

CAP. XVII.

An Act to erect the upper part of the Parish of Wakefield, in the County of Carleton, into a separate and distinct Town or Parish.

Passed 29th March 1842.

6 WHEREAS the Parish of Wakefield, in the County of Carleton, is so extensive as to render the performance of the duties of the Parish Officers therein inconvenient and troublesome; therefore

Preamble.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That all that part of the present Parish of Wakefield, which lies to the Northward of the lower or Southern boundary line of Lot number thirty eight, granted to David Good, and its Westwardly prolongation, be and the same is hereby erected into a separate and distinct Town or Parish to be called by the name of the Town or Parish of Simonds.

Parish of Simonds erected from part Wakefield.

II. And be it further enacted, That the Justices of the Peace for the said County, shall at their first General Sessions in each and every year, appoint Parish Officers for the said new Town or Parish in like manner as for the other Towns or Parishes in the said County; and until the next January Sessions the officers lately appointed for the said Town or Parish of Wakefield, shall continue and perform the duties of their several offices in and throughout both of the said Parishes, as if this Act had not been passed.

Parish Officers to be appointed.

CAP. XVIII.

An Act to vacate the Seats of Members of the Assembly in certain cases.

Passed 29th March 1842.

I. **B**E it enacted by the Lieutenant Governor, Legislative Council and Assembly, That from and after the passing of this Act, any Member of the House of Assembly who shall accept of the office of Executive Councilor, or any office of profit or emolument under the Crown, shall be incapable of taking or holding his Seat in the General Assembly of this Province while in such office, unless re-elected after his acceptance thereof.

A Member of Assembly accepting office under the Crown;

II. And be it enacted, That any Member of the House of Assembly who shall hereafter enter into any Contract for the performance of any Public Work authorized by any Law of this Province, or under the immediate controul of the Executive Government of the Province, or who shall become security for the same, shall vacate his Seat in the said House of Assembly in the same manner and under the same regulations as are provided by this Act in cases where he shall have accepted the office of Executive Councilor, or any office of profit or emolument under the Crown.

Or entering into any contract for Public Works, or becoming security for the same, shall vacate his seat.

III. And be it enacted, That henceforth in the event of any vacancy occurring in manner aforesaid in the present or any future Assembly during any recess of the General Assembly, it shall be the duty of the Speaker, within ten days after the same shall be certified to him in writing by at least two Members, one of whom to be a Member of the County or City in which the vacancy may happen, (or in case such vacancy occurs in a County only represented by one Member, then in the next adjoining County,) to send his Warrant to the Clerk of the Crown in Chancery, to cause a Writ to be issued for the Election of a Member to fill such vacancy; and that the said Clerk of the Crown shall upon the receipt of such Warrant, issue out a Writ for that purpose, with as much expedition as the same may be done; and in case such vacancy shall be occasioned by the Speaker's acceptance of any such office as is aforementioned, or of his becoming Contractor for any Public Work, or surety for any such Contractor, in manner aforesaid,

Requisition for and issue of Writs to supply vacancies regulated.

aforesaid, or during the time there is no Speaker to the Assembly, during any recess as aforesaid, any four Members, one of whom to be a Member of the County or City for which such Speaker shall have been elected, may send their Warrant to the said Clerk of the Crown to cause a Writ to be issued for the Election of a Member to fill the vacancy so made; and that the said Clerk of the Crown shall upon the receipt of such Warrant issue out a Writ for that purpose, with as much expedition as the same may be done: Provided always, that if the Speaker shall be a member for a County represented by only one Member, then the Warrant to the Clerk of the Crown may be made by any four Members.

CAP. XIX.

An Act relating to the Market in Fredericton.

Passed 29th March 1842.

Preamble.

WHEREAS the not having a properly established Market in the Town of Fredericton, is found to be attended with great inconvenience to the inhabitants of the said Town; for remedy whereof

Justices in General Sessions authorized to make Regulations for the slaughtering of animals in the Town, and the selling of dead Meats.

I. Be it enacted by the Lieutenant Governor, Legislative Council and Assembly, That it shall and may be lawful for the Justices of the Peace for the County of York, at any General Sessions of the Peace to be holden in and for the said County, to make regulations for the slaughtering of any animals in the said Town of Fredericton, and for the selling or vending of any dead Meats, except Meats brought in and immediately sold by the Farmers and others from the Country, and to make such Rules and Regulations for the care and management of any Public Market House now or hereafter to be established in the said Town, and to impose and enforce such Fines and Penalties for the non observance of such Rules and Regulations, as the said Justices may deem necessary to make, any Law, usage or custom to the contrary notwithstanding.

Limitation.

II. And be it enacted, That this Act shall continue and be in force until the first day of April, which will be in the year of our Lord one thousand eight hundred and forty seven.

CAP. XX.

An Act to authorize the Justices of the Peace for the County of Northumberland to levy an assessment to discharge the Debts due by the said County.

Passed 29th March 1842.

Justices in Sessions authorized to assess the County to discharge the Debts due by the County.

BE it enacted by the Lieutenant Governor, Legislative Council and Assembly, That the Justices of the Peace for the County of Northumberland, at any General or Special Sessions hereafter to be holden, be and they are hereby authorized and empowered to make a rate and assessment of any sum not exceeding five hundred pounds, as they in their discretion may think necessary, for the purpose of discharging the Debts due by the said County of Northumberland; the same to be collected and paid, agreeably to any Acts in force for the assessing, collecting and levying of County Rates.

To be collected and paid agreeably to any Law for assessing County Rates.

CAP. XXI.

An Act to enable the Supreme Court to give relief against adverse claims made upon persons having no interest in such claims.

Passed 29th March 1842.

Preamble.

WHEREAS it often happens, that a person sued at Law for the recovery of money or goods wherein he has no interest, and which are also claimed by some third party, has no means of relieving himself from such adverse claims