

J. H. Smith

5. The said Commissioners shall expend the said several and respective sums of money on the Roads, on or before the first day of October; provided always, that nothing herein contained shall extend or be construed to extend to prevent any Commissioner from expending moneys after the first day of October, when it shall be necessary to expend the same for building bridges, removing rocks, stumps, trees, or other obstructions.

6. None of the before mentioned sums of money, or any part thereof, shall be laid out or expended in the making or improving any alteration that may be made in any of the said Roads, unless such alterations shall have been first laid out and recorded.

7. All persons who may be appointed Commissioners for the expenditure of money hereinbefore granted, and before entering upon the duties of his office, shall respectively enter into a bond to Her Majesty, Her Heirs and Successors, to the satisfaction of the Executive Government, for the due performing his duty as such Commissioner, and the faithful expenditure of and due accounting for such moneys as shall come into his hands as such Commissioner.

CAP. XXII.

An Act in addition to and amendment of certain Chapters of Titles Eight and Ten, and of Titles Thirty, Thirty one, and Thirty four, of the Revised Statutes.

Section.

1. Appointment of Parish Officers in certain cases.
2. Rules by Sessions, in addition to Cap. 64, Revised Statutes
3. Bye Laws for elections, duties, &c, to be made by Municipal Councils.
4. Sewers Act in part extended to Albert County.

Section.

5. Nova Scotia Grants of land, Registry here for validity.
6. Bank Notes, no action on until default in payment.
7. Landlord to recover for use and occupation, when.

Passed 12th April 1855.

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

1. In addition to Title VIII, Chapter 52, of the Revised Statutes, "*Of Parish and County Officers,*" in case of refusal or neglect to serve, or in case of the death or removal of any person elected or appointed to any Parish office, any two Justices for the County may appoint a fit person to any such

vacancy, and so from time to time when such vacancy arises ; and any person so appointed shall have like powers, or if he shall neglect or refuse to serve, or be guilty of any misbehaviour or neglect of duty, he shall be subject to the same penalties, to be recovered and applied in the same manner as if elected or appointed in the ordinary way, according to the provisions of said Chapter 52, of the Revised Statutes.

2. In addition to the powers conferred by Title VIII, of the Revised Statutes, Chapter 64, "*Of Rules and Regulations*," the Sessions may make regulations as follows :—

For occupation and grazing of sand bars and beaches, and the erection of water and other fences and gates thereon, and for determining what creeks, lakes, and arms of the sea shall be deemed and taken as lawful enclosures therefor.

To prevent the firing of guns or other fire-arms, or the setting off squibs or other fire-works, or burning of combustible materials, the carrying of fire, lighted candles, or lamps, without being covered or secured.

To prevent the ringing of bells, shouting, or other unusual noises in the streets, knocking at the doors, or ringing door bells.

For establishing and regulating a Police in any Town or Village.

To provide for the public health and prevent the spread of any disease.

To prevent the profanation of the Sabbath.

To prevent coasting on the streets and highways.

3. The Council of any Municipality may, in addition to the powers conferred by this or any other Act, make bye laws to regulate the election of Councillors and other Parish officers, and appoint such new officers as they deem necessary, and define their duty and mode of accounting for moneys, or prescribe the mode of their election for any Parish or district of a Parish ; the General Sessions of the Peace for the several Counties shall have the like powers within their respective Counties wherever no Municipality may be established, so far as the same may be applicable.

4. The provisions of Section 21, of Chapter 67, "*Of the Commissioners of Sewers*," Title X, of the Revised Statutes, shall extend to the County of Albert ; and the Commissioners

of Sewers of every Parish in the County of Albert may exercise all the powers and authority within such Parish vested in the Commissioners of Sewers for Sackville by the said Section, in the same manner and to the same extent as if such provisions had been originally made for said County and the respective Parishes therein.

5. Grants or Letters Patent of Land, or copies thereof, mentioned in Title XXX, Chapter 109, Section 1, shall not be valid unless registered at the time and before the officer therein mentioned.

6. In addition to Title XXXI, Chapter 120, of the Revised Statutes, "*Of Banking*," no action shall be brought or maintained upon any Bank Bill or Bank Note already issued, or which shall hereafter be issued by any Bank incorporated by Act of Assembly, or otherwise, in the Province, before such bill or note shall have been presented at the banking house or place of business of such incorporated Company within banking or business hours, and default in payment shall thereupon take place.

7. In lieu of the eighteenth Section of Chapter 126, Title XXXIV, which is hereby repealed, the landlord, when the demise or agreement is not by deed, may recover satisfaction for the lands held or occupied by the defendant in an action for use and occupation; if on the trial such demise or agreement wherein a certain rent was reserved shall appear, it shall not be a ground of nonsuit, but the plaintiff may use it as evidence of the amount of damages to be recovered.

(R.S.)
326

CAP. XXIII.

An Act to explain an Act intituled *An Act to regulate the sale of Spirituous Liquors.*

Section.

1. Penalties by 17 V. c. 15, recovery of.

Section.

2. Form of warrant or process, and mode of execution.

Passed 12th April 1855.

WHEREAS doubts have arisen as to the power of levying the penalties imposed under the authority of the said Act ;—

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