

CAP. LXI.

An Act respecting the Travelling Fees of Constables in certain cases.*(Passed the 29th day of March, 1838.)*

WHEREAS, from the uncertainty of the Law, on the subject of the Fees to be allowed to Constables for travel, when serving Writs issued by Justices of the Peace, in cases of debt, doubts have arisen whether Travelling Fees are to be allowed to such Constables both for going and returning to and from the place of service of such Writ, and the practice as to such travelling fees has not been uniform: Preamble

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, the Fees to be allowed to any Constable or other Officer for travel, to serve or execute any Writ or process whatsoever, issued by a Justice or Justices of the Peace, in any action for a debt or debts or for other matters, for which an action may or can by Law be brought before such Justice or Justices, and whereon fees of travel are now allowed, shall be as follows, that is to say: Three-pence for each and every mile such Constable or other Officer may or shall necessarily travel, from the office from which such Writ shall be issued, to the place where he shall serve or execute the said Writ or process, and no more. Travelling Fees allowed

CAP. LXII.

An Act to establish the County or Shire Town in the County of Digby.*[Passed the 29th day of March, 1838.]*

WHEREAS, the Act, passed in the last Session of the General Assembly, entitled, *An Act to divide the County of Annapolis, and to regulate the Representation thereof,* has been assented to by Her Majesty, whereby the same has come into operation, and no provision is made in such Act for establishing a County or Shire Town for the new County of Digby: Preamble

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That the Town of Digby, in the said County of Digby, shall be, and is hereby established and declared to be, the Shire or County Town of the said County, for all purposes whatsoever, and that there shall be held the Supreme Courts, and also, the Inferior Courts of Common Pleas, and one Term or Sessions of the General Sessions of the Peace. Digby established as Shire Town

And whereas, The Township of Clare, which is a large and populous Township, for various reasons, is entitled to have one Sessions or Term of the General Sessions of the Peace held there: Preamble

II. *Be it therefore enacted,* That it shall and may be lawful for the Grand Jury and Court of Sessions for the said County of Digby, and they are hereby directed to furnish and provide a Sessions House in some central and convenient place in the Township of Clare; and that when such Sessions House is provided, there shall be annually held therein, at such time as shall be appointed, during this present or at any future Session of the General Assembly, one Term or Sessions of the Court of General Sessions of the Peace in such Township of Clare, at which all Town Officers for the said Township shall be appointed in manner by Law prescribed for the appointment of Town Officers. Court-House to be provided in Clare and Court of Sessions held there

III. *And be it further enacted,* That all Town Officers for the Township of Digby, and other parts of the said County of Digby, except the Township of Clare, shall be appointed at the Term or Sessions of the General Sessions of the Peace held at Digby. Appointment of Officers

IV. *Provided always, and be it further enacted,* That until the Session House in the Township of Clare shall be provided, and one Term of the Court of General Sessions of the Peace appointed there, agreeably to this Act, the Town Officers for the Township of Clare shall be appointed at the Court of General Sessions of the Peace to be holden at Digby. Proviso