

*Acts of the General Assembly of Her Majesty's Province of New-Brunswick passed in the year 1833.* Fredericton, NB: John Simpson, Printer to the King's Most Excellent Majesty, 1833.

3 William IV – Chapter 50 (1831)

**An Act for the Division of the County of York into Two Counties, and to provide for the Government and Representation of the new County. Passed 31st March 1833.**

Whereas from the great Extent of the present County of York, it is necessary and expedient that the same be divided into Two Counties;

I. Be it therefore enacted by the President, Council and Assembly, That all that Part of the said County which lies to the Northward and Westward of a Line commencing at the Monument situate at the Source of the Cheputneticook [Chiputneticook], and running by the true Meridian a due East Course till it strikes Eel River, thence following, the several Courses of the said Eel River to its Junction with the River Saint John, thence crossing the said River Saint John, North Forty five Degrees East, till it strikes the Division Line between the County of Northumberland and the said County of York, be and the same is hereby erected into a County, separate and distinct from the said County of York, and shall be called and known by the Name of the County of Carleton; and that the Residue thereof which lies below the boundary Line of the said County of Carleton, as is described in this Act, shall comprise the County of York.

II. And be it further 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 York, and with the like Powers and Authorities.

III. And be it further enacted, That the Courts of General Sessions of the Peace, and Inferior Courts of Common Pleas, shall be holden in the Shire Town of the said now County, Twice in every Year at the Times following, (that is to say,) on the First Tuesdays in January and June, and continue until the Business shall be finished, not exceeding Five Days, and that Two additional Terms of the said Inferior Courts 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.

IV. And be it further enacted, That the Town of Woodstock, in the said County of Carleton, shall be forever 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 Buildings have been or may be erected in other Counties in the Province, and in such Place within the said Shire Town, above the Madusnikik [Meduxnekeag] River, as the Governor or Commander in Chief for the Time being shall direct; and that all the public Offices in the said new County, shall be kept at the Places so to be directed and determined upon by the Governor or Commander in Chief for the Time being.

V. And be it further enacted, That in the said Shire Town shall be erected and established a Registry of Deeds, Conveyances, Wills, Mortgages, Memorials of Judgment 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 of Judgment 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 or other Documents have not been before registered in the said County of York.

VI. And be it further enacted, That the several Parishes of the said County of York, 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 for the said County of York, shall continue until after the First General Session of the Peace shall be holden in and for the said new County.

VII. And be it further enacted, That all Actions now depending, or which hereafter may be brought in the Inferior Court of Common Pleas for the said County of York, before this Act shall go into Operation, shall be there proceeded in and finally determined, although the Parties may reside, or the Causes of Action may have arisen, in the said new County; and that all Rates and Assessments which have been or which hereafter may be made on the Inhabitants of that Part of the said County of York hereby erected into a separate County, before the Commencement of the Operation of this Act, shall be proceeded in, and collected and paid, and the Accounts finally settled, as if this Act had not been made, any Thing herein contained to the contrary notwithstanding: provided always, that no Assessment shall be made upon the Inhabitants of the said new County for the Purpose of erecting a Court House, Gaol or other public Building within the said County of York.

VIII. And be it further enacted, That the said new County shall be entitled to send One Member 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 such Freeholders whose Title Deeds may have been registered in the 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 Member until there shall be a general Election for the Province.

IX. And be it further enacted, That the said new County shall not be deemed to be erected and established until the Commissions shall be issued for erecting the said Courts of Justice, and appointing the several Justices and other Officers for the said new County, and the same shall be notified by Proclamation of the Governor or Commander in Chief for the Time being: provided always, that this Act shall not be in Force until His Majesty's Royal Approbation be thereunto had and declared.

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This Act was confirmed and finally enacted by an Order of the King in Council dated 20th May 1832, and published and declared in the Province on 19th September 1832.