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Additional comments / Commentaires supplémentaires:

Pagination is as follows: p.273-287.

At the GENERAL ASSEMBLY of this Province of *Nova-Scotia*, begun and holden at HALIFAX, on the Fifth Day of December, 1785, in the Twenty Sixth Year of the Reign of our Sovereign Lord GEORGE the Third of *Great-Britain, France, and Ireland*, King, Defender of the Faith, &c. and there continued by several Prorogations unto the Fifth Day of March, 1789, in the Twenty Ninth Year of his Majesty's Reign, being the Fourth Session of the Sixth *General Assembly*, convened in the said Province.

C A P. I.

An A C T for the better Regulation of Elections.

*E*t it enacted by the Lieutenant Governour, Council and Assembly, and it is hereby enacted by the Authority of the same, That from and after the Publication hereof, every Sheriff or other Officer to whom any Writ for electing a Member or Members to serve in the *General Assembly* of this Province, shall be directed upon Receipt thereof shall forthwith give public Notice of the Day and Place of the Election, by putting up Advertisements at least twenty Days before the Time of such Election at three of the most public Places in their County, and shall, at the Time appointed at the County Court House, if the Election be held for the County, and at the usual and accustomed Place, if held for a Township, between the Hours of Ten and Twelve in the Morning proceed to the Election by reading his Writ, and shall not declare the Choice upon the View, nor adjourn from that to any other Place without the Consent of the Candidates, nor by any unnecessary Adjournment delay the Election, but shall, if a Poll be required, fairly and indifferently proceed from Day to Day and Time to Time to take the Poll, until all the Electors then and there present be polled, and before the Sheriff shall close the Poll so opened, unless with the Consent of the Candidates, he shall make Proclamation for the Freeholder to come forward and give their Votes, and if, after such Proclama-

Twenty Days Notice previous to an Election, and Public Notice in three News Papers.

If no Votes for one hour to clofe the Poll.

Two Freeholders appointed to affift the Sheriff.

The Clerk to be Sworn who takes the Poll.

The Oath of Allegiance.

The Voters Oath.

If a Quaker his Affirmation.

If a Fraudulent Conveyance to forfeit £10. half to the Province half to the Poor.

tion made, no Freeholders shall appear to vote for the space of one Hour, the Poll shall be clofed, and the Sheriff, after reading his Writ and before he opens the Poll, shall appoint two respectable Freeholders to be his Affiftants in conducting the Election, who shall be sworn to the faithful and impartial difcharge of their Duty, and the Sheriff, at the Clofe of the Poll, shall declare the Person, having the Majority of Votes, to be duly elected, and in Cafe a Scrutiny shall be demanded the Sheriff shall grant the fame, and shall, with his two Affiftants, proceed in fuch Scrutiny if the Party demanding the Poll shall perfift in his demand, the Day following the Clofe of the Poll. *Provided always*, that no Vote shall be scrutinized but fuch Vote or Votes as were excepted to at the Time of holding the Poll, and marked as fuch on the Poll Book, and the Sheriff shall return his Proceedings on fuch Scrutiny to the House to be adjudged on and determined, and the Sheriff or other Officer as aforefaid, is hereby directed and commanded to appoint one Clerk and one Infpector for each Candidate, who shall be nominated by the Candidates refpectively, which Clerks shall be sworn by the Sheriff or other Officer to take the Poll fairly and indifferently by fetting down the Names of the Electors and the Place of their abode, and the Person they give their Vote for, and the Sheriff or other Officer shall give a Copy of the Poll to every Person that shall defire the fame, he paying reasonable Fees for writing the fame; and if any Elector be questioned as to his Qualification by any Candidate, the Sheriff or other Officer shall adminifter to him the Oath of Allegiance, as prefcribed by Law, and shall likewise adminifter the following Oath:

*I do fwear that I am, by Law, intituled to a Vote in the Town or County of \_\_\_\_\_ in the Province of Nova-Scotia, and that the Lands, Tenements or Hereditaments for which I claim a Right to vote, confift of \_\_\_\_\_ and are fuate, lying and being in \_\_\_\_\_ and the fame hath or have not been made or granted to me fraudulently on purpose to qualify me to give my Vote, and that I have not received or had by myfelf or any Person whatever, in trust for me or for my Ufe and Benefit direétly or indireétly, any Sum or Sums of Money, Office, Place, or employment, Gift or Reward, or any Promise or Security for any Money, Office, Employment or Gift, in order to give my Vote at this Election, and that I have not before been polled at this Election, and that the Place of my Abode is at \_\_\_\_\_*

*So help me GOD.* Or if Quakers the teft or Affirmation to the fame Effect, and all fraudulent Conveyances of Land to multiply Votes or to qualify Voters at Elections fubject to an Agreement to reconvey the fame, shall be taken againft the Grantors as free and absolute, and all collateral Securities for defeating fuch Estate shall be void, and the Person making fuch Conveyances or voting by Colour thereof shall forfeit Ten Pounds to any Person that will fue for the fame in any Court of Record in this Province, one half Part thereof to any Person or Persons who shall profecute the fame to Effect, and the other Moiety to and for the Ufe of the Poor of the Township concerned in fuch Election.

II. *And*

II. *And be it further enacted by the Authority aforesaid,* That each Person hereafter to be chosen a Member of Assembly, and each Elector at the Time of giving his Vote in any Election hereafter to be held in this Province, shall actually have an Income of Forty Shillings per Annum in Real Estate, or shall have within the County or Town for which he votes, or shall be elected for in his own Right in fee simple, a Dwelling House with the Ground on which the same stands, or one hundred Acres of Land cultivated or uncultivated, such Person or Persons, possessing any one of the before mentioned Interests shall be entitled to vote or be elected for the County or Town wherein the same shall be situate, and Persons holding any of the before mentioned Possessions by Licence of Occupation under the Crown shall have a Right to vote notwithstanding any Defect in such Mode of Conveyance.

Each Voter must have 40s. per Annum or 100 Acres of Land or holding Lands by Licence of Occupation.

III. *And be it further enacted by the Authority aforesaid,* That every Sheriff or other Officer to whom the Execution of any Writ for the electing any Member or Members to serve in the *General Assembly* of this Province, shall be directed and that act contrary or otherwise than by this Act is directed, or shall return any Person or Persons not duly elected by the Majority of the Freeholders, every such Officer shall forfeit the Sum of Two hundred Pounds, one third Part thereof to the King, his Heirs and Successors, one third Part to the Poor of the County or Township concerned in such Election, the remaining third Part thereof to the Party grieved that will sue for the same, with Costs of Suit to be recovered in any Court of Record in this Province by Action of Debt, Bill, Plaint or Information.

If the Sheriff should make a false return to forfeit £200. one third to the King, one third to the Poor and one third to the Party aggrieved.

IV. *And be it further enacted, by the Authority aforesaid,* That any Person or Persons who shall at the Request of any Candidate at any future Election, furnish any Meat, Drink or Entertainment of any kind, during such Candidates Election, to any Freeholder or Body of Freeholders, or to any other Description of People, such Person or Persons so furnishing the same shall be totally disabled and prevented from recovering from such Candidate, or from any of his Friends, any Reward or Payment whatsoever for such Entertainment, or any Part thereof; and if any Person or Persons shall sue any Candidate, or any of his Friends, for the whole or any Part of the Expences of such Entertainment, it shall and may be lawful for the Judges of the Court wherein such Suit shall be brought (on due Proof being made that such Demand arises for and on Account of the Entertainment of the Freeholders at or during any Election in this Province) to order the Party, bringing such Suit, (to be nonsuited, and to enter Judgement accordingly. *Provided always,* that nothing herein contained shall extend to prevent any Person or Persons from recovering from any individual Person the Value of such Entertainment as he or they may during an Election furnish, or provide for such individual Person for his own Use and at his own special Instance and Request. V. *And*

Any Person or Persons Entertaining Voters for any Candidate such Expence not recoverable by Law.

But if not at the Request of any Candidate it is then Recoverable.

Against Bribery.

V. *And be it further enacted by the authority aforesaid,* That any Person or Persons who shall bribe or corrupt any Freeholder or Freeholders at any Election within this Province, such Person or Persons so offending shall suffer all the Penalties prescribed by the Laws of England for such Offences.

This Act to be read each Day of Polling.

VI. *And be it further enacted, by the authority aforesaid,* That the Sheriff or his Deputy at the opening the Poll each Day shall read this Act, and no other Oath, save as herein before directed, shall be required from any Voter at any Election hereafter to be held in this Province, nor shall any religious Test be required from such Voter, Liberty of Conscience being one amongst many other Blessings conferred on this Province by our Most Gracious Sovereign.

The Poll not to Exceed Six Days.

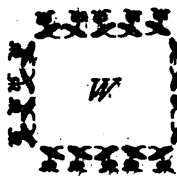
VII. *And be it further enacted,* That the Poll for any one Election shall not be kept open more than Six Days, after which Time it shall and may be lawful for the Sheriff to close it and return the Candidate who shall then have the Majority of Votes, and that for each Day the Poll shall be kept open, the Sheriff shall be entitled to receive from each Candidate the Sum of Ten Shillings, to be recovered by Action of Debt before any one Justice of the Peace for the County in which the Election shall be held, and if a Scrutiny is demanded, Twenty Shillings for his Attendance on it, each Day to be paid by the Candidate demanding it, and to be recovered as aforesaid.

The Sheriff to receive 10s. per Day of each Candidate, and 20s. if a Scrutiny is demanded.

## CAP. II.

An Act for altering the Times appointed for holding the *Court of Common Pleas* and *General Sessions of the Peace* in the District of *Colchester*.

Preamble.



HEREAS the stated Periods for holding the Court of Common Pleas and General Sessions of the Peace in the District of Colchester have been found extremely inconvenient to the Inhabitants of said District, for Remedy whereof;

Courts held at *Onslow*, 1st Tuesday in *January*, 1st Tuesday in *July*.

Be it enacted by the Lieutenant Governor, Council and Assembly, That the Court of Common Pleas and General Sessions of the Peace shall be in future held at *Onslow*, in said District, on the first Tuesday of *January*, and First Tuesday of *July*, annually, any Law, Usage or Custom to the contrary notwithstanding.

C A P. III.

An Act for altering the Times appointed for holding the Court of Common Pleas and General Sessions of the Peace in the County of Sydney.

HEREAS the stated Periods for holding the Court of Common Pleas and General Sessions of the Peace at Guyfborough, formerly called Manchester, in the County of Sydney, have been found extremely inconvenient to the inhabitants of said County for Remedy whereof,

Preamble.

I. Be it enacted by the Lieutenant Governor, Council and Assembly, That the Court of Common Pleas and General Sessions of the Peace shall be in future held at Guyfborough, formerly called Manchester, in said County, on the Second Tuesday in February and Second Tuesday in August, annually, any Law, Usage or Custom to the contrary notwithstanding.

Court of Common Pleas and General Sessions of the Peace in future to be held at Guyfborough, on the second Tuesday in Feb. and second Tuesday in August

C A P. IV.

An ACT, for founding, establishing and maintaining a College in this Province.

HEREAS the permanent Establishment and effectual Support of a College at Windsor, may by the blessing of God, become of the greatest public Utility to this Province, and to His Majesty's neighbouring Colonies ;

Preamble.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That a Sum not exceeding Four hundred and Forty four Pounds, Eight Shillings and Ten Pence half penny Current Money of Nova-Scotia, equal to Four hundred Pounds Sterling Money of Great Britain, shall be yearly, and every Year granted, allowed and paid by, from, or out of such Monies as may from Time to Time be collected and paid into the public Treasury of this Province from the Duties imposed or to be imposed on brown and loaf or refined Sugars ; and in Case such Duties are not sufficient to answer the said Sum at the Days and Time of Payment thereof; then by, from, or out of any other Aids, Supplies or Taxes not otherwise specially appropriated to other Uses ; which Sum of Four hundred and Forty-four Pounds, Eight Shillings and Ten Pence half Penny, shall be drawn by Warrant, under the Hand and Seal of the Governor, Lieutenant Governor, or Commander in Chief for the Time being, on the Provincial Treasurer in the way usually practised in equal Quarterly Payments ; the first Quarter

£444. 8. 10. granted annually for the support of the College and payment of the Professors &c

Chargeable on the Duties on Sugars, and if insufficient on the other Aids.

to commence the Firſt of *January*, One Thouſand Seven Hundred and Eighty Nine, and to be drawn for on the Firſt of *April*, and ſo on from Quarter to Quarter, as the ſame ſhall grow due, on the Requiſition of the Governors of the ſaid College or the Major Part of them as herein after appointed, for or towards the Maintenance and Support of the ſaid College, and the Payment of the Salaries of the Preſident and Profeſſors to be by them appointed.

Governors of the College named and appointed.

II. *And be it further enacted, by the Authority aforeſaid, That the Governor, and Commander in Chief of the Province of Nova-Scotia for the Time being, the Lieutenant Governor for the Time being; the Biſhop of Nova-Scotia for the Time being; the Chief Juſtice for the time being; the Secretary of the Province for the Time being; the Speaker of the Houſe of Aſſembly for the Time being; His Majesty's Attorney General for the Time being; and His Majesty's Solicitor General for the Time being; ſhall be Governors of the ſaid College.*

Incorporated by the name of the Governors of King's College in Nova-Scotia.

III. *And be it further enacted, by the Authority aforeſaid, That for the better Management and Regulation of the ſaid College, and the more full and compleat executing the Purpoſes of this Act, the ſaid Governors hereby appointed, ſhall be a Body Politick and Corporate in Deed, and Name, and have Succeſſion for ever by the Name of "the Governors of King's College of Nova-Scotia." and by that Name ſhall ſue, and be ſued, implead and be impleaded, in all Courts and Places within the Province of Nova-Scotia; and they, or the major Part of them, ſhall have Power to have and uſe a Common Seal to be appointed by themſelves, and to make Bye Laws and Ordinances for the Regulation and general Management of the ſaid College, and to aſſemble together, when and where, and as often and upon ſuch Notice as to them ſhall ſeem meet, for the Execution of the Trust hereby reſoſed in them; and ſhall alſo have full Power and Capacity to purchaſe, receive, take, hold, and enjoy for the Uſe and Benefit of the ſaid College, and the Purpoſes of this Act, as well Goods and Chattles, as Lands, Tenements and Hereditaments; any Law or Statute to the contrary thereof notwithstanding.*

Governors or the Major part to make Ordinances, uſe a Common Seal, and to purchaſe or receive for the uſe of the College Goods and Lands.

IV. *And be it further enacted, by the Authority aforeſaid, That the Governors of the ſaid College ſo appointed and incorporated by this Act, or ſuch major Part of them at any General Meeting aſſembled, ſhall from Time to Time, and as they ſhall think fit, make and eſta- bliſh ſuch Statutes, Rules and Ordinances for the Inſtruction, Care and Government of the Students, and for the Care and Preſervation of the Books, Furniture and other Property belonging to the ſaid College as to them ſhall ſeem meet, and ſhall and may in like Manner nominate and appoint the Preſident and Profeſſors (the Preſident always to be a Clergyman of the eſta- bliſhed Church of England, duly qualified for that Office) to whom the Tuition of the Students in the ſaid College*

Governors or the Major part to eſta- bliſh Rules for the Inſtruction and Government of the Students, and to Nominate and appoint the preſident and profeſſors, and to fix their Salaries &c. and to remove them for Miſbehaviour.

College

College shall be committed; and also to appoint such Officers and Servants from Time to Time, as the said Governors or such major Part of them may think necessary, and assign to them respectively out of the said Sum of Four hundred and Forty-four Pounds, Eight Shillings and Ten Pence half Penny annually granted by this Act, such Salaries and Allowances as they shall think fit; and shall and may in like manner suspend or remove the President, Professors, Officers and Servants, or any or either of them for Misbehaviour or neglect of Duty; and no President or Professor, Officer, or Servant of the said College, unless in Cases of Sicknes, shall absent themselves from their respective Duties without the express Leave of the Governors or the Majority of them, who are hereby authorized to appoint a Deputy or Deputies to fill the Office of such President or Professor in such Cases, and to appropriate a part or the whole of the Salary of the President or Professor absent as aforesaid, for the Payment of such Deputy.

No professor or Officer to absent himself without leave.

V. *And be it further enacted, by the Authority aforesaid, That besides the Four hundred and Forty-four Pounds, Eight Shillings and Ten Pence half Penny hereby annually granted for the Purposes of the said College, it shall and may be lawful for the Governor or Lieutenant Governor and Commander in Chief, at the Requisition of such major Part of the Governors of the said College to draw by Warrant from the Treasury of this Province, a Sum not exceeding Five hundred Pounds, to enable them to purchase such House, Lot of Ground and Premises in the Township of Windsor as they may chuse and think requisite, and proper for the purpose of founding and establishing of such College.*

Further Sum of 7500. granted to enable the Governors to purchase a House or Ground in Windsor for the College.

VI. *And be it further enacted, That it shall and may be lawful for the said Governors to provide a Person well and sufficiently qualified to act as a temporary President, and also a Person or Persons well and sufficiently qualified, to act as temporary Professors, who shall be immediately employed in the Education of Youth, and the said Governors shall and may continue to apply such Parts or Shares of the said Sum herein before granted for the Payment and Support of such temporary Establishment until a sufficient Building shall be erected, and a Charter obtained from our Most Gracious Sovereign to authorize the opening of such College in due Form.*

Governors to provide a temporary President or professors until a sufficient building shall be erected, and a Charter obtained from his Majesty.



## C A P. V.

An A C T for establishing the Times of holding an  
*Inferior Court of Common Pleas and General Ses-  
sions of the Peace* in the Township of *Yarmouth*.

Preamble.

HEREAS the Want of Roads and the Distance between the  
the Township of *Shelburne* and Townships of *Yarmouth* and  
*Argyle* in the County of *Shelburne* renders it inconvenient for  
the Inhabitants resident in said Townships to attend at the In-  
ferior Court of Common Pleas and at the General Sessions of the Peace  
held at *Shelburne*, for Remedy whereof.

Inferior Court of  
Common Pleas and  
General Sessions of  
Peace to be held in  
the Township of  
*Yarmouth*, first  
Tuesday *April*, and  
last Tuesday *Octo-  
ber* annually.

The Laws of the  
Province relating  
to the practical or  
Judicial proceed-  
ing of the Courts of  
Law extended to  
the above Courts at  
*Yarmouth*.

I. Be it enacted by the Lieutenant Governor, Council and Assembly,  
That an *Inferior Court of Common Pleas*, and a *Court of General Sessions  
of the Peace*, shall and may be kept and held within the Township of  
*Yarmouth* in the County aforesaid, on the First Tuesday of *April* and  
last Tuesday of *October*, in every Year.

II. And be it further enacted, That all and every the Laws of this  
Province respecting the Ballotting, summoning and attendance of  
Jurors, ordering and taking of Bail, the service of Writs and Execu-  
tions, or which relate to order, and direct, either practical or judicial  
Proceedings of the Courts of Law in this Province, shall extend, and  
be construed to extend to the said *Inferior Court of Common Pleas* and  
*General Sessions of the Peace* in the said Township of *Yarmouth*.

## C A P. VI.

An A C T to enable the Inhabitants of the Town  
Plot of *Dartmouth* to use and occupy the Common  
Field, granted them by His Excellency the Lieut-  
enant Governor, in such way as they may think  
most beneficial to them.

Preamble.

HEREAS His Excellency the Lieutenant Governor hath  
granted a certain Tract of Land adjoining to the Town Plot  
of *Dartmouth* to the Inhabitants thereof for the time being,  
for the purpose of a Common Field for feeding Cattle, &c.  
and as the Intention of said Grant cannot be carried into Effect without the  
Aid of a Law for that Purpose.

Proprietors to meet  
once a Quarter on  
the order of the  
Trustees.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Af-  
sembly, That it shall and may be lawful for the Proprietors and Per-  
sons interested in said Common-Field, to assemble in such Place in  
said

ſaid Town, as the Truſtees named in ſaid Grant ſhall appoint once in every Quarter of a Year, and one or more of ſaid Truſtees are hereby impowered to grant an Order for ſuch Meeting, directed to one of the Conſtables for the Diſtrict of *Dartmouth*, requiring him to notify the Proprietors and others intereſted in ſaid Common Field of the Meeting, and the Time and Place for the ſame, which Notification ſhall be given in Writing poſted up in ſome public Place within the Town aforeſaid, five Days before the Day appointed for the Meeting, and ſuch and ſo many of the Proprietors and Perſons intereſted in ſaid Common Field, who ſhall be aſſembled, and meet accordingly, ſhall have power by a Majority of Votes to chuſe a Clerk to enter and record all Votes and Orders that from Time to Time ſhall be made and paſſed in ſaid Meeting, reſpecting the ſaid Field and the Management thereof, who ſhall be ſworn to the faithful Diſcharge of his Office, and alſo to paſs Orders for the managing and improving ſaid Common Field.

Empowered to chuſe a Clerk enter a record Votes &c. and to make orders for the improvement of the Common.

*And for the better enabling the ſaid Proprietors and Perſons intereſted in ſaid Common Field to fence and improve the ſame.*

II. *Be it further enacted by the Authority aforeſaid,* That the Proprietors and Perſons intereſted in ſaid Common Field, that by either of the Truſtees for the time being may ſue, commence and proſecute any Suits or Actions (reſpecting the Management of ſaid Common Field) in any Court proper to try the ſame, and in like Manner to defend all ſuch Suits and Actions that ſhall be commenced againſt them, and the ſaid Proprietors and Perſons intereſted in ſaid Common Field are hereby impowered at their quarterly Meetings to order the raiſing of any ſuitable Sum or Sums of Money, that ſhall be by them thought ſufficient to carry on and proſecute, or defend any Actions or Suits that may be brought by or againſt them, or for the carrying on or managing any Affairs relating to the ſaid Common Field, and to appoint three of the Proprietors aforeſaid, to proportion ſuch Sum or Sums, as ſhall be thought neceſſary to be raiſed for the Ends and Uſes aforeſaid upon the Proprietors and Perſons intereſted therein, and to appoint a Collector or Collectors to gather in, and collect the ſame, which Collector or Collectors ſhall be and are hereby fully authorized and empowered to levy and collect the Sum or Sums ſet, and apportioned for ſuch Proprietors to pay in the ſame Manner as the Collector or Collectors in the Town of *Halifax* are impowered to collect the public Taxes; and to pay in the ſame to the Clerk of ſaid Meeting) who is hereby impowered to grant Warrants for levying and collecting ſuch Aſſeſſments) at ſuch Times as ſhall be by them appointed for the Payment thereof, and ſuch Clerk ſhall be accountable to ſaid Proprietors therefore, and the Perſon ſo aſſeſſing and the Collector or Collectors that ſhall be appointed, ſhall be under Oath for the faithful Performance of their Services reſpectively.

Truſtees to ſue or defend Suits for Proprietors reſpecting the Common.

Proprietors to raiſe Money, and any three of them to apportion the Sum voted among them and to appoint a Collector, who is authorized to levy the ſame as the public Taxes are collected at *Halifax*.

Proprietors to make orders for Fencing the Common and to annex penalties for non obſervance.

Provided the orders are not repugnant to the Laws of the Province.

Proprietors or Truſtees not alienate the Common, or to levy Taxes on ſuch Proprietors as do not uſe the Common.

III. *And be it further enacted by the Authority aforeſaid, That the Proprietors and Perſons intereſted in ſaid Common Field at a Meeting warned (as by this Act directed) and aſſembled, ſhall and may have Power by a Majority of Votes of the Perſons then aſſembled, to make and paſs ſuch Orders for fencing and improving of ſaid Common Field as by them ſhall be thought proper and convenient, and to annex Penalties on the Breach and Non-Obſervance of ſuch Orders; provided ſuch Penalties do not exceed Fifteen Shillings for one Offence. Provided alſo, That ſuch Orders ſo made are not repugnant to the general Laws of the Province, ſaid Penalties to be recovered before any of His Majeſty's Juſtices of the Peace for the County of Halifax, and to be diſpoſed of as ſaid Proprietors ſhall order or direct, any Law, Uſage or Cuſtom to the contrary notwithstanding. Provided always, That this Act nor any Thing therein contained, ſhall be conſtrued to impower ſaid Proprietors or the Truſtees to alienate ſaid Common Field, or any Part thereof, or to aſſeſs or levy any Money on any Commoner, who ſhall not uſe his Right of Common, or on any Commoner, except in Proportion to the Beaſts he may depaſture there, and the Benefit he may derive from ſaid Common Field.*

## C A P. VII.

An Act in Amendment of the ſeveral Acts paſſed in the firſt and twenty-eight Years of His Majeſty's Reign, relative to the repairing of Highways, Roads, Bridges, &c.

Preamble.

WHEREAS the Road leading from the Town of Halifax to the Town of Annapolis, is frequently rendered inconvenient to paſs, from the great depth of Snow, and the injudicious Manner of uſing the ſaid Road, for Remedy whereof.

Sleds conſtructed to carry Loads paſſing from the Town of Halifax to Annapolis to be not leſs than four feet in Breadth and if drawn by more than one Horſe or Ox, the ſame to be Harned ſide by ſide of each other.

I. *Be it enacted by the Lieutenant Governor, Council and Aſſembly, That from and after the Publication of this Act, all loaded Sleds, or ſuch as are conſtructed to carry Loads, going to or coming from the Town of Halifax, or uſing any part of the Road leading as aforeſaid, and which ſhall be drawn by more than one Horſe or Ox, ſhall be in Breadth from Outside to Outside of the Runners not leſs than four Feet, and that the Horſes or Oxen drawing the ſame, ſhall be harned or yoked in ſuch Manner, that they draw two and two, ſide by ſide of each other.*

Penalty for diſobeying this Act 10s. to be recovered before one or more Juſtices of the Peace.

II. *And be it further enacted, That any Perſon diſobeying this Act ſhall forfeit the Sum of Ten Shillings for each and every Offence to be recovered before any one of His Majeſty's Juſtices of the Peace, and the Money ſo recovered to be appropriated to the Uſe of the Perſons informing and proſecuting the ſame to effect.*

III. *And*

III. *And be it further enacted,* That all Sleds which shall hereafter be made use of in any of the settled Townships of this Province, (*Halifax* excepted) shall be no less than four Feet wide as aforesaid, and any Person using a Sled of less dimensions shall forfeit and pay for each and every Offence a Penalty of Ten Shillings to be recovered and applied as aforesaid.

Sleds hereafter made use of in the settled Townships of this Province (*Halifax* excepted) to be no less than four feet wide under Penalty of Ten Shillings.

### C A P. VIII.

An Act in further Addition to an Act made in the 32d Year of the Reign of King GEORGE the Second, entitled, "An Act for preventing Trespasses.

*E* it enacted by the Lieutenant Governor, Council and Assembly, *B* That if any Person from and after the Publication of this Act shall be found within any fenced Field or other inclosure of Land on the Peninsula of *Halifax*, with a Gun or otherwise unless by leave of the Owner thereof, such Person shall for every Offence forfeit the Sum of Ten Shillings, to be recovered on due Proof before any one Justice of the Peace, and be for the Use of the Prosecutor. And in Case the Party convicted shall be unable to pay the Fine imposed, it shall and may be lawful for such Justice to commit him to the Common Gaol of the County, there to remain for twenty four Hours or until he pays such Fine.

Any Person found within any enclosed Field in the Peninsula of *Halifax* without leave of the Owner to pay 10s. and if unable to pay it may be committed to the common Gaol for 24 Hours.

II. *Be it further enacted,* That any Person or Persons who shall cut or carry away any Soil or Sods from off the Common of *Halifax*, or of *Lunenburg*, whereby the Pasturage shall be injured or the Ground defaced, he or they shall on Conviction forfeit and pay for every such Offence a Sum not exceeding Twenty Shillings, to be recovered and applied as aforesaid.

Persons cutting or carrying away the Soil or Sods from the Common at *Halifax* or *Lunenburg* to pay 20s. fine.

## C A P. IX.

An ACT, in Amendment of the feveral Acts paffed in the Thirty-second and Thirty-fourth Years of the Reign of His late Majesty King George the Second, and in the First, Fifth and Twelfth Years of the Reign of His present Majesty ; relative to the registering of Deeds and Conveyances made of, or which may affect Lands, Tenements and Hereditaments.

Preamble.



*HEREAS by the various and secret Ways of conveying Lands, Tenements and Hereditaments, ill disposed Persons frequently have it in their Power to commit Frauds, by means whereof bona fide Purchasers and Mortgagees may (by prior secret Conveyances and fraudulent Incumbrances) be greatly injured, for Remedy whereof,*

Conveyances of Lands to be immediately Registered in the Town or district where the Lands lay.

Or in the next Town or District. Every Deed made after the 1st June 1789, void against subsequent purchasers and Mortgagees unless first registered.

I. *Be it enacted by the Lieutenant Governor, Council and Assembly, That all Deeds and Conveyances of Lands, Tenements or Hereditaments made after the first Day of June, in this present Year of our Lord, One thousand Seven hundred and Eighty nine, shall immediately on the Execution thereof be registered in the Office of the Register or Deputy Register of the Town or District wherein the Lands lay, and in Case there shall not be a Register or Deputy Register's Office in such Town or District, then in the Register or Deputy Register's Office of the Town or District nearest the Lands, and within the County ; And that every Deed or Conveyance made after the said first Day of June next, shall be adjudged fraudulent and void against any subsequent Purchaser or Mortgagee for valuable Consideration, unless such Deed or Conveyance shall be Registered prior to the subsequent Purchase and Registry thereof.*

## C A P. X.

An ACT, in Amendment of an Act made in the third Year of His present Majesty's Reign, entitled, " An Act to prevent Frauds in the selling of Flour and Biscuit or Ship Bread in Casks."

Preamble.



*HEREAS many Inconveniences arise from the Manner in which Meal of different kinds has been heretofore sold in this Province, for Remedy whereof.*

I. Be

I. *Be it enacted by the Lieutenant Governor, Council and Assembly,* That from and after the Publication hereof, all Meal, or Flour, made of Indian Corn, Buck Wheat, Rye or any other Species of Grain, that ſhall be ſold, bartered, or exchanged within this Province, either in Caſks, or otherwiſe ſhall be ſold, bartered or exchanged, by Weight only, and in no other Way or Manner whatſoever.

All Grain to be Sold by Weight only.

*And whereas great Frauds are often committed in meaſuring Grain ;*

II. *Be it further enacted,* That after the Publication hereof, the Meaſure with which Grain is ſold, ſhall be ſtruck with a ſtrait Board or Stick, rounded at the Edges, and with no other, and that any Perſon or Perſons herein offending, ſhall be liable to the Penalties and Forfeitures mentioned in the Act, entitled, *An Act to prevent Frauds in the ſelling of Flour and Biscuit or Ship Bread in Caſks.*

The meaſure to be ſtruck with a ſtrait board or ſtick rounded the Edges. Perſons offending againſt this Act liable to the Penalties of the Act to prevent Frauds in the ſelling Flours &c.

## C A P. XI.

In Amendment of an Act made in the ſecond Year of His preſent Majeſty's Reign, entitled, "An Act for regulating the Exportation of Fiſh, and the ſiſe of Barrels, Staves, Hoops, Boards and all other kind of Lumber, and for appointing Officers to ſurvey the ſame.



*HEREAS it is found from Experience that our preſent Regulations reſpecting the Exportation of Fiſh, are in many Caſes defective, for Remedy whereof.*

Preamble.

I. *Be it enacted by the Lieutenant Governor, Council and Assembly,* That from and after the Publication hereof, when Pickled Fiſh, of any Deſcription, ſhall be offered for ſale in any Town, Diſtrict or Fiſhing Port, within the Province, and the ſame ſhall appear to be in any wiſe unmerchantable, it ſhall and may be lawful for the Surveyor or Surveyors for the Town, Diſtrict or Fiſhing Port where ſuch Fiſh ſhall be ſo offered, to call in any three Perſons, accuſtomed to deal in, or having Knowledge of the requiſite Qualities of ſuch Articles, and if they ſhall be of the opinion, that the Fiſh ſo offered are unſound, that then and in ſuch Caſes the Surveyor or Surveyors before whom ſuch Inqueſt ſhall be had, ſhall deſtroy the ſame.

Pickled Fiſh appearing to be unmerchantable the Surveyor to call in three Perſons to view them and if they think the fiſh unſound the Surveyor to deſtroy them.

II. *And be it further enacted,* That if any Surveyor or Surveyors ſhall ſuffer any Owner or other Perſon for him to remove or carry ſuch condemned or unſound Fiſh, that they ſhall upon Conviction forfeit and pay the Sum of Twenty Shillings per Barrel, for  
E e e each

Any Surveyor ſuffering the Owner or other Perſon to remove unſound

Fish to forfeit 20s. per Barrel, to be recovered before any Justice of the Peace.

each and every Barrel so removed, the same to be recovered on the Oath of one creditable Witness before any one of His Majesty's Justices of the Peace, and applied to the Use of the Poor.

Masters of Vessels exporting Fish to produce the Certificate of the Culler of dried Fish, and the Certificate of the Surveyor of pickled Fish to the Collector and Naval Officer.

III. *And be it further enacted*, That all Masters of Vessels carrying merchantable dryed Fish to any European Market, or any kind of Pickled Fish to any foreign Market, shall be obliged to produce the Certificate of the sworn Culler of dryed Fish, and the Certificate of the sworn Surveyor of Pickled Fish, to the Collector and Naval Officer of the Port where his Vessel shall be laden, before he can obtain a Clearance.

Salmon Tierces to contain 42 Gallons and not less than 280. lb. of Fish besides Salt and Pickle. Pickled Fish to be pickled in Barrels of 30 Gallons.

IV. *And be it further enacted*, That all Salmon Tierces shall be made to contain Forty-two Gallons at least, and not less than Two hundred and Eighty Pounds of Fish, exclusive of Salt and Pickle.

V. *And be it further enacted*, That in future all Pickled Fish shall be packed in Barrels containing Thirty Gallons, and no less, any Law, Custom or Usage to the contrary notwithstanding.

Surveyor who shall pass unmerchantable Fish or Lumber shall pay the full value thereof, or if they shall not destroy unbound Fish or suffer it to be removed. To be recovered before any one Justice for the use of Poor.

VI. *And be it further enacted*, That if any Surveyor of Fish or Lumber of different kinds, shall pass any Fish or Lumber as merchantable, which is not merchantable, or shall refuse or neglect to do with such unmerchantable Fish, Lumber, Hoops, Staves, Shingles, Claphoards or any other species of Lumber, what the Act of which this is an Act in Amendment directs, such Surveyor, shall forfeit and pay the full Value of the Fish or Lumber of any kind which he shall so pass as merchantable, not being such, or which he shall neglect or refuse to destroy or dispose of as the Law requires in such Cases, the same to be recovered before any one of His Majesty's Justices of the Peace, and applied to the Use of the Poor.

C A P. XII.

An ACT to provide for the better Support of the Puisne Judges of His Majesty's Supreme Court.

Preamble.

HERE AS the Independence and Uprightness of the Judges are essential to the impartial Administration of Justice and has ever been considered as one of the best Securities of the Rights and Liberties of the Subject, in Order therefore to make a suitable provision for such Appointments and establish the permanency thereof:

I. *Be it enacted by the Lieutenant Governor, Council and Assembly*, That there shall be paid Annually to the two Puisne Judges of the Supreme Court, during their Continuance in Office and residence in the Province,

vince, the Sum of Four Hundred pounds Currency each, which said Sum shall be paid out of the Public Monies in the Treasury by Warrant from the Governor, Lieutenant Governor or Commander in Chief for the time being on the Treasurer thereof.

II. *Provided always,* That nothing herein contained shall extend or be construed to extend to Change the nature of His Majesty's Commissions to such Judges, but the Puisne Judges shall be removed at the pleasure of His Majesty, or upon the Joint Address of the *Council and Assembly* to the Governor, Lieutenant Governor or Commander in Chief for the time being.

£.400 to be paid annually to each of the Judges of the Supreme Court out of the Treasury of the Province by warrant from the Governor.

Such Judges to be removed at the Pleasure of His Majesty on the joint Address of the *Council and Assembly.*