

Anno Septimo VICTORIÆ Reginae.

CAP. LI.

An Act for the division of the County of Carleton into two Counties, and to provide for the government and representation of the new County.

Passed 13th April 1844.

WHEREAS from the great extent of the present County of Carleton it is necessary and expedient that the same be divided into two Counties ;

Preamble.

I. Be it therefore enacted by the Lieutenant Governor, Legislative Council, and Assembly, That all that part of the said County bounded as follows, namely : Commencing on the Boundary Line dividing the Province of New Brunswick from the United States of America, at the part or place where the same is intersected by the River de Chute, thence down stream, following the several courses of the said River, until it comes to the River Saint John, thence by the most direct course until it strikes the western termination of the line dividing the Lots numbers forty and forty one granted to John Marro and Patrick Marro, thence by the said line easterly and a prolongation of the same until it comes to the westerly line of the County of York, be and the same is hereby erected into a County separate and distinct from the said County of Carleton, and shall be called and known by the name of the County of Victoria ; and that the residue thereof which lies below the boundary line of the said County, as is described in this Act, shall comprise the County of Carleton.

County of Victoria erected from a part of the County of Carleton.

II. And be it enacted, That the like Courts of Justice shall be erected and established, and the like Justices and other Officers be constituted and appointed in the said new County, as are now erected and established, constituted and appointed in the said County of Carleton, and with the like powers and authorities.

Establishment of Courts of Justice, Justices, and other Officers, in the new County.

III. And be it enacted, That the Courts of General Sessions of the Peace and Inferior Court of Common Pleas shall be held in the Shire Town of the said new County twice in every year, at the times following, that is to say, on the last Tuesday in December and May, and continue until the business shall be finished, not exceeding five days ; and two additional Terms of the said Inferior Court of Common Pleas for the said County shall be holden as follows, that is to say, on the first Tuesdays in March and October, and continue until the business be finished, not exceeding five days, at which additional Terms no Jury shall be summoned.

Terms of the Court of Sessions and Common Pleas.

IV. And be it enacted, That the Town or Parish of Andover in the said County of Victoria, shall be for ever hereafter the Shire Town of the said County, and that a Court House and a Gaol shall be erected in the said Shire Town in like manner and by such and the like ways and means as such Public Buildings have been or may be erected in other Counties in this Province, and in such place within the said Shire Town as the Lieutenant Governor or Administrator of the Government for the time being, by and with the advice of Her Majesty's Executive Council, shall direct and appoint, and that all the Public Offices in the said County of Victoria shall be kept at the place so to be directed and appointed by the Lieutenant Governor or Administrator of the Government of the Province for the time being, by and with the advice and consent of Her Majesty's Executive Council.

Andover to be the Shire Town.

Court House and Public Offices to be there erected.

V.

A Registry of
Deeds, &c.
established.

V. And be it enacted, That in the said Shire Town there shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgments or Recognizances for the said County, to be managed and executed by a Register to be constituted in like manner and under and subject in all respects to the like laws, rules and regulations as any other Registry in any other County of the Province; and that all Deeds, Conveyances, Wills, Mortgages, Memorials, Judgments or Recognizances which may affect any lands, tenements or hereditaments in the said County, shall be entered and registered at full length in the said Registry, provided the same Deeds and other documents have not been before registered in the said County of Carleton or County of York.

Powers of Parish
Officers to be the
same as in other
Counties.

VI. And be it enacted, That the several Parishes of the said County of Carleton in whole or in part comprised within the said new County, shall continue by their respective names to be the Parishes of the said new County until altered by the General Assembly; and that the Town or Parish Officers to be hereafter annually appointed for the said new County shall in all respects possess the same powers as the like officers in any other County; provided always, that the powers and authorities of the present or any other officers appointed or to be appointed by the Court of General Sessions of the Peace of the said County of Carleton shall continue until after the first General Sessions of the Peace shall be holden in the said new County.

Representation
in the General
Assembly.

VII. And be it enacted, That the said new County shall be entitled to send two Members to serve in the General Assembly of this Province, to be elected by the freeholders in like manner, and subject to the like laws, rules and regulations under which other Members are elected in any other County; and that all freeholders whose title deeds may have been registered in the County of Carleton or County of York before this Act shall go into operation, shall be entitled to vote without having their Deeds registered anew in the said new County; provided always, that no Writ shall be issued for the election of such Members until there shall be a General Election for the Province.

New County not
to be considered as
established until
the Commissions,
&c. are issued;

VIII. And be it enacted, That the new County shall not be deemed to be erected and established until the Commission shall be issued for erecting the said Courts of Justice, appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Lieutenant Governor or Administrator of the Government for the time being; provided always, that this Act shall not be in force until Her Majesty's Royal approbation be thereunto had and declared.

Her Majesty's
approbation being
first declared.

[This Act was specially confirmed, ratified and finally enacted by an Order of Her Majesty in Council, dated the 30th day of January 1850, and published and declared in the Province the 6th day of March, 1850.]