

Advertisements.



PROVINCIAL SECRETARY'S OFFICE. APRIL 25, 1854.

CHAPTER 18. An Act to amend Chapter 63 of the Revised Statutes, "Of Surveyors of Highways and Highway Labor, except in Halifax" (Passed the 31st day of March, 1854.)

Section 1. Recovery of fines incurred by minors... Section 2. Sec. 4, chap. 63, not to extend to seamen on board coasting and fishing vessels.

CARPETS.—EXTENSIVE ASSORTMENT!—NEWEST STYLES!—LOWEST PRICES! W. N. SILVER & SONS.

FURNITURE! FURNITURE!! ENCOURAGE HOME INDUSTRY. The Subscriber thankful for past favours, begs to leave to intimate that he has now on hand a large and general assortment of HOUSEHOLD FURNITURE.

RAILROAD PROVISIONS. CANADA HOUSE. FAMILY, SHIP, AND ARMY STORE. No. 83 & 34, Upper Water Street.

Finley's No. 1 BUTTER, 50 Barrels Prime Nova Scotia BEEF, 50 do do do do PORK, 25 do best Annapolis CHEESE.

SEEDS, SEEDS.—1854. STEAMER "ASIA." A full supply of Garden and Flower Seed from the same Laidish as those which for years past have given such universal satisfaction.

"MCMAC" FROM GLASGOW. GOSSIP, has just received per Ship Miac, a part of his SPRING IMPORTATION of BOOKS AND STATIONERY.

LAW BLANKS. In accordance with the New Practice Act, viz: SUMMONSES, CAPTUSES, REPLEVINS, ATTACHMENTS, EJECTMENTS.

HEALTHY GERMAN LEECHES RECEIVED AT LANGLEY'S DRUG STORE, 111 N. ST. 18th. 1854.



PROVINCIAL SECRETARY'S OFFICE.

APRIL 7, 1854.

An Act Concerning the Elective Franchise. [Passed the 31st day of March, 1854.]

BE IT ENACTED by the Governor, Council, and Assembly, as follows.

1. The Act passed in the fourteenth year of her Majesty's reign entitled "an act to extend the elective franchise" is hereby repealed.

2. All natural born and naturalized subjects of the crown of Great Britain, having been and being domiciled as hereinafter limited, and being males over the age of twenty-one years, shall be entitled to vote for members to serve in general assembly, that is to say, provided they shall at the time of voting have had their usual place of abode for at least one year next before voting in the counties for which they shall vote for county members, and in the townships for which they shall vote for township members, and provided also that such naturalized subjects so voting, and such natural born subjects as were not born in Nova Scotia shall, in addition, have resided in the province for at least five years next before voting, and provided also that persons voting under this act shall only be entitled to vote in the electoral districts in which they reside at the time of voting, and which districts must be in the counties and townships respectively, for representing which the candidates are to be elected at that election.

3. No person who shall have received aid as a pauper under any prior law in this province, or aid as poor persons from any public grant of government money, within one year before the day of polling, nor any Indian, shall be entitled to vote under this act.

4. At every election, the name of each person offering to vote by virtue of residence, shall be entered by the poll clerk in the poll book, and if objection be made in relation to his right to vote at that election by any person entitled to vote at the same poll, the presiding officer shall tender to him the following preliminary oath "You, A. B., do swear that you will fully and truly answer all such questions as shall be put to you touching your place of residence, and qualification as an elector. So help you God. The presiding officer shall then proceed to propose to the person challenged, the following questions, or such of them as shall be required by the person objecting: First. What is your name? Second. What is your age? Third. In what county do you reside? Fourth. In what township do you reside? Fifth. How long have you resided in this province? Sixth. How long have you resided in this county? [or "township," if voting for a township.] Seventh. Do you reside in this polling district? Eighth. How long have you resided in this polling district? Ninth. Are you a native born subject of her Majesty? Tenth. [If not a natural born subject.]—Have you been naturalized? Eleventh. [If a naturalized subject] When and where were you naturalized?

The presiding officer shall allow no other questions to be put, nor shall any questions be put except through him, nor shall he permit the time to be unnecessarily protracted on pretence of questioning a vote, and the presiding officer shall promptly put the questions, and the poll clerk shall instantly enter in the poll book the purport of the answers, and the same being read to the voter shall be conclusive against him. If the elector shall not promptly answer the questions, his name shall be expunged, and he shall not be allowed to poll at that election.

5. The presiding officer shall point out to the elector, the qualification, if any, in respect to which he shall appear to the presiding officer to be deficient; and if the person so offering shall persist in his claim to vote, and the objection shall not be withdrawn, a candidate against whom the vote is given, or his agent or inspector, may then direct the vote to be marked "objected" on the poll book without requiring the elector to be sworn, or he may mark the vote "objected," and require the oath number one to be taken by native born Nova Scotians, the oath number two by naturalized subjects or natural born subjects born elsewhere than in Nova Scotia, and the oath number three and four by both classes of voters; and if any of the oaths prescribed by this act be declined, the voters' name shall be immediately struck out, and that person shall not be permitted again to poll at that election.

6. If any person being so questioned shall persist in voting notwithstanding his answers have clearly shown that he was not entitled to vote under the residence qualification, and shall take the final oath as aforesaid, the vote of such person shall be subject to the provisions of the thirty-sixth section of the seventh chapter of the revised statutes, in the same manner as therein is prescribed in the cases of the votes of persons having voted in a wrong district, or more than once.

7. No person shall lose any part of his residence by being on board ship, or in any seminary of learning, or otherwise temporarily absent for any period less than one year.

8. Nothing in this act shall extend to limit or otherwise affect the franchise founded upon freehold as by law established, but persons not entitled to vote under the residence qualification, if possessed of the real property qualification described in chapter five of the revised statutes, may vote in the same manner, and subject to the same sanctions and penalties as by law are or hereafter may be required for electors under the real property qualification.

9. So much of chapter seven of the revised statutes as is not inconsistent with this act shall remain in force.

SCHEDULE.

OATH NUMBER ONE.

You, A. B., do swear that you are a native born Nova Scotian of the full age of twenty-one years and upwards, and that you have had your usual place of abode, for at least one year next before this day, in the county of (or the township of as the case may be;) and that you have not been polled, nor have given a vote for any candidate at this election, and that you reside, and have now your place of abode within this electoral district.— So help you God.

OATH NUMBER TWO.

You, A. B., do swear that you are a natural born (or, as the case may be, naturalized,) subject of the crown of Great Britain, not born in Nova Scotia, of the full age of twenty-one years and upwards, and that you have resided in this Province for at least five years next before this day; and that you have had your usual place of abode, for at least one year next before this day, in the county of

or township of as the case may be;) and that you have not been polled, nor have given a vote for any candidate at this election for this county, (or township, as the case may be;) and that you reside and have now your place of abode within this electoral district. So help you God.

NUMBER THREE.

You, A. B., do swear that you have not, within one year next before this day, received aid as a pauper under any poor laws in this province, or as a poor person under any public grant of the province. So help you God.

NUMBER FOUR.

You, A. B., do swear that you have not received and had by yourself or any person whomsoever in trust for you or for your use and benefit directly or indirectly, any sum of money, office, place, emolument, gift or reward, nor any promise or security for any honor, office, place, employment, gift or reward, in order to give your vote at this election, and that you have not before this been polled, nor have given a vote for any candidate at this election for this county (or township as the case may be) and that your place of residence is at ——— So help you God.

An Act to Amend the New Practice Act

Passed the 31st day of March, A. D., 1851

BE IT ENACTED by the Governor, Council, and Assembly, as follows.

1. There shall hereafter be no special return days for Writs of Summons, but such Writs shall be returnable within ten days after the service thereof if the Defendant shall reside in the County in which the action is brought within twenty days after service, if he shall reside in any other County except in the Island of Cape Breton, and within thirty days, if he shall reside in the Island of Cape Breton, and the action is brought in any County not in the Island, or if he shall reside out of the Island, and the action is brought in any County within the Island, and Judgment may be entered against the Defendant if he shall not appear and plead within four days after the expiration of the said period of ten, twenty or thirty days, as the case may be.

2. The forms of Writs of Summons shall be so far altered as to summon the Defendant to appear "within ten, twenty, or thirty days (as the case may be) after the service of this Writ," instead of on the return days hereby superseded.

3. The notice to be endorsed on the Writs shall hereafter be as follows:—

Notice is hereby given, that if the Defendant do not appear and plead, within four days after the period specified in the Writ for his appearance, the Plaintiff shall be at liberty to sign Judgment by default, if there are no particulars of demand annexed, and if there be particulars of demand, final Judgment for any sum not exceeding the sum claimed in his particulars of demand, with interest at the rate specified, and costs at the expiration of such time.

4. In Ejectment, the notice shall be as follows:—

Notice is hereby given, that if the Defendant do not appear and defend the possession of the property claimed by the within Writ, or such part thereof as he may be advised, the Plaintiff will be at liberty to sign Judgment at the expiration of four days after the period specified in the Writ for his appearance, and the Defendant may thereupon be turned out of possession.

5. Notice of trial may be endorsed on Writs of Summons.

6. No cause shall be entered on the docket for trials wherein the period allowed for pleading shall not have expired before the first day of Term in all other Counties except Halifax, and before the last day of Term in Halifax.

7. The Judges in Term at Halifax, may, from time to time, make general rules for facilitating the practice of the Court, and the effectual execution of this Act and of the Act hereby amended, but such rules shall not go into operation till they shall have been published in the Royal Gazette; all rules made since the passing of the said Act are hereby confirmed.

8. Trinity Term in Halifax, and the Sittings thereafter are abolished.

9. So much of the New Practice Act as is inconsistent with the provisions of this Act is hereby repealed.

An Act to Facilitate Proceedings under the New Practice Act.

[Passed the 3rd day of April, A. D., 1854.]

BE IT ENACTED by the Governor, Council, and Assembly, as follows:

Prothonotaries shall have power to grant orders for the stay of proceedings in a cause, until security for Costs be filed, upon sufficient grounds laid by affidavit, in the same way such orders are now granted by the Supreme Court or a Judge; but any party dissatisfied with a Prothonotary's decision, may, at any time within twelve days thereafter, apply to the Supreme Court upon motion, or at Chambers, by summons, upon affidavit, for a rehearing; a Plea filed in the mean time, or other proceeding taken on the part of the Plaintiff or Defendant, shall not prejudice the party claiming a rehearing.

In Summary Causes, where the Plaintiff claims less than twenty pounds the Defendant shall not be required to file or serve a Written Plea, but he shall serve a Written Notice of appearance.

April 15. 1m.



DEPARTMENT OF CROWN LANDS. HALIFAX, April 6th, 1854.

The following Act, passed during the last Session of the Legislature, is now published for the information of all concerned.

JAS. B. UNICKER, Commissioner of Crown Lands.

An Act for Settling Titles to Lands in the Island of Cape Breton.

(Passed the 31st day of March, A. D. 1851)

Be it Enacted by the Governor, Council and Assembly, as follows:—

ALL PERSONS who are in undisputed Possession of any Lands and Tenements in the Island of Cape Breton, for which application has been made for a Grant, either joint or several, and on which the Fees have been paid, shall on proof thereof and with the approval of the Governor in Council, be entitled to a separate Grant of the Lands for which such Fees were paid, without any further charge for Survey or otherwise.

April 15. 1m.