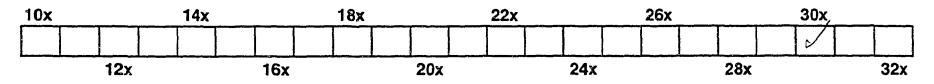
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No. 217.

2nd Session, 3rd Parliament, 12 Victoria, 1849.

BILL.

An Act to amend an Act passed in the sixth year of Her Majesty's Reign, intituled, "An Act for the qualifica-"tion of Justices of the Peace."

Received and read a first time Monday, 2nd April, 1849.

Second reading Monday, 9th April, 1849.

M . CAUCHON.

PRINTED BY LOVELL AND GIBSON.

BILL

An Act to amend the Act for the qualification of Justices of the Peace.

THEREAS experience has shown that the Act Preamble. passed in the sixth year of Her Majesty's Reign, intituled, " An Act for the qualification of Justices of the 6 Vict. c. 3, ci-"Peace," is not adequate for the purposes intended, and ted. 5 that persons not duly qualified according to the true intent and meaning of the said Act, have performed the duties of Justices of the Peace, and it is therefore expedient to amend the same : Be it therefore enacted, &c.

And it is hereby enacted by the authority of the same, Qualification 10 that from and after the passing of this Act, no person of Justices of the Peace doshall be a Justice of the Peace, or act as such within any fined. District of this Province, who shall not have in his actual possession, to and for his own proper use and benefit, a real estate either in free and common soccage or en fief,

- 15 or in roture, or en franc aleu, in absolute property, lying and being in this Province, of or above the value of three hundred pounds currency, over and above what will satisfy and discharge all incumbrances affecting the same, and over and above all rents and charges payable out of
- 20 or affecting the same; anything contained in the third section of the aforesaid Act passed in the sixth year of Her Majesty's Reign, to the contrary notwithstanding, nor until he shall have taken and subscribed the oath Oath to be tacontained in the said third section of the Act last afore- ken. 25 said, according to the true intent and meaning of this Act.

II. And be it enacted, That from and after the passing Certain secof this Act, the sixth, seventh, eighth and fifteenth sec- tions of 6. tions of the aforesaid Act passed in the sixth year of Her pealed. 30 Majesty's Reign, shall be and they are hereby repealed.

III. And be it enacted, That no person shall be a Jus- Bankruptcy or tice of the Peace or act as such, who after having quali- insolvency to disquelify. fied according to the true intent and meaning of this Act, shall have become a Bankrupt or shall have entered into 35 any composition with his creditors, under the penalty contained in the fifth section of the said Act, to be sued for, recovered and applied in the manner and form mentioned in the fifth section of the said Act.

IV. And be it enacted, That the provisions of this Act Act not to ap-40 shall not extend to any Member of Her Majesty's Execu- ply to certain tive Council or of the Legislative Council of this Province,

during such time as he may be a member of either of the said Councils, nor to any Judges of Her Majesty's Court of Queen's Bench, or any of the District or Circuit. Judges, or to Her Majesty's Solicitor General.

Inconsistent enactments repealed. V. And be it enacted, That anything contained in any 5 Act or Acts, or part or parts of any Act or Acts now in force, contrary to the intent and meaning of the present Act, shall be void and of no avail.

Mode of enforcing payment of penalties. VI. And be it enacted, That all penalties imposed by the said Act passed in the sixth year of Her Majesty's Reign, 10 as well as those imposed by this Act, shall upon conviction of any party be paid forthwith or within such reasonable time as the Court before which the party shall be convicted may determine, and on default of payment at the time specified, the party convicted shall be imprisoned 15 in the Common Gaol of the District for a term not exceeding months.