisite for the conduct and good order of its proceedings, and such bye-laws touching any matters within its authority as it may judge proper. Bye-laws, rules and regulations.

COUNTY OFFICERS.

35. Each council shall appoint a Clerk and a Treasurer who shall respectively perform the duties now exercised by the Clerk of the Peace and County Treasurer, as far as the same come within the scope of the corporation and of this act, and the council shall prescribe the duties of such officers, and the security to be given for the faithful performance thereof; and may appoint a deputy clerk when they deem it necessary, who shall perform all the duties of the Clerk under this act. Appointment of county officers.

36. The general duty of the Clerk shall be to record in a book all the proceedings of the corporation and state an exact account of the attendance of each councillor at each meeting, make regular entries of all resolutions and decisions, and if required by any member present, to enter the votes as given, and to preserve and file all accounts, and to Duties of clerk.

keep the books, records, and accounts of the corporation, which shall be open, without fee or reward, to the inspection of all persons, at all seasonable times and hours.

Duties of treasurer.

37. The Treasurer shall be appointed annually. It shall be the duty of the Treasurer to receive and safely keep all monies belonging to the municipality, or which he shall be appointed to receive, and keep and pay out the same to such persons and in such manner as he shall be directed to do by any lawful order of the municipal corporation, or by any law of the province, and strictly to conform to and obey any such law or any bye-law lawfully made by any such municipal corporation, and faithfully to perform all such duties as may be assigned to him by any such law or bye-law; and every Treasurer shall annually give such security for the faithful performance of the duties of his office, and more especially for the due accounting for, and paying over, all monies which shall come into his hands, by virtue of his office, as the municipal corporation by which he was appointed shall direct.

Duration of office of clerk.

38. The council shall make such bye-laws or resolutions as to the duration of the office of the Clerk, as to them shall seem fit.

Bye-laws as to officers.

39. The council shall make such bye-laws or resolutions as to the number of offices to be held by one person, as to the holding of offices by partners of municipality officers, and as to officers having an interest in any work undertaken for the municipality, as to them shall seem fit.

Appointment of County auditors.

40. The council, at its first meeting in each year, or as soon after as practicable, shall appoint two persons to be county auditors. No person shall be appointed auditor who is a member of the municipality council or one of the officers, or who was a councillor or officer at any time within a year previously, or who shall, directly or indirectly, by himself or partner, have any share or interest in any contract with the municipality council, or any employment under them. No municipality auditor shall act as such unless he shall have the qualification required for a councillor, and shall have previously made and subscribed the oath of office and qualification.

Auditors' duty.

41. It shall be the duty of the municipality auditors to examine and audit the accounts of the treasurer, and all other accounts of the council or corporation, or in which the municipality is concerned; and all such accounts as may be referred to them by the council for special examination, and

report as instructed; and it shall be the duty of the council to refer to them all such accounts, and their duty faithfully to report thereon without needless delay.

42. The municipality auditors shall have authority to call for all books and vouchers they may deem necessary for elucidating any account laid before them. No account shall be allowed or passed by the council until the same is audited and reported upon by the municipality auditors; and all audited accounts shall be open at all reasonable times to the inspection of any elector of the municipality.

Auditors' authority.

43. The treasurer, overseers of the poor, assessors, collectors, and other officers whose term of office is not by this chapter, or shall not be by bye-law of the corporation, otherwise determined, shall hold office from the time of their appointment, or from the time by the council fixed for its commencement, until the first annual meeting in January next, after or until their successors be appointed.

Tenure of office.

44. Every person elected or appointed under this chapter to take any office shall, before he shall enter upon the duties of his office, take and subscribe the general oath or qualification contained in the schedule of oaths.

Oath of office.

45. No person shall be qualified to vote or to be elected or appointed to any office under this chapter who shall not at the time of his voting, election, or appointment, be a natural born or naturalized subject of her Majesty, her heirs, or successors, and of the full age of twenty-one years.

Qualification for office.

46. Every qualified person duly elected or appointed to any office in, by, or under the municipality, in cases not herein expressly provided for, who shall refuse such office, or neglect to take the several oaths or affirmations required by this chapter in respect thereof, within ten days after his election and appointment, having had notice of such election or appointment; and every person who shall enter on the duties of an office under this chapter, without having taken the oath required in respect of such office; and every person duly authorized to administer such oaths or affirmations, who shall refuse to administer the same when such administration is reasonably demanded of him, shall thereupon, respectively, forfeit such sum, not more than eighty dollars, nor less than eight dollars, as may be prescribed by the bye-laws of the municipal corporation, to be paid to the Clerk of such corporation for the use thereof; provided that such forfeiture shall not be incurred by any person not

Forfeitures for neglect or refusal.

legally qualified, or who shall be legally exempt, and who shall verify that fact on his oath.

Clerks' powers
and duties.

47. All power and authority now vested in, and all duties now imposed on Clerks of the Peace shall be vested in and be performed by the municipality clerks.

COUNTY PROPERTY.

County property
vested in
council.

48. The municipalities shall have authority for the purchase, acquirement and management of all such real and personal property within the municipality as may be required for purposes of the corporation, and the sale and disposal of the same when no longer required; and for the superintendence and management of all the property of the municipality, and for the erection, preservation and repair of the municipality court house, jail, lock-up house, town hall and all other buildings required by, or being upon any land belonging to the municipality, and all property of every description belonging to the municipality, or any district or districts, or which is now vested in the Trustees of Public property for any county or district hereby incorporated, shall be under the management and control of the municipal council.

COUNTY REVENUE AND EXPENDITURE.

Power of municipalities.

49. The municipalities may vote, assess, collect, receive, appropriate, and pay, whatever monies are required for purposes named in the twenty-first chapter of the Revised Statutes, fourth series, and shall have all the powers and authority which, when this chapter shall go into operation, may be possessed by the grand jury and sessions under that chapter, and shall carry out the objects of that chapter as nearly in conformity with the mode it directs as shall be consistent with this chapter and the incorporation thereunder.

Appointment
of assessors
and collectors.

50. The municipalities, for raising the monies required under such chapters, and which may be required for any other township, district, or county purposes, shall at the annual meeting in January, appoint a suitable number of assessors and collectors, and prescribe their duties and allot their limits within which to act. Casual vacancies shall be filled by the council, if such vacancies occur within a month before either regular meeting of the council, otherwise by the councillors for the electoral district or districts within which the assessors or collectors were limited to act.

51. The municipal financial year shall end on the thirty-first day of December, and all accounts of the several officers and of the municipality, shall be audited, examined, determined upon, and passed, as far as possible, at the first annual meeting in January. Financial year

52. Orders for assesment may be made by the council at any regular meeting or special meeting called for that purpose. Order for assesment.

53. When it is necessary to raise any sum of money for the payment of the contingencies of the county, or of any thing chargeable upon the contingent fund of the county, or to meet any deficiency in such fund, the county council may order the same to be assessed, levied and collected. Contingent fund.

54. The county council at any semi-annual meeting are authorized and empowered to order an assessment to be made against any certain district, or districts, in their municipality that may at any time be indebted to the county, for the whole or part of such indebtedness, as may be deemed advisable by the council, or they may order a portion of the same to be assessed at one time and a portion at another: and the amount so ordered to be assessed shall be included in the general warrant of assessment against the district; and shall be assessed and collected in the same manner as other district rates are assessed, levied and collected, and when so collected shall be applied to the payment or reduction of the debt due by the district from which it has been collected. District assessment.

55. All debts, liabilities, and obligations, of every kind, which may be due, or owing, or to which any county or district, hereby incorporated, may be liable at the time of its incorporation, shall be assumed, paid, and performed, by the municipality council, and be recoverable from the same, by action or otherwise, on the same terms and conditions as the same should have been paid and performed, if the county or district had not been incorporated; and all property of a public nature, and debts of every kind, belonging or owing to any county or district hereby incorporated, shall at the time become vested in, and due and payable to the municipality council; but no municipality council shall issue or authorize the issuing of any bill, or note, or in any way act or authorize any persons to act as bankers. Existing liabilities provided for.

56. In assessing any rate or tax, the municipality council shall be governed in all things by the laws now or hereafter to be enacted for the levying and collecting of poor and Rates, how to be assessed.

county rates, except as herein provided; and the same shall be apportioned and assessed equally on all property liable by law to poor and county rates; but no rate or assessment whatever shall be made or levied on any lands, tenements, or other property, real or personal, of her Majesty, her heirs or successors, or in possession of the Board of Ordnance, or of the Dominion Government.

Percentage,
&c., to be con-
tinued.

57. All allowances or per centage granted by law to any collector or county treasurer, and all salaries, wages, and allowances, of any kind, enjoyed by any county, town, or district officer, shall continue to be paid after the incorporation of any county or district, until otherwise ordered by the municipality council.

Abstract to be
laid before leg-
islature.

58. At least ten days before the meeting of the provincial legislature, the Warden shall transmit an abstract of the receipts and expenditures of the municipality during the preceeding year, to the governor, who shall lay the same before the legislature.

Excepted pro-
perty.

59. Nothing in this chapter shall extend to any toll bridge, or road belonging to any company or individuals, nor to any work under the control of the Imperial, Dominion, or Provincial Governments, or of the Military Authorities.

Fines and pen-
alties, recov-
ery of.

60. All fines and penalties imposed by any bye-laws of the municipality councils, and for the recovery of which no other provision is made, may be recovered with costs by suit and execution, as in the case of debts, in the name of the corporation, before any justice or justices of the peace for the county, or in the county court for the district, and all fines and penalties, when recovered, shall be paid and applied as the bye-law shall direct, or when not specially provided for, to be paid into the treasurer for the use of the municipality. No informer or other person, who is to receive for his own benefit any part of a fine or penalty, shall be a competent witness for the prosecution, unless he first relinquishes, in writing, all claim to his proportion of the fine or penalty; in such case the whole penalty shall be applied as the bye-law shall direct for that portion which was to go to the informer or prosecutor.

Assessment of
rates, tolls, &c.

61. All rates and tolls imposed by the council shall be assessed and recovered in manner prescribed by the bye-laws, and by such assessors and collectors as may be appointed for that purpose by the council at one of the two meetings hereby appointed; provided such bye-law

is not repugnant to the law of the province or to this chapter.

62. All rates for public purposes, not within the scope and authority of this chapter, which inhabitants of any county or district which is hereby incorporated, are now liable, or may hereafter be liable to pay, by law of the province, shall continue to be assessed upon, and paid by the inhabitants of any such municipality, until otherwise directed by an act of the legislature.

Existing rates,
how assessed,
etc.

SUPPORT OF THE POOR.

63. On the first meeting of the council, after each annual election, or as soon after as may be convenient, the council shall vote for each poor district, the sum it shall judge necessary for the support of the poor in that district, and for the purposes enunciated in chapters 33 and 34 of the Revised Statutes, fourth series, or any act in amendment thereof; and shall appoint overseers of the poor for the existing poor districts until such existing poor districts shall be altered by the council; which districts it shall have power from time to time to alter, if it shall see fit so to do.

Poor rates and
districts.

64. After the present year, town meetings shall not be held to provide for the support of the poor.

Poor meetings
discontinued.

65. The overseers of the poor shall account to the council instead of the sessions; and the council shall exercise the functions given by such chapter to the grand jury, town meetings and general and special sessions, and to the sessions, and shall hear and determine appeals, and in all particulars shall carry out the object of those chapters as nearly in conformity with the mode thereby directed as shall be consistent with this act and the incorporation thereunder.

Overseers of
poor.

DISTRICT OFFICERS.

66. The municipal councils shall appoint a sufficient number of pound keepers, fence viewers, overseers of the highways, road surveyors, and of such and as many officers as may be necessary for carrying into effect any of the provisions of this act, or of any other act of the legislature, containing any of the subjects placed under the jurisdiction of the councils, or of any bye-law of the municipality; and in like manner to displace any of them and appoint others in their room, and to add to or diminish the number of

Appointment
of district offi-
cers.

them as often as the corporation shall see fit, and to regulate their powers and limits wherein they shall be exercised; and shall regulate and prescribe the duties of all officers acting under the authority of the corporation, and the penalty of their making default in the performance of such duties, and shall settle the remuneration of all such officers, in all cases where the same is not settled by an act of the legislature, and the providing for the payment of the remuneration which, by act of the legislature, or by the bye-laws of the municipality, may be provided for such officers; and shall regulate the bonds and recognizance, or other securities to be given by such officers for the faithful discharge of their duties; the penalties for refusing to serve in any office, and for the infringement of any bye-law of the municipality.

Appointment
of health offi-
cers.

67. The municipal corporation shall have the appointment of health officers, health wardens and health inspectors, and a board of health with the authorities and powers given to justices in general and special sessions by the 29th and 30th chapter of the Revised Statutes in acts in amendment thereof.

Powers of
warden and
councillors.

68. The warden and councillor while, in office, ex officio, be justices of the peace in and for the county, and shall have within the municipality all the powers and jurisdiction which belong to that office, and as well the Warden as in his absence any councillor shall have power to administer oaths and affirmations concerning accounts, and other matters shall be submitted to the corporation, or shall concern the same. But they shall not have power to try any suit or action. All powers and duties, which by any statute of this province, are possessed or required to be possessed by the custos of any county or district, shall after the second Tuesday in January next, be vested in and exercised by the warden of any municipality, and clerks of councils or their deputies shall after that time have and exercise all the powers and authorities now vested in clerks of the peace.

Council's pow-
ers.

69. The powers and authority of the council shall also extend to the following objects:

Laying out
roads, etc.

I. The laying out of new roads, and the making, maintaining, or improving of any new or existing road or street, or for stopping up, altering, or diverting the same, not being a great road, subject however to the provisions of the law, and the restrictions and protection to private rights contained in any statute relating thereto, and subject to the rights of the Crown and the Province in public property.

II. The appropriating and apportioning road and bridge money, granted by the legislature, to be laid out in the municipality by the municipal authority and also to authorize and provide for the raising, assessing, levying, collecting, and appropriating, such sum or sums of money as the county or district council shall from time to time consider necessary to make, maintain, repair, alter, or improve any roads, bridges, or streets within the municipality, such monies to be raised by rates to be assessed on real and personal property, or its owners and occupiers, in the same manner as county rates are assessed, levied, and collected, provided that no greater sum than one thousand dollars for such purposes be raised and assessed in any one year, in any municipality without the consent of the Governor in Council. Money for roads and bridges.

III. The collecting and enforcing the performance of statute and highway labor, and the expenditure of the commutation money for highway labor, and the powers of the Sessions, and of the Justices of the Peace, under any statute relating thereto, and the returns therein directed shall be made to the council or their Clerk, or as the council may order. Statute labor.

IV. The division of the municipality into road districts, and the appointment of a superintendent of roads in each, with such powers as regards the roads and bridges, and the expenditure of provincial and municipality money, and statute labor therein, as the council shall see fit to confer; and the erection, preservation, and repair of any new or existing bridges, and the regulating the driving and riding over bridges; the protection of timber, stone, sand, or gravel, or any appropriation for roads or other public property, and the sale of such timber and other articles. Road districts.

V. The support of the poor by municipality, township, or district organization, and the erection and maintenance of municipality, township, or district poor houses. Poor houses.

VI. The making orders for carrying into effect the law, as it may from time to time exist, concerning the manufacture, importation, and sale of intoxicating liquor, and the providing payment for expenses that may be incurred in relation to that subject, in so far as it may be competent for the legislature of Nova Scotia to confer such authority. Licenses for intoxicating liquors.

VII. The regulating ferries, public wharves, and landings, and the establishment and regulation of markets and fairs, in so far as the same are now regulated by the sessions. Ferries, public wharves, etc.

Administration of justice. VIII. The providing means for defraying such expenses connected with the administration of justice as are required to be defrayed out of the municipality funds; the raising, assessing, levying, and appropriating all monies that may be requisite for carrying into effect the objects for which the council is empowered to act or to make bye-laws; such monies to be raised by rates to be assessed on real and personal property, or its owners or occupiers.

Municipality overseers. IX. The collection and accounting for, of all tolls, rates, and assessment of the municipality revenues; but no monies shall be voted, nor any salaries determined upon, except at one of the regular meetings, or an adjournment thereof, unless the public service may require a deviation of this rule; in such cases, as also in cases of adjourned meetings, every member of the council shall have notice of the meeting and its objects.

Contracts. X. The making of all contracts relative to matters under their control, which contracts, after having been duly considered by the council, shall be signed by the Warden, and countersigned by the Clerk of the council.

Officers' salaries. XI. The determining what officers it may be expedient to pay, fixing the amount of their salaries, fees, and remuneration, where not fixed by this act, and the time and mode of paying them, regulating the returns of assessors and collectors, with a view to the general business of the municipality; the expense of municipal elections, and the mode of remuneration.

Municipal elections. XII. The appointing of presiding officers for conducting municipal elections, the times, places, and mode of election, and the times, form, and manner, of the presiding officers' returns, so far as may not be especially directed by this act.

General supervision. XIII. The providing for any other purpose, matter or thing specially subjected to the control of the council, by law; but no bye-law shall impose any punishment or imprisonment, or any penalty, exceeding twenty dollars.

Oaths, how administered. 70. When no provision shall be made in this act for the administering of any oaths or affirmations required to be administered or taken, the same may be administered by the Warden, or in his absence, by the Clerk, or by any councillor or any justice of the peace; and when an oath or affirmation is directed to be administered by, or taken before any officer or person, the authority to administer is included.

71. The municipality councils shall appoint committees of their own body to revise the jury lists, in accordance with the acts relating thereto, and shall fulfil all the duties imposed by those acts on the committees of the Sessions. Jury lists, revision of.

GENERAL PROVISIONS.

72. The grand jury and Sessions shall not be required to meet for any purpose for which, by law, they are now required to meet in any municipality; but nothing in this act shall be construed to take from justices of the peace their power as conservators of the peace, or to impair or abridge the criminal jurisdiction they possess by common or statute law, or their authority over offences partaking of a criminal nature given by any law of this Province or Dominion, nor the power to administer oaths, nor any power belonging to the office of justice of the peace, which is not taken away by this act either expressly or by necessary implication. Grand jury and sessions.

73. All power and authorities now vested by law in the grand jury and Sessions, in Special Sessions, or in justices of the peace, to make bye-laws, impose rates or assessments, appoint township or county officers, or make regulations for any county purpose whatever, after the incorporation of any municipality shall be transferred to, vested in, and be exercised by the municipality council only; but no bye-laws or regulations made by the justices in session, shall be considered repealed, until the municipality Council shall expressly declare such repeal by a bye-law, and the county and town officers shall continue to exercise their functions until the first meeting of the incorporated council under this act, and they shall be liable to account to the council; and all assessment rolls or other proceedings relating thereto, made and had before the first meeting of the municipal council, to be holden in January next, shall remain and be in force until the year 1881. Powers transferred to council.

74. The warden and councillors of any municipality shall be exempt from serving upon any grand or petit jury; but no electors or other persons in any municipality other than said Warden or councillor shall be incompetent to serve as jurors in any case in which the municipality is a party, by reason of his being a resident of such municipality. Exemptions of warden and councillors.

75. Every person authorized by law to make affirmation, instead of taking an oath, may make affirmation in every case where an oath is required by this act. Affirmation authorized.

Actions
against muni-
cipality.

76. Every action brought by or against any municipal-ity council shall be brought by or against the same by its corporate name; and in all such actions, service of process on the warden or clerk for the time being, shall be good and valid service of such process. In case of judgment being given against the corporation, the same shall be paid by order of the council, without unnecessary delay, if there shall be funds available for the purpose, otherwise the amount shall be included in the next assessment, and shall be paid out of the first monies which shall be subject to the appropriation of the council; if the amount shall not be paid within six months after judgment recovered, and demand made, the supreme court, or a judge thereof in vacation, shall have the power to amerce the municipality; but nothing herein contained shall take away the right of appeal, where the same is now allowed.

Judgments to
bear interest.

77. Judgments against a municipal corporation, shall bear interest at six per cent per annum.

Jurisdiction of
sessions.

78. The jurisdiction of the General Sessions of the Peace and of the grand jury, in all matters over which, by this act, jurisdiction is given to the municipal Council, is taken away.

Powers of mu-
nicipal coun-
cil.

79. The power and authorities which in chapters 15, 21, 22, 23, 29, 30, 31, 32, 33, 34, 43, 44, 46, 47, 48, 49, 50, 51, 52, 58, 59, 61, 62, 63, 65, 66, 67, 68, 69, 70, 71, 72, 73, 75, 92. of the Revised Statutes, fourth series, and in chapters 70, 95, 147, 157, of the Revised Statutes, (third series,) are given to grand juries, justices in sessions, general or special, or to justices of the peace, and to the officers or persons named by them; and to the the officers or persons named in such chapters for the carrying out of any of the provisions of those Chapters, are given to the municipal councils, and to the officers or persons to be appointed by them under the respective bye-laws of such councils.

Commission-
ers of streets.

80. The provisions of chapter 49 of the Revised Statutes "of commissioners of streets," and any acts in amendment thereof shall extend to all municipalities; and all the powers by such chapter vested in the Sessions and grand jury, are hereby vested in the council of the municipality and the power and authorities of the commissioners are hereby vested in the commissioners to be appointed by such councils.

Commons.

81. The municipality councils shall have the same power and authority respecting commons as are now vested

in the Sessions, under chapter 41 of the Revised Statutes "of commons."

82. No action shall be brought against any person for anything done by virtue of an office held under any of the provisions of this act, unless within six months after the act committed, and upon one month's previous notice thereof in writing, and the action shall be tried in the county where the cause of action arose. Limitation of action.

83. The warden, councillors, and officers acting under them, shall be entitled to the protection afforded to justices of the peace and constables, under any of the statutes of this Province. Protection of council, etc.

BYE-LAWS.

84. The council may make regulations for the management and good order of their proceedings, and may make bye-laws to regulate the following objects: Bye-laws, etc. following objects.

1st—For the management of such real estate as may be required for municipal use, the management of all municipal property, and the support of the poor. Management of property.

2nd—For providing means to pay the expenses of the administration of justice chargeable on municipal funds, and for the preventing and extinguishing of fires. Administration of justice.

3rd—For assessing and appropriating all monies authorized by law to be raised. Assessments.

4th—For the collection and accounting of all tolls, rates, and municipal revenues, for imposing penalties, determining the amount and manner of paying salaries, fees, and remuneration to municipal officers, making contracts, and for determining what officers shall be paid, and the amount and mode of paying of them. Revenues.

5th—For regulating the election of councillors. Elections.

6th—For the good rule and government of the municipality, and for the regulation and management of the local, municipal, fiscal, prudential, and sanitary affairs thereof. Good government.

7th—For regulating the mode, manner, and form, of making out accounts and claims against the municipality, for any matter or thing upon which the municipality may be liable to pay any sum of money for any purpose provided for by the laws relating to municipalities, and to declare the time at which the said accounts shall be fyled Accounts and claims.

with the auditor, and to direct that the said accounts or claims shall not be received for audit unless such form is complied with.

Markets and fairs.

8th—For the establishment and regulation of markets, market houses and fairs, and for the slaughtering of animals, and the sale of dead meats.

Ferries.

9th—For the establishment, licensing, and regulation of ferries, and fixing the rates and fares thereof, and for the conveying passengers to and from steam boats on their passage along the rivers.

Streets, sidewalks, etc.

10th—For the protection of streets, squares, sidewalks, and pavements, and of the posts, railings, trees, and other defences, and ornaments thereof.

Docks and landings.

11th—For the use and management of docks, wharves, landings, and cranes, and fixing the rates of dockage, wharfage, and cranage in cases over which the sessions now hold control.

Coal and wood.

12th—For the weighing and measurement of salt, coal, and wood, lumber, logs, and timber, and fixing the rates therefor.

Truckage.

13th—For the licensing and regulation of carriages for hire, cartage, and truckage.

Weights.

14th—For the weighing of hay and straw, and grain, and fixing the rates therefor.

Pound keeping.

15th—For the regulation of pounds, and fixing the fees and the rates to be taken and received by pound keepers and persons lawfully driving anything to pound.

Firearms, etc.

16th—For preventing the firing of guns or other firearms, or the setting off of squibs or other fireworks, or burning of combustible materials, the carrying of fire, lighted candles, or lamps, without being covered or secured.

Dog tax.

17th—For imposing and collecting a tax on dogs.

Disorderly noises.

18th—For preventing the ringing of bells, shouting or other unusual noises in the streets, knocking at doors, or ringing door bells.

Boomage, etc.

19th—For the regulation and management of booms for holding timber, logs and other lumber, and for the driving of timber and logs; for fixing the table of tolls for boomage with the lien of the boom master therefor, and prescribing the mode of recovering and right of disposing of the lumber of any person for which such boomage may be charged, in default of payment, not interfering with any corporation or person empowered by law to establish a boom. And shall

also have power to make bye-laws, regulating the erection and maintenance and times for opening and closing sluices, and the conveyance of timber, logs, and lumber on any river or brook within the bounds of their respective municipalities.

20th—For establishing and regulating a police in any town or village. Police.

21st—For defining the gaol limits, not exceeding three miles or less than half a mile from the gaol. Gaol limits.

22nd—For the regulation and management of work-houses and gaols. Workhouses and gaols.

23rd—For the marking of neat cattle and sheep. Neat cattle.

24th—For preventing disorderly riding and driving on the public roads and bridges, and preventing coasting thereon. Disorderly riding, etc.

25th—For preventing the growth of thistles and other noxious weeds. Noxious weeds.

26th—For regulating the manner and times of burning brush and other materials in clearing lands. Burning brush.

27th—For preserving the banks of rivers. River banks.

28th—For establishing lock-up houses in such parts of the municipality as may be necessary, and making regulations for the government thereof, and any prisoner in the custody of any officer may be imprisoned in such lock-up house until he can be removed to the common gaol; but no person under arrest in civil causes shall be detained therein more than forty-eight hours. Lockup houses.

29th—For preventing vice, immorality, and indecency in the streets, highways, and other public places, and for preventing the profanation of the Sabbath; and for preventing cruelty to animals. Immorality, etc.

30th—For restraining and licensing all exhibitions, circuses, and other shows for hire or profit, and for preserving order thereat; but no license fee shall exceed forty dollars for a day. Licensing exhibitions.

31st—For abating and removing all public nuisances. Nuisances.

32nd—For preventing and regulating the straying or running at large of horses, cattle, sheep, swine, goats, dogs, geese, turkeys, hens, and other domestic fowls; for the care and keeping of stray horses, cattle, and sheep. Cattle at large.

33rd—For regulating the measurement of boards, shingles, lathwood and other lumber, cordwood and other fuel; and for marking timber and logs. Wood measurement.

Bridge preservation. 34th—For the preservation of bridges, and preventing injuries thereto.

Giving security. 35th—For regulating the amount in which bonds shall be given by municipal officers concerned in the collection, receipt, or expenditure of money, the form thereof, the manner in which they shall be given, and the nature and amount of the security required, when not otherwise provided.

Officers' duties. 36th—For defining the duties of municipal officers, and the manner in which they shall account for moneys received or expended by them.

Ballast. 37th—For regulating the discharging and depositing of ballast in all harbors now under the control of the sessions.

Road expenditure. 38th—For the establishing of a mode of expending the provincial and other road monies, either by appointing district or municipal supervisors, and defining their duties, or by contract, or otherwise.

Hawkers and pedlars. 39th—The licensing of auctioneers and pedlars, and hawkers of goods, and traders who are not ratepayers within the province.

Bye-laws to be laid before legislature. 85. An authentic copy of each bye-law passed by the municipality council, shall be laid before the legislature within ten days after the opening of its next session. Any bye-law repugnant to the law of the land, or the provisions of this act, shall be wholly void, and of no effect whatever, and no bye-law shall go in force, and effect, until the same be approved by the Governor in Council.

Lists of electors to be furnished. 86. The Clerk of the Peace in every county and sessional district, hereby incorporated, shall, on or before the fifteenth day of October next, furnish to the Sheriff in each County, a certified list of qualified electors in such county or sessional district, such electors being the persons qualified to vote during the present year, at the election of members to serve in the Provincial Assembly, and the Sheriff shall provide every presiding officer with a certified list of the qualified electors in the polling section, in which such officer is to preside, and no person shall be allowed to vote whose name is not on such certified list, or on a supplementary list which the Sheriff may furnish to said presiding officers in case of inadvertent omissions, and after the present year the Clerk of the council in each municipality shall furnish each presiding officer with the certified list of persons qualified to vote in the polling section in which

such officer is to preside, and no person shall be allowed, to vote whose name is not on such list, or any supplementary list, which the clerk of the municipality may furnish in case of inadvertent omissions. The list to be used at all elections shall be the list which would at the date of such election be used if an election were being held of a member to serve in the General Assembly.

87. For each revisal section, the municipal council shall annually appoint three persons who shall be duly sworn to the impartial performance of their duty according to the form of oath heretofore in use, and such revisors shall have all the powers, and discharge all the duties of revisors under chapter 28 of the acts of 1863, and all acts in amendment thereof, and all or any acts or act relating to the election of members to serve in the General Assembly.

Appointment
of revisors.

88. Chapter 57 of the Revised Statutes, fourth series, and all acts and parts of acts inconsistent with this act, are hereby repealed.

Cap. 57 Rev.
Stat. repealed.

89. Should an election fail to be held at any time, for any reason, in any county or sessional district hereby made a municipality, the Governor in Council may appoint persons to conduct such election, and make regulations for holding and conducting the same, which regulations shall have the force of the law, and the election held under and in conformity with them, shall have the same force and validity, as if the same were held under the provisions of this act.

Special elec-
tion provided
for.

90. The proportion of County assessment which shall be borne by any incorporated town or city, within the limits of any county or district, hereby made a municipality, shall in case of a disagreement between the council of such incorporated town or city, and the municipal council of any municipality hereby created, be decided and ascertained by the award of two arbitrators, one to be appointed by each such council, and in case of disagreement between such two arbitrators, by the award of an umpire, to be appointed by the Governor in Council, and in case of neglect or refusal to appoint such arbitrators by either or any council after ten days' notice to make such appointment, the Governor in Council shall appoint the arbitrator who should have been so appointed.

Appointment
of arbitrators.

91. All existing agreements between incorporated towns and sessions, shall remain in force until revoked or altered in the manner herein prescribed.

Existing
agreements.

Appeals regulated.

92. All appeals which now lie to the Sessions of any County or district, hereby incorporated, shall lie to the municipal council.

Existing debts and liabilities.

93. All debts and liabilities of Counties or Sessional Districts, hereby incorporated, shall be and become debts and liabilities of the several municipalities, formed by this act from such Counties or Sessional Districts, and all the assets and property of such County or District shall become the property of such municipality, and in every act now in force and in all contracts wherein the word County or District (referring to a sessional district) has been used, the same shall be read as if the word municipality had been used, and the word Custos in every act and contract shall be read Warden, and the words "Justice of the Peace" or "Justices of the Peace," in every act and contract shall include, and be read Councillor of the municipality, or Councillors of the municipality, as the case may be, and the words "County Treasurer," or "Treasurer of the county," or "district," shall mean Treasurer of the municipality, and the words Clerk of the Peace, shall mean Clerk of the municipality, or his deputy, and this section shall apply to all acts of the present session, as well as to acts previously in force.

Power of governor in council.

94. The Governor in Council shall have power to make any regulations which may be necessary for bringing into operation all the provisions of this act, for regulating and defining the limits of any polling section or municipality, such regulations to have the force of law until the next session of the Legislature, when the same shall cease to be operative.

Voting restricted.

95. No person residing within the limits of any incorporated city or town, shall have the right in any polling section to vote for councillors for any of the municipalities hereby created.

Power to loan money.

96. No municipality shall have power to borrow any sum of money without the authority of the Governor in Council, and for all sums of money to be borrowed in any one year above one thousand dollars, the authority of an act of the legislature shall be required.

Debentures may be issued.

97. In any County or sessional district hereby incorporated, the municipality shall have the power to issue debentures, bearing interest at a rate not exceeding six per cent. for the amount of any railway damages due and payable by such County or Sessional District, or for any part of such amount, such debentures to be in a form

to be prescribed by the Governor in Council, and to be so arranged as to provide for the payment of such damages and interest in not more than five annual installments.

98. When the Clerk and Treasurer are appointed in any municipality, by the municipal council, the Clerk of the Peace for the County or Sessional District hereby created a municipality shall immediately hand over to the Clerk of the Council, and the County Treasurer shall immediately hand over to the Treasurer of the Municipality all books, moneys, papers, and property of every kind which may be in their hands, respectively, by virtue of their respective offices, and all existing offices shall be subordinate and accountable to the council of the municipality, as soon as such council shall meet.

Transfer of
documents,
etc.

99. The polling districts of the County of Guysborough, shall be for the purposes of this act the same as they existed previous to the session of 1877.

Guysboro' poli-
ing districts.

100. No. 1 electoral district of Queens County, and No. 2 electoral district of the township of Shelburne, shall each return three councillors.

Queens and
Shelburne.

SCHEDULE.

Schedule A.

COLCHESTER COUNTY.

Polling District No.	4—Upper Stewiacke	..	..	2
"	"	11—Tatomagouche	..	2
"	"	16—Middle Londonderry	..	2

CUMBERLAND COUNTY.

Polling District No.	1—Amherst	..	..	2
"	"	7—Pugwash	..	2
"	"	8—Wallace	..	2
"	"	11—Parrsborough	..	2

PICTOU COUNTY.

Polling District No.	17—Hopewell	2
----------------------	-------------	----	----	---

KINGS COUNTY.

Polling District No.	1—Canning	..	..	2
"	"	6—Kentville	..	2

ANNAPOLIS COUNTY.

Polling District No.	10—Annapolis Town	2
----------------------	-------------------	----	----	---

DIGBY COUNTY.

Polling District No.	1—Digby Town	2
----------------------	--------------	----	----	---

CLARE DISTRICT.

Polling District No.	10—Metegan	2
" " "	11—Court House	2

LUNENBURG COUNTY.

Polling District No.	1—Lunenburg	2
" " "	3—Block House	2
" " "	9—Bridgewater	2

CHESTER DISTRICT.

Polling District No.	6—Chester	2
----------------------	-----------------	---

QUEENS COUNTY.

Polling District No.	2—Bristol	2
" " "	3—Port Medway	2
" " "	6—Caledonia	2

SHELburne DISTRICT.

Polling District No.	1—N. E. Harbor	2
" " "	3—Lockeport	2
" " "	4—Louis Head	2

BARRINGTON DISTRICT.

Polling District No.	5—Shag Harbor	2
" " "	6—Cape Island	2
" " "	7—Barrington	2
" " "	8—Port LaFour	2

YARMOUTH COUNTY.

Polling District No.	—Yarmouth	2
" " "	—Chegogin River	2

ARGYLE.

Polling District No.	—Tusket	2
----------------------	---------------	---

ANTIGONISH COUNTY.

Polling District No.	4—Antigonish	2
----------------------	--------------------	---

GUYSBOROUGH COUNTY.

Polling District No.	1—Guysborough	2
----------------------	---------------------	---

ST. MARY'S.

Polling District No.	—Sherbrook	2
" " "	—Glen Elg	2

CAPE BRETON COUNTY.

Polling District No.	1—Sydney	2
----------------------	----------------	---

VICTORIA COUNTY.

Polling District No.	5—Mabou	2
" " "	12—Whycogomah	2

HANTS COUNTY.

Brooklyn ..	..	..	..	2
Scotch Village ..	..	..	..	2
St. Croix ..	..	..	..	2
Kempt ..	..	..	..	2
Noel ..	..	..	..	2
Nine Mile River..	..	..	..	2
Shubenacadie ..	..	..	..	2
Gore ..	..	..	..	2
Maitland ..	..	..	..	2

OATHS.

SCHEDULE OF OATHS.

Schedule of
oaths.

Oath of Office, to be taken by all persons appointed to any office or duty under this Act, for which no oath of office is specially provided.

I, A. B., do solemnly swear [or affirm when the party is entitled to affirm] that I will truly, faithfully, and impartially, to the best of my knowledge and ability, execute the office of [inserting the name of the office, as presiding officer, or clerk of the elections, or warden, councillor, county clerk, &c., &c., as the case may be] to which I have been elected [or appointed] in this municipality, and that I have not received, and will not receive, any payment or reward, or promise of such, for the exercise of any partiality, or malversation, or other undue execution of the said office. So help me God.

Oath of office for the auditors.

I, A. B., do solemnly swear [or affirm when the party is entitled to affirm] that I will faithfully, and impartially to the best of my knowledge and ability, execute the office of auditor, to which I have been appointed in this municipality, and that I have not received, and will not receive, any payment or reward, or promise of such, for the exercise of any partiality or malversation, or other undue execution of the said office; and that I have not, during the time preceding my appointment to the said office of auditor, and that I have not since had, and that I have not now, directly or indirectly, any share or interest, whatever in any contract or employment, with, by, or on behalf of the municipal corporation of———. So help me God.