

SCHEDULE A.

NEW BRUNSWICK, ss.

In the Supreme Court.

In the matter of [name the Company.]

A. B. of in the County of claims of the [name the Company] the sum of due him as follows:—

[Particulars of claim, which may refer to an Account in detail annexed.]

The above claimant (or C. D., Agent, or Clerk, as the case may be) maketh oath and saith that the foregoing claim is correct and true, and that the sum of thereby demanded is justly due him by the said Company.

A. B.

or

C. D.

Sworn to, &c.

CAP. XLV.

An Act in addition to and amendment of an Act relating to the Militia.

Section.

Section.

1. Additional powers to Commander in Chief.
2. Exemptions, to whom and to what amount; proviso.
3. Captains of Companies, duty of; appeal.
4. Members of Volunteer Corps and Class B to take oath of allegiance; Oath, by whom administered.
5. Enrollment, by whom & when made.
6. Assessors, &c.; penalty for neglect of duty.
7. Extends sec. 74 of 25 V. c. 20, to "Meetings for Muster;" penalty.

Passed 13th April, 1864.

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

1. That in addition to the power and authority given to the Commander in Chief in and by the nineteenth Section of an Act made and passed in the twenty fifth year of the Reign of Her present Majesty, intituled *An Act relating to the Militia*, proper ranges, with targets and butts for rifle practice, shall and may be provided for the Volunteer Companies in this Province, in such manner and in such places as the Commander in Chief may direct, the expense whereof shall be provided for in the same manner as is directed in and by the said nineteenth Section.

2. The officers, non-commissioned officers and men of the Volunteer Corps, while they continue such, and the men of Class B who may be compelled to perform drill and exercise under the provisions of the sixteenth Section of the said Act, and who may be certified for as the said Section directs,

during the continuance of such services respectively, shall be exempt from the payment of City and County rates and taxes to the amount of six dollars; provided that in all cases, whether under the provisions of this Act or of the said twenty first Section of the said Act, it shall be a matter of discretion with the commanding officer whether he will grant or refuse such certificate; and provided also, that should any officer, non-commissioned officer or man be expelled or discharged from a Volunteer Company, he shall be liable to the payment of his taxes and to the performance of all other duties imposed by law, and from which he would have been otherwise exempt; and upon such expulsion or discharge, it shall be the duty of the Captain of the Company to which such expelled or discharged person belonged, to make a return in writing of the name of such person to the proper Collector of taxes within ten days after such expulsion or discharge, under a penalty of four dollars for every neglect; and it shall be thereupon the duty of such Collector forthwith to collect from such person, such sums of money as he should have collected in case such person had not belonged to a Volunteer Company, or to Class B performing drill and exercise as aforesaid.

3. Any thing in the twenty second Section of the said Act to the contrary thereof notwithstanding, the Captain of any Volunteer Company shall and may, and he is hereby required to expel from his Company at any time any non-commissioned officer or man of his Company who shall be guilty of improper conduct, or inattention to duty; provided that if the person expelled shall demand an appeal in writing within six days from the time of expulsion, he may make such appeal to the Lieutenant Colonel or commanding officer of the Battalion or Regiment to which he, before and at the time of his expulsion, belonged; and it shall be the duty of such Lieutenant Colonel, or commanding officer, without delay, to nominate and appoint a board of three officers not connected with the Company to which such expelled person belonged at the time of his expulsion, to investigate the matter, and report thereon to the Adjutant General of the Militia, and the decision of such Board shall be final if approved of by the Commander in Chief.

4. In addition to the provisions contained in the forty

ninth Section of the said Act, the officers, non-commissioned officers and men of the several Volunteer Corps, and the men of Class B who may be compelled to perform drill and exercise under the authority of the sixteenth Section of the said Act, shall take the oath of allegiance within one month after they shall become members of such Corps, or be compelled to perform such drill and exercise; and such oath of allegiance shall and may be administered by the Captain of the Company, such Captain having previously taken such oath before any one of Her Majesty's Justices of the Peace; and the oath shall be fairly written on a roll of parchment or paper, as signed by the several deponents, and transmitted as soon as may be to the Adjutant General.

5. The thirty seventh Section of the said Act is hereby repealed; and in lieu thereof,—The enrolment of the Sedentary Militia men, and men of Class B and Class C of the Active Militia, except on the eastern side of the Harbour of Saint John, shall be made in each Company division by the Captain or senior officer of the Company for the time being, who, immediately on receiving the notice of enrolment from the commanding officer of the Regiment or Battalion, shall cause a notice to be posted up in three or more of the most public places in his Company division, at least twenty days before the time appointed for such enrolment, requiring all persons liable to be enrolled to appear personally at the time and place in such notice mentioned; and enrol themselves; or in lieu of personal appearance, to send a written statement to such Captain or senior officer, setting forth their names, ages, and places of abode; and every man liable to be enrolled under the provisions of the said Act, and not appearing and enrolling, or not sending in the written statement aforesaid, within ten days after the time mentioned in the said notice, or within twenty days after he shall have become liable to be enrolled, by reason of the alteration of any Militia division, change of residence, or otherwise howsoever, shall be liable to a fine of not less than two dollars and not more than five dollars.

6. If any Assessor, Town Clerk, or other municipal officer, shall wilfully neglect or refuse on reasonable demand, to give to the commanding officer, or any officer or non-commissioned officer of the Company, the information required of him under

the authority of the fortieth Section of the said Act, he shall be liable to a fine of not less than two dollars and not more than five dollars for every offence.

7. The provisions of the seventy fourth Section of the said Act shall extend to meetings for "muster," as well as meetings for drill and exercise; and the penalty in such cases shall be not less than two dollars and not more than five dollars.

8. All Acts and parts of Acts inconsistent with this Act, are hereby repealed.

CAP. XLVI.

An Act further to enlarge the jurisdiction of the City Court of the City of Saint John, and in amendment of the Law relating to said Court.

Section.

1. In what actions Court has jurisdiction.
2. Right to reduce claim.
3. Process, forms, &c.
4. Provisions of Sec. 9, 22 Vic. cap. 38, extended to this Act.
5. Provisions of Sections 4 and 5, 23 Vic. cap. 57, extended to this Act.
6. Provisions of 13 Vic. cap. 1, extended to this Act.
7. Provisions of Charter, &c. extended to this Act.
8. Plaintiff or Defendant may conduct suit in person or by Attorney.

Section.

9. Court may tax Counsel fees.
10. In case of non-jurisdiction, judgment how rendered.
11. Judgment, how proved.
12. Executions over forty dollars, to whom directed.
13. Execution to Sheriff against the body; discharge of Bail.
14. Defendant, if imprisoned, how brought up to attend trial.
15. Limit of Act.
16. Sections of former Acts repealed.
17. Fees and costs.

Passed 13th April, 1864.

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

1. The City Court of the City of Saint John shall have jurisdiction over all actions of debt where the sum demanded does not exceed eighty dollars.

2. The same right to reduce a claim originally over eighty dollars by credit of payment, or by abandonment, so as to bring the claim within the jurisdiction extended by this Act, and also similar proceedings as to the set off of adverse claims, shall be had and allowed in suits under this Act as at present exist and are in force in the said Court in actions of debt for twenty dollars and under.

3. The process, forms and proceedings shall be the same as are now established, used and allowed in actions of debt in the said Court.