

agreement or law the same ought to have been borne and paid by some other person or persons, it shall be lawful for the person or persons paying the same, or from whom the same shall be recovered by distress, suit, or otherwise, to sue for and recover the money so paid by or recovered from him or them, with interest and costs, as so much money paid for the use of the person or persons who ought to have paid the same; and the said Report of the Commissioners, with proof of payment, shall be conclusive evidence in the suit.

9. In all cases, the acts, decisions, and proceedings of the major part of the Commissioners so to be appointed for the purposes of this Act, who shall be acting in the premises, shall always be as valid, binding, and effectual, as if all the Commissioners had concurred or joined therein; and such of the Commissioners who shall enter upon the duties of their appointment shall be entitled to receive such sum for each day they shall be respectively actually employed thereon, as the said Mayor, Aldermen and Commonalty shall name, to be paid by the said Mayor, Aldermen and Commonalty, and included in the before mentioned sums of money, and considered part of the disbursements and expenses incurred by virtue of this Act, besides all reasonable expenses of maps, surveys, and plans, clerk-hire, and other necessary expenses and disbursements.

CAP. XLV.

An Act to amend the Act intituled *An Act to incorporate the Town of Moncton.*

Section.

1. Qualification of voters for Mayor, &c.; Freemen, who deemed: List of voters for election-officers: Prepayment of taxes.

Section.

2. Assessment lists for each ward to be filed.
3. Fee for registration as a Freeman.
4. Act 18 V. c. 66, sec. 6 and 7, repealed.

Passed 13th April 1859.

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

1. That no person shall be qualified to vote for Mayor, Councillors, and Assessors, unless he be a freeman, an inhabitant, or a freeholder of the said Town of Moncton, of the age of twenty one years; and no person shall be qualified

to vote as a freeman, unless he shall have been registered 'Freeman,' at least three months before the day of election, and shall have actually resided in the said Town for one calendar month next preceding such election; and no person shall be qualified to vote as a freeholder, unless he shall have been assessed on real estate at the last general assessment of the town rates preceding such election; and the Town Clerk of the said town do at least six days before the day of election, prepare alphabetical lists of the Freemen of the said town, to be taken from the Records of Town Freemen, which shall be kept by the Town Council for that purpose, and of all persons assessed on real estate, to be taken from the last general assessment list filed in the office of the Town Council, of all persons qualified under this Act to vote in each Ward at such election, and shall on or before ten of the clock in the morning of the day appointed to hold any election under this Act, deliver to each of the officers appointed to hold the same, a copy of the Registry or List for the Ward, in which he is to preside; and no person whosoever, whether freeman, or freeholder, shall be entitled to vote unless he shall have paid previous to the day of election all rates and taxes due previous to such election; the evidence of such payment shall be a receipt from the Collector of rates, who is hereby required to furnish the same, under a penalty of forty shillings for each refusal.

2. That it shall be the duty of the Assessors in each and every year to file a copy of the assessment lists for each Ward with the Town Clerk, within one month after the same shall be made up.

3. That the Town Council shall demand and receive from all persons born within the limits of the said Town, the sum of two shillings and six pence, and from all other persons not less than twenty shillings, nor more than forty shillings, for registering his name in such Register of Freemen as aforesaid; which sum shall be considered as revenue for the Town.

4. That the sixth and seventh sections of an Act made and passed in the eighteenth year of Her present Majesty's Reign, intituled *An Act to incorporate the Town of Moncton*, be and the same are hereby repealed.
