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1823.

Anno quarto GEORGE IV.

C. I.

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday, the Thirteenth Day of February, 1823, in the Fourth Year of the Reign of Our Sovereign Lord GEORGE the Fourth, by the Grace of GOD of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Third Session of the Twelfth General Assembly, convened in the said Province.*

* In the time of Sir James Kempt, Knight Grand Cross of the Most Honorable Military Order of the Bath; E. S. Blowers, Chief-Justice and President of Council; Simon Bradstreet Hobie, Speaker of the Assembly; Rupert L. George, Secretary of the Council, and James B. Fraueklu, Clerk of Assembly.

CAP. I.

An ACT for applying certain Monies therein mentioned, for the service of the Year of Our Lord One Thousand Eight Hundred and Twenty-three; and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province.

May it please your Excellency,

WE, His Majesty's dutiful and loyal Subjects, the House of Assembly of His Majesty's Province of Nova-Scotia, towards appropriating the Supplies granted to His Majesty in this Session of the General Assembly, and for supplying the Exigencies of His Majesty's Government, do humbly beseech that it may be enacted, and,

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly,* That, by or out of such Monies as now are, or from time to time shall be and remain, in the Public Treasury of this Province, there shall be paid:—

The sum of 200l. to the Speaker of the House of Assembly, for his services during the present year. 200l. Speaker of Assembly

And a further sum of 100l. to the Solicitor-General, for his services for the present year. 100l. Solicitor General

- 500l. Treasurer And a further sum of 500l. to the Treasurer of the Province, for his Salary, and as Comptroller and Auditor of Public Accounts, and in lieu of Office Rent, Clerks, and all other contingent expenses, for the present year.
- 116l. 13s. 4d. N. Atcheson And a further sum of 116l. 13s. 4d. to Nathaniel Atcheson, Esq. the Agent of the Province, for his services for the present year.
- 100l. Clerk of Council And a further sum of 100l. to the Clerk of the Council in General Assembly, and as Clerk to His Majesty's Council, for his services for the same year.
- 30l. expenses of Council And a further sum of 30l. for defraying the expenses of the Council in General Assembly, for the same year : to be paid on the Certificate of the President of the Council, and not otherwise.
- 100l. Clerk of Assembly And a further sum of 100l. to the Clerk of the House of Assembly, for his services for the present year.
- 175l. Howe & Son And a further sum of 175l. to Messrs. Howe & Son, Printers, for printing for Government and the General Assembly, for the same year.
- 50l. Keeper of Assembly And a further sum of 50l. to the Keeper of the House of Assembly and the Council Chamber, for the present year.
- 90l. Land Waiter And a further sum of 90l. to be paid on the Certificate of the Commissioners of the Revenue, to the Land Waiter for the Port of Halifax, for the same year.
- Allowance to Extra Waiters And a further sum to be paid on the Certificate of the Commissioners of the Revenue, at the rate of seven shillings and sixpence per day, to such person or persons as shall be employed, during the year aforesaid, by the Collector of Impost and Excise of the District of Halifax, as extra Waiter or Waiters for the Port of Halifax ; and five shillings per day to such extra Waiter or Waiters when unemployed ; and at the rate of five shillings per day to temporary Waiters.
- 200l. Gauger and Weigher And a further sum of 200l. to the Gauger and Weigher, for the Collector of Impost and Excise for the District of Halifax, for his services for the same year.
- 40l. Messenger to Council And a further sum of 40l. to the Messenger to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, and His Majesty's Council, as well in their Legislative capacity, as otherwise, for the present year.
- 25l. Rev. John Inglis And a further sum of 25l. to the Reverend John Inglis, for his services as Chaplain to His Majesty's Council and the House of Assembly during the present Session.

And

- And a further sum of 35l. to John Boyd, for his services as Sergeant at Arms to the House of Assembly, during the present Session. 35l. to John Boyd
- And a further sum of 20l. to Matthew Forrester, for his services as Assistant Sergeant at Arms to the House of Assembly, during the present Session. 25l. to Matthew Forrester
- And a further sum of 20l. to John Gibbs, for his services as Messenger to the House of Assembly, during the present Session. 20l. to John Gibbs
- And a further sum of 30l. to the Clerk to the Commissioners of the Revenue, for his services for the present year. 30l. Clerk to Commissioners of Revenue
- And a further sum of 20l. to the Secretary of the Province, for Stationary, on account of Warrants to be drawn on the Treasury for the same year. 20l. Secretary of Province
- And a further sum of 10l. to the Trustees of the Law Library, to be disposed of in such way as they may think proper for the advantage of the said Library. 10l. Law Library
- And a further sum of 222l. 4s. 5d. to the Attorney-General, for his services for the present year. 222l. 4s. 5d. Attorney-General
- And a further sum of 100l. to the Treasurer of the Province, in addition to his Salary for the present year. 100l. Treasurer
- And a further sum of 250l. to defray such Contingent Expenses as may arise during the present year; to be drawn by Warrant from the Governor, Lieutenant-Governor, or Commander in Chief, for the time being. 250l. Contingent Expenses
- And a further sum of 600l. for the support of the Transient Poor, for the present year, to be paid to the Commissioners of the Poor at Halifax. 600l. Transient Poor
- And a further sum of 20l. to the Person who has the care of the Gunpowder at Halifax, for his services for the present year. 20l. Keeper of Gunpowder
- And a further sum of 50l. to James Ratchford and Company, for the encouragement of a Packet to run between Windsor and Partridge Island, under such regulations as may be made and ordered by the Justices in their Session for the County of Hants, for the present year. 50l. Parrsborough Packet
- And a further sum of 400l. to the Commissioners of the Island of Sable, for the support of that Establishment for the present year. 400l. Island of Sable

- 1000l. Agriculture And a further sum of 1000l. for the improvement of Agriculture, under the direction of the Provincial Agricultural Society, according to a Scale to be agreed upon by the said Society.
- 100l. Poor Man's Friend Society And a further sum of 100l. to the Committee of the Poor Man's Friend Society, in Halifax, to aid them in carrying into effect the benevolent intentions of that Society, including the Soup Establishment under their direction.
- 200l. Steam Boat Company And a further sum of 200l. to the Halifax Steam Boat Company, towards enabling them to keep their Boat plying between Halifax and Dartmouth.
- 100l. Anthony H. Holland And a further sum of 100l. to Anthony H. Holland, as an encouragement for carrying on the Manufacture of Paper, at the Mill erected by him at Sackville.
- 100l. Pier at Arisaig Point And a further sum of 100l. to aid the Inhabitants on the Gulf Shore, in the County of Sydney, to keep in repair the Pier at Arisaig Point, in the said County.
- 100l. Adjutant General of Militia And a further sum of 100l. to the Adjutant-General of the Militia, in full for his Services, and the payment of his Clerk, Stationary and Postage, for the present year.
- 20l. to John Gutridge And a further sum of 20l. to John Gutridge, to aid him in completing his Mill, at Horton, for the manufacturing of Oat Meal.
- 815l. Post Communication And a further sum, not exceeding 815l. for defraying the expense of the Post Communication in the present year, to include the Communication as heretofore kept up, and to extend the same from Manchester to Sydney, by way of Arichat; also, from West-Chester, on the Cumberland Road, to Pugwash and Remisheg.
- 165l. 7s. 1d. Government House And a further sum of 165l. 7s. 1d. to defray the Accounts of Expenditure for, and work done to, the Government-House in the last year.
- 19l. 12s. 8d. Province House And a further sum of 19l. 12s. 8d. to defray the Accounts of Expenditure for, and work done on, the Province House in the last year.
- 35l. Treasurer And a further sum of 35l. to the Treasurer of the Province, for the like sum advanced by him to William Hill, Esq. pursuant to a Resolution of the House of Assembly, of the ninth of April, in the last year.
- 17l. 10s. Treasurer And a further sum of 17l. 10s. to the Treasurer of the Province, for the like sum advanced by him in payment of a premium for a Bill of Exchange remitted to the Agent of the Province, for his Salary, pursuant to a Resolution as aforesaid. And

- And a further sum of 71l. 3s. 11d. to John Higgins, Sen. to reimburse him the like sum paid by him for the amount of a verdict, obtained against him in the Supreme Court, at the suit of one James M'Haffy, and the expenses attending the same, prosecuted against the said Higgins, in consequence of acts done by him as a Commissioner of Roads. 71l. 3s. 11d. John Higgins
- And a further sum of 100l. to Samuel G. W. Archibald, Esq. one of the King's Counsel at Law, for his services in conducting Criminal Prosecutions in the Supreme Court, in the Eastern Circuits of the Province, from the year one thousand eight hundred and seventeen, to the year one thousand eight hundred and twenty-two, inclusive. 100l. S. G. W. Archibald Esq.
- And a further sum of 100l. to William H. O. Haliburton, Esq. one of the King's Counsel at Law, for his services in conducting Criminal Prosecutions in the Supreme Court, in the Western Circuits of the Province, for the period as aforesaid. 100l. W. H. O. Haliburton Esq.
- And a further sum of 300l. to the Trustees of the Pictou Academy, towards the support of that establishment, 300l. Pictou Academy
- And a further sum of 30l. to be placed at the disposal of His Excellency the Lieutenant-Governor, for the purpose of purchasing Provisions, or to be otherwise expended as His Excellency may think best for the benefit of Shipwrecked Mariners who may be cast on the Seal Islands, near to Cape Sable, or in the neighbourhood thereof. 30l. Shipwrecked Mariners
- And a further sum of 100l. to the Magistrates of the Town of Halifax, towards enabling them to discharge the debt now due for the Bridewell Establishment in the said Town. 100l. Bridewell
- And a further sum of 25l. to the Commissioners of the Poor, at Halifax, to enable them to provide a School for the benefit of the Orphans and Poor Children now in the Poor-House. 25l. Commissioners of Poor
- And a further sum of 50l. to be applied upon the same conditions as in the past year, for a compensation to the Sheriff of the County of Cape-Breton, for the services he may perform in the execution of his Office within the present year. 50l. Sheriff of Cape-Breton
- And a further sum of 10l. to Nathaniel W. White, for services performed by him in conducting criminal business in the Supreme Court at Shelburne, in the month of July, in the last year. 10l. N. W. White
- And a further sum of 100l. to Walter Bromley, for his great and zealous exertions in promoting the interests of Education in this Province. 100l. Walter Bromley
- And a further sum of 200l. to Mr. John Howe, Jun. for services performed for the Province, as Deputy-Post-Master-General, during the last five years. 200l. John Howe, Jun.

311. John Howe
& Son

And a further sum of 311. to John Howe and Son, for printing the Acts, passed in the last Session of the General Assembly, for transmission to England, and also sundry other extra Printing, per account.

100l. Dry Dock
at Aylesford

And a further sum of 100l. to assist the Inhabitants of Aylesford, in aid of a subscription, entered into by them, to build a Dry Dock on the Bay Shore, near the French Cross, so called, in the said Township, so as to admit small Vessels at the time of high water, where they may receive or discharge their cargoes in security. The said sum to be expended under the direction of His Excellency the Lieutenant-Governor, for the above service, if, upon enquiry, he should find the building of a Dry Dock practicable on the Bay Shore, near the French Cross.

91. 19s. 10d.
Joseph Stoneman

And a further sum of 91. 19s. 10d. to Joseph Stoneman, being the amount of one half of the net proceeds of a certain seizure, made by the Deputy-Collector of Impost and Excise at Annapolis, and paid into the Treasury of the Province.

35l. J. W.
Sawyer

And a further sum of 35l. to Mr. J. W. Sawyer, for his services in drafting and copying Bills for the Members of the House of Assembly, in the present Session.

100l. Clerk of
Assembly

And a further sum of 100l. to the Clerk of the House of Assembly, to defray the expense of extra Clerks, Servants, and other incidental expenses, during the present Session.

20l. Clerk of
Assembly

And a further sum of 20l. to the Clerk of the House of Assembly, for defraying the expense of Stationary furnished for the use of the House of Assembly, His Majesty's Council, and the Commissioners of the Revenue.

50l. Fuel, &c.
for Council
and Assembly

And a further sum of 50l. to defray the expense of Fuel, and for Sundries, furnished for the use of His Majesty's Council and the House of Assembly, in the present Session, the same to be paid on the Certificates of the President of the Council, and the Speaker of the Assembly.

100. Distressed
Negroes

And a further sum of 100l. to be placed at the disposal of His Excellency the Lieutenant-Governor, to be applied by such Persons as His Excellency shall appoint, for the purpose of procuring seed Potatoes and Grain for the distressed Negroes at Hammond Plains, Dartmouth and Preston, and those at the Panuke Lake Settlement in the Township of Windsor, and Beech Hill near Halifax.

1770l. Great
Roads

And a further sum of 1770l. for the Great Roads in the Province, and in the County of Cape-Breton; to be applied and expended agreeable to the Resolution passed in the House of Assembly on the fifth day of April in the present year; and agreed to by His Majesty's Council.

480l. District
of Halifax

And a further sum of 480l. for the several roads within the District of Halifax, to be applied and expended as aforesaid. Add

And a further sum of 480l. for the several roads within the District of Colchester, to be applied and expended as aforesaid. 480l. District of Colchester

And a further sum of 530l. for the several roads within the District of Pictou, to be applied and expended as aforesaid, 530l. District of Pictou

And a further sum of 530l. for the several roads within the County of Sydney, to be applied and expended as aforesaid. 530l. County of Sydney

And a further sum of 480l. for the several roads within the County of Cumberland, to be applied and expended as aforesaid. 480l. County of Cumberland

And a further sum of 480l. for the several roads within the County of Hants, to be applied and expended as aforesaid. 480l. County of Hants

And a further sum of 480l. for the several roads within the County of King's County, to be applied and expended as aforesaid. 480l. King's County

And a further sum of 530l. for the several roads within the County of Annapolis, to be applied and expended as aforesaid. 530l. County of Annapolis

And a further sum of 530l. for the several roads in the County of Shelburne, to be applied and expended as aforesaid. 530l. County of Shelburne

And a further sum of 480l. for the several roads in the County of Queen's County, to be applied and expended as aforesaid. 480l. Queen's County

And a further sum of 480l. for the several roads within the County of Lunenburg, to be applied and expended as aforesaid. 480l. County of Lunenburg

II. *And be it further enacted*, That the sum of 10s. per day be allowed, and paid, to the Members of the House of Assembly, for their attendance in General Assembly, upon the certificate of the Speaker of the House of Assembly. 10s. per day to Members of the Assembly

III. *And be it further enacted*, That a Commission of seven and a half per cent. instead of six per cent. shall be allowed in the Collection of the Light Duties for the Port of Halifax, for the present year. Allowance to the Collector of Light Duty

IV. *And be it further enacted*, That if any accident shall happen to any of the Bridges on the Main Roads in this Province, or any unforeseen obstructions to travelling shall arise, from the fall of trees, or otherwise, it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, to order a Commissioner 250l. Road emergencies

missioner or Commissioners to repair or rebuild such Bridges, or to remove such obstructions. And it shall and may be further lawful, for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw Warrants on account, and in favor of, such Commissioner or Commissioners; *provided*, the same shall not exceed the sum of Five Hundred Pounds.

9th, 12th, 15th,
16th, 18th and
19th sections
41st Geo. III
continued

IV. *And be it further enacted*, That the ninth, twelfth, fifteenth, sixteenth, eighteenth and nineteenth, sections or clauses of the Act, made and passed in the forty-first year of His late Majesty's reign, entitled, "An Act for applying certain Monies, therein mentioned, for the year of our Lord One Thousand Eight Hundred and One, and for appropriating such part of the Supplies, granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province," shall be and continue in full force and virtue until the twenty-fifth day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Twenty-four, in as full and ample a manner as the same clauses would be were they again repeated word for word.

CAP. II.

An ACT for encouraging the Fisheries of this Province.

Bounty on
Merchantable
Fish

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That there shall be granted, allowed, and paid out of the Treasury of the Province, a Bounty of One Shilling and Sixpence for and upon each and every quintal of Dry Cod Fish, of a merchantable quality, suitable for the European markets, and which shall be caught and cured during the continuance of this Act, by any of His Majesty's subjects, resident within the Province, and which shall be exported or carried out of the same, in vessels owned and registered, wholly and solely, by persons resident in this Province, to any part of South America, except ports to the northward of the Amazon River, or to any port or place in Europe or Africa: which Bounty shall be paid out of the Treasury, to the person or persons exporting the same as aforesaid, under and according to the regulations and provisions hereinafter mentioned.

Inspection of
Fish

II. *And be it further enacted*, That the person or persons resident within this Province, by whom any quantity of Fish, of the aforesaid description and quality, has been caught and cured, and who may be desirous of selling and disposing of the same, and of receiving the said bounty thereon, shall, previous to the delivery of the same, under any sale thereof, procure some regular and sworn Inspector and Culler of Fish, in and for the township, settlement or place, where such delivery is to take place, to inspect, examine and ascertain, the quantity and quality of such Fish, and if the same, upon such inspection and examination, shall be found, by the said Inspector, to be of a quality denominated merchantable, and fit to be packed, and put up for sale in the European markets, then the said Inspector shall grant and subscribe a certificate to such person or persons declaring the quantity of Fish so inspected by him, and that the same is of a merchantable quality, and fit for the European markets, and stating the names and residence of the seller and purchaser thereof, and also that, to the best of his knowledge and belief, the said Fish was caught and cured by persons residing within this Province.

III. *And be it further enacted,* That upon the purchaser or purchasers of any quantity of Fish of the kind and quality aforesaid, paying to the person or persons selling the same as aforesaid, shall deliver up to such purchaser or purchasers, the said certificate of the said Inspector and Culler, and shall also subscribe and deliver a receipt to such purchaser or purchasers for the sum of money received by him, her or them, as and for the amount of the said bounty upon, and for, the quantity of the said Fish sold as aforesaid, provided the bounty so to be paid by the purchaser or purchasers, merchant or merchants, to any and every Fisherman, so selling as aforesaid, shall be in the current money of the Province, either on delivery of the said Fish, or secured to be paid in money within three months after such delivery, and in no other manner, and sufficient proof of such payment, in manner aforesaid, shall be made to the satisfaction of the Board of Commissioners before the necessary certificate shall be granted to them.

Payment of
Bounty to
Fishermen

IV. *And be it further enacted,* That the person or persons owning any quantity of Cod Fish, of the said quality and description, who shall intend to export the same from this Province to any part of South America, (except to the northward of the Amazon River) Europe or Africa, and who shall be desirous of obtaining the Bounty hereby granted, shall, previous to such exportation, make and subscribe an affidavit in writing before some Justice of the Peace within this Province, stating that the said Fish have been actually shipped for exportation from this Province, and to what Port or Country the same are intended to be carried, and the name of the vessel on board of which such shipment has been made, and the name of the master thereof, and shall also state, in such affidavit, that, to the best of his knowledge and belief, the said Fish were caught and cured by His Majesty's Subjects resident within this Province, and are of a Merchantable quality, and fit for the European Markets, and shall also state that the same were purchased by him as and for the said quality, and that the full amount of the bounty aforesaid, upon the quantity of the said Fish, mentioned in the said affidavit, hath been actually paid, or accounted for, or secured to be paid, by him, to the person or persons from whom he purchased the said Fish; and that to the best of his knowledge and belief, no part of the said Bounty for the said Fish has already been paid out of the Treasury, and that no part of the said Fish shall, with his knowledge or consent, be re-landed within this Province.

Exportion of
Fish on which
the Bounty is
allowed

V. *And be it further enacted,* That the exporter or exporters of any quantity of the said Fish, shall, at the time of the exportation thereof, enter into a bond to His Majesty, in double the value of the Bounty to be claimed upon the said Fish, that the same shall be exported from, and carried out of this Province, and landed (the dangers of the seas and enemies excepted) in some port or place within some one of the Countries hereinbefore mentioned: which said bond shall be cancelled on a certificate being produced within twelve months after the giving such Bond, under the hand and seal of a British Consul, in the State or Country within which such Fish were landed, stating the actual landing of the same, or on other sufficient proof being produced of such landing of the said Fish having taken place.

Security
against fraud
required from
Exporter

VI. *And be it further enacted,* That upon the Exporter or Exporters as aforesaid, of any quantity of the said Fish, producing, and filing in the Office of the Secretary of

Payment of
Bounty to Ex-
porter

the Province, the aforesaid certificate or certificates of the Inspector or Inspectors of the said Fish, and the receipt or receipts before mentioned, from the person by whom the said Fish was caught and cured, with the affidavit aforesaid, and also the certificate of the Board of Commissioners herein after mentioned, such Exporter or Exporters shall be entitled to receive the full amount of the Bounty hereby granted, for and upon such quantity of the said Fish mentioned and contained in the said certificate or certificates of the said Inspector or Culler, as it shall appear in and by the affidavit aforesaid was actually exported as aforesaid; and it shall and may be lawful for a warrant forthwith to pass in his, her, or their favor, to draw and receive from the Provincial Treasury the said amount of the said Bounty.

Supplies for the Fisheries to be purchased in the Province

VII. *And be it further enacted*, That no part of the Bounty hereby granted, shall be paid to any Fisherman, or other Person, unless he or they shall have procured or purchased within this Province, the whole of the supplies for the fishing voyage whereon the Fish was caught, for which the said Bounty is claimed.

AND WHEREAS Fish, pickled in hogheads, butts or casks, and afterwards dried and cured as and for Merchantable Fish, are not of that quality and description, although they may so appear to the Culler, and in this respect frauds may be practised, for preventing thereof :

Improperly curing Merchantable Fish

VIII. *Be it further enacted*, That before any Bounty is paid for Merchantable Fish, under the provisions of this Act, the person or persons claiming the same shall make oath in writing, before one of His Majesty's Justices of the Peace, that no part of such Fish has been pickled in hogheads, butts, casks, kids or boxes.

Frauds

IX. *And be it further enacted*, That if any Culler or Inspector of Fish, or any vender or purchaser thereof, shall combine or collude with each other, or with any other person or persons, for the purpose of obtaining any Bounty upon any Fish, nor entitled thereto, under the provisions of this Act, each and every such person shall be liable to the penalty of five pounds, nor more than one hundred pounds, for each and every offence; to be recovered before any two of His Majesty's Justices of the Peace, by any person who will sue for the same : one half thereof to go to such person, and the other half to be paid and applied for the use of the Poor of the town or place where such offence was committed.

AND WHEREAS the want of a regular supply of Salt, frequently causes that article to become scarce and dear, to the great injury of the Fisheries of this Province; and whereas it is expedient to procure a plentiful supply of Salt, fit for curing Fish, on cheap terms for the Fishermen :

Bounty on Salt

X. *Be it therefore enacted*, by the Lieutenant-Governor, Council and Assembly, That whenever any Salt, suitable for the curing of Fish, shall be actually sold and supplied by any Merchant or Merchants, Trader or Traders, resident within this Province, to any Fisherman or Fishermen, after the tenth day of April, in the present year, to be expended in the Fisheries of this Province, under the rate or price of thirteen shillings and sixpence, currency, per hoghead of seven and a half bushels, or eight bushels, as may be for such Salt, such Merchant or Merchants, Trader or Traders, shall be entitled to claim

claim and receive such Bounty thereon as, in addition to the price for which such Salt shall so be sold, shall amount to the aforesaid price of Thirteen shillings and sixpence currency per hoghead. *Provided*, That no Bounty, so to be paid to any such Merchant or Merchants, Trader or Traders, shall in any case exceed the rate or sum of two shillings and sixpence per hoghead.

XI. *And be it further enacted*, That any Merchant or Merchants, Trader or Traders, who may claim any such bounty under this Act, shall deliver to the Treasurer of the Province, an account, specifying the prices at which the Salt upon which the said Bounty is claimed was sold, together with the names and places of residence of the Fisherman or Fishermen to whom any such Salt has been supplied, with the dates of each supply, and such Merchant or Merchants, Trader or Traders, shall make oath before some one of His Majesty's Justices of the Peace, in which affidavit such Merchant or Merchants, Trader or Traders, shall swear, that the said account is in all respects just and true, and that the price or prices charged therein, is, or are, the true price or prices charged to the Fisherman or Fishermen therein named, and that such Merchant or Merchants, Trader or Traders, hath or have not received, by any ways or means, directly or indirectly, nor doth he, or do they, expect to receive, nor will he or they receive in any way thereafter any greater price or payment for such Salt, than the price actually charged in such account; and in addition thereto, such Merchant or Merchants, Trader or Traders, shall also deliver unto the said Treasurer, a bill of parcels for each quantity of Salt charged in such account, which said bill of parcels, shall be accompanied by an affidavit made and subscribed by the Fisherman or Fishermen to whom such Salt has been sold as aforesaid, before some one of His Majesty's Justices of the Peace, in which affidavit such Fisherman or Fishermen shall declare that he or they hath or have actually received the Salt specified in such Bill, from the Merchant or Merchants, Trader or Traders, therein named, and that he or they hath or have not paid, nor is, nor are, he or they at any future period by any means or contrivance whatsoever, to pay, or to make up, to any such Merchant or Merchants, Trader or Traders, any greater price or value for such Salt than the price specified in such Bill of Parcels, and that the said Salt has been actually and truly expended, or is intended to be actually and truly expended, by him or them, in the Fisheries of this Province during the present year.

Claims for
Bounty

XII. *And be it further enacted*, That the said Bounty shall be payable at the Treasury at the end of every six months from and after the tenth day of April, during the continuance of this Act.

Payment of
Bounty

XIII. *And be it further enacted*, That, before any such Bounties be paid, the whole of the claims made for such Bounty shall be submitted to a Board of Commissioners, to be appointed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, which Board shall have power to settle the claims of all persons applying for payment of any such Bounty, and to call for further proofs if they shall deem it necessary upon any claim so made as aforesaid, and that all such Bounties shall be paid upon the certificate of such Commissioners, and in no other way or manner whatever. *Provided*, That no bounty shall be paid on Salt imported into the Province unless the same shall have been so imported from Europe, Africa or the West-Indies, and the purchase thereof shall be actu-

Determination
of claims for the
Bounty

Proviso

ally

ally made by the Fisherman or Fishermen, subsequent to the tenth day of April in this present year.

Continuation of Act XIV. *And be it further enacted*, That this Act shall continue and be in force for one year from the publication thereof, and no longer.

CAP. III.

An ACT imposing a Duty on Goods, Wares and Merchandise, imported from the United States of America, and for appropriating the same.

Duty

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication hereof, all Goods, Wares and Merchandise, which shall be imported from any port or place within the United States of America, except the articles herein-after enumerated, shall be liable to, and pay, a duty of ten per cent. ad valorem, to be levied and received in current money of the Province, except raw Hides, Indigo and Dye Woods, Wheat, Barley, Indian Corn, Flour, Seeds, Meal of any sort, Pitch, Tar, Turpentine, Rolin, Red and White Oak Staves, Heading, Shingles of all kinds, Hoops, Lumber, and Wood of all kinds, and Goods condemned as prize.

Articles exempted from Duty

Value of Goods, &c.

II. *And be it further enacted*, That the value of all such Goods, Wares and Merchandise, so to be imported as aforesaid, shall be ascertained by the declaration of the Importer or Proprietor of such Goods, Wares and Merchandise, or his known Agent or Factor, in manner and form following, that is to say :

Declaration of Importers &c.

I, A. B. hereby declare, that the articles mentioned in the entry, and contained in the Packages (here specifying the several packages, and describing the several marks and numbers, as the case may be,) are of the value of _____ Witness, my hand, the

Proviso

day of _____ in the presence of _____ C. D. Collector of Impost and Excise: which declaration shall be written on the account of entry of such Goods, Wares and Merchandise, and shall be subscribed with the hand of the Importer or Proprietor thereof, or his known Agent or Factor, in the presence of the Collector of Impost and Excise, at the port or place of importation: *Provided*, That if upon view and examination of such Goods, Wares and Merchandise, by the Collector aforesaid, it shall appear to him that the same are not valued according to the price and value thereof, and according to the true intent and meaning of this Act, then, in such case, the Importer or Proprietor, or his known Agent or Factor, shall be required to declare on oath before the Collector of Impost and Excise, at the Port or Place of importation, (which oath he is hereby authorised to administer,) what is the invoice price of such Goods, Wares and Merchandise, and that he verily believes such invoice price is the current value of the Goods, Wares and Merchandise, at the place from whence the said Goods, Wares and Merchandise, were imported, and such invoice price, with the addition of ten pounds per centum thereon, shall be deemed and taken to be the value of the same in this Province, in lieu of the value so declared by the Importer or Proprietor, or his known Agent or Factor, and upon which the duties of ten per cent. shall be charged and paid

paid, *Provided also*, That if it shall appear to the Collector of Impost and Excise that such Goods, Wares and Merchandise, have been invoiced below the real and true value thereof, at the place from whence the same were imported, or if the invoice price is not known, the Goods, Wares and Merchandise, shall, in such case, be examined by two competent Persons, to be nominated and appointed by the Lieutenant-Governor or Commander in Chief for the time being, and such persons shall declare, on oath, before the Collector of Impost and Excise, which Oath such Collector of Impost and Excise is hereby authorised to administer, what is the true and real value of such Goods, Wares and Merchandise, in this Province, and the value, so declared on the oaths of such persons, shall be deemed to be the true and real value of such Goods, Wares and Merchandise, and upon which the duties of ten per cent shall be charged and paid. Proviso

III. *And be it further enacted*, That if the Importer or Proprietor of such Goods, Wares and Merchandise, shall refuse to pay the Duties hereby imposed thereon, it shall and may be lawful for the Collector of Impost and Excise, where such Goods, Wares and Merchandise, shall be imported, and he is hereby respectively required to take and secure the same, with the casks or other packages thereof, and to cause the same to be publicly sold, within the space of twenty days, at the most, after such refusal made, and at such time and place as such Officer shall, by four or more days public notice, appoint for that purpose; which Goods, Wares and Merchandise, shall be sold to the highest bidder, and the money arising from the sale thereof shall be applied to the payment of the said Duties, together with the charges which shall have been occasioned by the sale; and the overplus, if any, shall be paid to such Importer, Proprietor, or any other Person authorised to receive the same. Refusal to pay
Duties imposed

IV. *And be it further enacted*, That all Horses, Oxen, Cows, Sheep, Hogs and other articles hereinafter mentioned, which shall be imported into this Province from the United States of America, or from any of the Islands in the Bay of Passamaquoddy, shall be subject to the following Duties, viz. Duties

For and upon every Horse, Mare or Gelding, four pounds. For and upon every Ox, over three years old, two pounds ten shillings. For and upon every Cow, and Head of Young Cattle, three years old and under, one pound five shillings. For and upon every Sheep, two shillings and sixpence. For and upon every Hog, one pound ten shillings. For and upon every hundred weight of Hops, twenty shillings. For and upon every hundred weight of Onions, two shillings and sixpence. For and upon every Barrel of Apples, five shillings, and in that proportion for any greater or less quantity. For and upon every barrel of Pears, five shillings, and in that proportion for any greater or less quantity. For and upon every hundred weight of Biscuit or Hard Bread, three shillings per one hundred and twelve pounds. For and upon every one hundred and twelve pounds of Rice, three shillings. For and upon every bushel of Peas, Beans, Rye or Calavances, nine pence.

V. *And be it further enacted*, That any Importer or Importers, Owner or Owners, who shall import and land any of the aforesaid Articles, without paying the Duty imposed thereon by this Act, shall, upon discovery thereof, forfeit such Articles so imported and landed. Forfeitures

Masters of Vessels evading payment of Duties

VI. *And be it further enacted*, That the Master of any Vessel, employed in the importation of Goods, as aforesaid, or any other person, who shall land, or attempt to land, any of the Articles subject to the Duty by this Act, before the Duty imposed by this Act shall be paid, shall forfeit and pay the sum of fifty pounds.

Payment and appropriation of Duties

VII. *And be it further enacted*, That the Collectors or Receivers of the Duties for the time being, shall render a just account and pay into the hands of the Treasurer of the Province, all such Monies, received by him or them, for the Duties collected in pursuance of this Act, within thirty days after the receipt of the same, under the penalty of Fifty Pounds for his or their neglect, which duties shall be applied to the relief of the Poor in the County or Town where the same shall be collected.

Appropriation of Forfeitures and Penalties

VIII. *And be it further enacted*, That all forfeitures and penalties, incurred by this Act, shall be appropriated, one half to the informer, and the other half to the use of the Poor of the County or Town wherein the same is collected or recovered: the forfeiture to be recovered on complaint and proof, before any one of His Majesty's Justices of the Peace, and the penalty, by action of debt, bill, plaint or information, in any Court of Record within this Province.

Commission allowed to Collectors

IX. *And be it further enacted*, That no fee or per centage whatsoever shall be allowed to, or retained by, the Collector of Impost and Excise for the District of Halifax, for receiving, collecting, and paying over, any Monies, to be raised under, and by virtue of, this Act; and the Collectors in all other Districts and Ports of this Province, respectively, shall be allowed and paid two pounds ten shillings on every hundred pounds which shall be collected and paid by them, under, and by virtue of, this Act, within their respective Districts, and no more: any thing in any former Act of the General Assembly to the contrary notwithstanding.

Exportation of Dutiable Articles

X. *And be it further enacted*, That, in case any Person or Persons shall be desirous to export or carry any Goods, Wares or Articles, of any kind, except Horses, Live Stock, Manufactured Tobacco, and Oats, which shall have been, or may hereafter be, imported into this Province, from the United States of America, upon which any Duties have been paid or secured, such Person or Persons shall, previous to re-shipping, exporting and carrying, the same out of the Province, deliver to the Collector a Manifest, particularly specifying such articles, so about to be exported, and obtain a Permit to export the said Article or Articles, which Permit the Collector of Impost and Excise for the District from which such Shipment shall be made, shall give, on demand, and thereupon it shall and may be lawful to lade the same on board any Ship or Vessel, for exportation, in the presence of the Collector, or of the Measurer, Gauger or Weigher, of the District, and the Importer, or his Agent or Consignee, and the Exporter of such Article, and the Master of the Vessel on board of which such Articles shall be laden, shall each respectively make and subscribe before, and leave in the hands of, the Collector, who shall give the said Permit, the following Oath:

Importer's Oath

IMPORTER'S OATH.

I, A. B. do swear that the several Articles, specified in the foregoing Manifest, were imported from the United States of America, into the Port of _____ and were there landed from on board the _____ whereof _____ was Master, on the _____ day

day of _____ in the year of our Lord One Thousand Eight Hundred and _____ and that the several Duties imposed thereon by Law, have been paid or secured according to law.

EXPORTER'S OATH.

Exporter's Oath

I, A. B. do swear, that the Dutiable Article or Articles, now actually by me shipped on board _____ whereof C. D. is Master, bound for _____ which articles are hereunder specified, are really part of the Stock of _____ imported from the United States of America on the _____ day of _____ last past, in the _____ entered in this Office, and is or are of the quality and description as imported and also hereunder specified, and that the same Article or Articles is or are not intended to be re-landed in this Province, nor shall the same be re-landed in this Province, with my knowledge or consent.

MASTER'S OATH.

Master's Oath

I, C. D. do swear that _____ is now actually shipped on board the _____ of which I am the Master, and bound for _____ and that the same hath been laden on board the said _____ for the purpose of exportation out of this Province, and that the same is not intended to be re-landed, sold or exchanged, in any part of this Province, or shall the same be re-landed in this Province with my knowledge or consent.

After which Oaths, made and filed as aforesaid, with the said Collector, the Duties secured on such Articles as are specified in such Permit and Affidavit, shall not be demanded for the space of twelve months after the date of such Permit, and, in case such Exporter shall, at or before the expiration of the said twelve months, produce to the Collector from whom he obtained such Permit for exportation as aforesaid, a Certificate under the hand and seal of the principal Officer or Officers of His Majesty's Customs, at the place to which such Articles shall be exported, that the said Articles have been landed within the Port of which he or they is or are Principal Officer, then, and in that case, the said Exporter shall have credit with the said Collector of Impost and Excise for the amount of the Duties paid, or secured to be paid, for and on the said Articles, so by him, her or them, exported out of this Province, and, in case the Rates and Duties imposed shall have been paid, such Certificate shall entitle such Exporter to receive the amount the of said Duties from the Treasurer of the Province, the same to be paid by Warrant on the Treasury, to be drawn on the Certificate of the Commissioners of the Revenue; and if any of the enumerated Articles which shall be so shipped for exportation shall be fraudulently re-landed in this Province, such articles, so re-landed, shall be forfeit to His Majesty, His Heirs or Successors, together with the Ship, Boat or Vessel, from which they shall be re-landed, and all and every Person or Persons who shall be aiding and assisting in re-landing such Articles shall forfeit and pay the sum of fifty pounds, to be prosecuted for, recovered and distributed, agreeably to the rules, regulations and provisions, of an Act, passed in the fifty-fifth year of His Majesty's Reign, entitled, An Act for granting to His Majesty certain Duties on Wine, Brandy, Gin, Rum, and other Distilled Spiritous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries of the Province.

Bonds Cancelled

Fraudulently re-landing Dutiable Articles

Provided

Drawback of Duties

Provided always, That no Drawback of Duties shall be allowed on the exportation of any Articles, under the Provisions of this Act, unless the Goods, so exported, shall amount in value to the sum of fifty pounds, and shall have been exported within twelve months after the importation thereof.

Duties exceeding 10l.

XI. *And be it further enacted,* That when any Person or Persons shall import any Durable Articles from the United States of America, the Duties upon which importation, in any one vessel, shall amount to a larger sum than ten pounds, it shall and may be lawful for the Collector of Impost and Excise, to take bonds for the payment of the said Duties at quarterly periods, in the usual manner.

Continuation of Act

XII. *And be it further enacted,* That this Act, and every matter, clause and thing, therein contained, shall be and continue in force until the twenty-fifth day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

CAP. IV.

An ACT to alter and continue an Act, entitled, An Act to provide for the greater security of this Province by a better regulation of the Militia, and to repeal the Militia Laws now in force.

Act 2l. Geo. IV. continued except certain parts altered by this Act

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the second year of His present Majesty's reign, entitled, An Act to provide for the greater security of this Province by a better regulation of the Militia, and to repeal the Militia Laws now in force, and every matter, clause and thing, therein contained, except such parts thereof as are hereby altered, be continued, and the same is hereby continued for one year, and from thence to the end of the next Session of the General Assembly.

Parts of the 11th & 16th Sections of Act 2d Geo. may be suspended

II. *And be it further enacted,* That it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, by General Order, or otherwise, to suspend, during his pleasure, the operation of so much and such part of the eleventh and fifteenth sections of the Act of which this is an amendment, as respects every person enrolled in the Militia furnishing himself with straps for a great coat, pricker and brush, knapsack and straps, flints, ball cartridges and buck shot.

Excuses for non-attendance at Company or Battalion meetings

III. *And be it further enacted,* That when the Captain or Officer commanding any Company of Militia, shall accept of an excuse offered by any man of the company for not attending any Company or Battalion meeting, he shall, if required by the Officer commanding the Regiment or Battalion to which such Company belongs, make a report to him in writing of the nature of the excuse so offered and received by the said Captain or Officer commanding the said Company, and upon neglect or refusal to make such report, he shall forfeit and pay the sum of two pounds ten shillings.

Non-attendance at appointed Meetings of Officers

IV. *And be it further enacted,* That if any Field Officer of any Regiment or Battalion, or Captain or Officer commanding any Company shall neglect to attend any Board or Meeting

Meeting of Officers, established and required by the Act of which this is an amendment, when ordered by the Officer Commanding the Regiment or Battalion to which such Officer belongs, without reasonable excuse, to be adjudged by the Board of Officers appointed under the said Act, shall, for each offence, forfeit and pay the sum of two pounds ten shillings.

V. *And be it further enacted*, That it shall be lawful for the Clerks of the Peace for the several Counties and Districts of the Province, and they are hereby directed, to deliver to the Officers commanding the Regiments or Battalions, respectively, in the said Counties and Districts, the Bonds for the return of Arms lodged with them; and all Bonds, hereafter to be taken, relating to Arms, shall be lodged with the Officer Commanding the Regiment or Battalion to which such Arms belong: any law to the contrary notwithstanding. Bonds for Arms

VI. *And be it further enacted*, That in case any Bond given by any Militia Man for the return of Arms, shall be lost or misplaced, it shall and may be lawful for the Captain or Officer Commanding the Company, upon such Militia Man returning the Arms and Accountments for which such Bond was given, in good order, to give a receipt for the same, which receipt, so given, shall cancel and make void the said Bond; and if in case the said Militia Man shall refuse to deliver up such Arms and Accountments upon such receipt being tendered to him, he shall forfeit and pay the sum of Five Pounds. Bonds lost or misplaced

VII. *And be it further enacted*, That the Fines imposed by this Act shall be recovered and applied in like manner as the Fines are recovered and applied by the Act of which this is an amendment. Recovery and application of Fines

VIII. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief, for the time being, by special order, to exempt such persons as he may deem proper, who are actually in the constant employ of the Officers of the Civil and Military Departments of the Army or Navy, as servants receiving Rations by His Majesty's Order, from the provisions of the said Act, of which this is an amendment. Exemption in favor of the Servants of Officers

CAP. V.

An ACT for the further preservation of Buoys, Beacons, or Sea Marks, set or placed, by authority, in any Harbour, River, Creek or Bay, within this Province.

WHEREAS, much injury arises from Masters of Vessels, Mariners and Fishermen, fastening their Vessels or Boats to His Majesty's Harbour Moorings, or to the Buoys, Beacons or Sea Marks, placed in the Harbour of Halifax, or the entrance thereof, for the use of the Royal Navy, and for the general safety and security of Navigation: Preamble

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly*, That if any Merchant Ship, Vessel or Boat, of any description, shall hereafter be stopped at, and fastened to, any of His Majesty's Harbour Moorings, or to any Buoys, or Beacons, or Sea Marks, Penalty imposed upon Masters, &c. fastening Vessels or set

Boats to His Majesty's Mooringe, &c.

set and placed by the authority of His Majesty's Government, within the Harbour of Halifax, or the entrance thereof, for the use of His Majesty's Ships, or for the general safety and direction of Ships and Vessels, navigating and sailing within the same, the Master, Owner or Owners, Person or Persons on board, and navigating, such Merchant Ship, Vessel or Boat, shall forfeit and pay a penalty, or sum of Money, not exceeding ten pounds: to be recovered, with costs of suit, by Bill, Plaint or Information, in any of His Majesty's Courts of Record within the Province, by any person or persons who will prosecute and sue for the same: one half of which penalty to go to the Informer, and the other half to the King.

CAP. VI.

An ACT for amending, and reducing into one, the several Acts, now in force, relating to the support and management of the Poor throughout the Province, excepting such parts thereof as relate to their support in the Town of Halifax.

Provision for the support of the Poor

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication hereof, it shall and may be lawful for the Freeholders of each and every Township within this Province, (the Town of Halifax excepted) or of any settlement or place not comprehended within any such Township, and where there are Twenty or more Freeholders resident, to hold two meetings annually, if necessary, to make provision for the support of their poor: which meetings shall be held on the first Monday in April, and on the first Monday of November; and of which meeting, with the place or places of holding the same, the Constables for the said Townships and Settlements respectively, upon a Precept directed to them, being issued as hereinafter prescribed, shall give notice, at least ten days before the said times of meeting respectively; at which meetings the said Freeholders present, having first elected a Chairman to preside at the same, shall and may vote such sums of money as they shall judge necessary for the support of their poor for the current year, or for the next ensuing six months of the same, and shall choose and appoint five Freeholders of such Township or settlement, any three of whom shall be a quorum, to assess as hereinafter mentioned for the sum or sums of money so voted; and in case the business to be transacted at the said meetings cannot be completed on the said days respectively, it shall and may be lawful for the said Chairman, with the consent of the majority of the Freeholders then present, to adjourn the said meeting to the day following, or to any other day, and then to conclude the business of the same.

Notice of Meetings

Appointment of Assessors

Sum voted insufficient

II. *And be it further enacted,* That if the sum of money voted at any such meeting as aforesaid, for the support of the Poor, be insufficient for that purpose, the freeholders as aforesaid, in such their next meeting, shall be, and they are hereby, empowered to vote as aforesaid, such further sums as shall be determined to be necessary for making good such deficiency.

III.

III. *And be it further enacted,* That the Assessors, appointed as aforesaid, and any three of whom shall be a quorum, and be empowered to perform all the duties hereby required of them, and, being first duly sworn to perform such duties, shall, forthwith, assess the Inhabitants of the Townships or Settlements respectively, for which they have been so appointed, in just and equal proportion, and as near as may be, according to the known estate, either real or personal, of such Inhabitants, for making up the sums of money respectively voted for the purpose aforesaid, and shall appoint Collectors to collect and receive the same, and if any Person, so assessed, shall neglect or refuse to pay the sum of money for which he or she was assessed as aforesaid, the same shall and may be levied from him or her by Warrant of Distress from any one of His Majesty's Justices of the Peace for the County wherein such person shall reside.

Duty of Assessors

Appointment of Collectors of Poor Rates

IV. *Provided nevertheless, and be it enacted,* That no person shall be assessed any sum towards the support of the poor, unless, in the opinion of the assessors, he shall be able to pay annually the sum of one shilling at least; and *provided also,* that if any person shall think him or herself overrated, such person may appeal for redress to the next General Sessions of the Peace, or the next Special Sessions, which may be held for the hearing of such appeals in the County or District wherein such assessment was made; and the Justices in such Sessions are hereby required and empowered to examine, hear and determine, each and every such appeal or complaint, and to give redress, as they in their judgment shall think equitable, and their order and judgment on such appeal shall be final, and bind all parties.

Inability of persons to pay Poor Rate

Persons over-rated

V. *And be it further enacted,* That the Overseers of the Poor throughout the Province, (the Town of Halifax excepted) shall continue to be nominated, recommended and appointed, in the manner now by law provided and directed; and after taking upon them the said situation, and being duly sworn to the faithful execution of the duties of the same as heretofore, shall, at least twenty days before the times herein before respectively appointed for meeting as aforesaid, to make provision for the support of the Poor, issue their Precepts to the Constables of the several Townships and Settlements respectively requiring them to notify the inhabitants thereof to meet on the said several days respectively, for the purpose aforesaid; and the said Overseers shall dispose of and apply all sums of money voted as aforesaid, and received by them in their said capacity for the before mentioned purpose only; and if any Collector or Collectors shall neglect or refuse to pay over to the said Overseers respectively, any sum of money collected by him or them, for the purpose aforesaid, they, the said Overseers, shall prosecute such Collector or Collectors for the recovery of the same in any Court of Record in this Province; and the said Overseers shall, within one month after the expiration of their office, render to the Clerk of the Peace of the County in which they reside, to be by him laid before the Justices at their next Sessions, an account of all sums of money received and expended by them for the support of the Poor; and shall account, on oath, if required before the General Sessions of the Peace, within the several Counties and Districts respectively held next after the expiration of their office, for all sums of money received and applied, and expended by them for the purpose aforesaid; and they shall enter their proceedings in a book to be kept for the purpose, and, at the expiration of their office, they

Appointment and duty of Overseers of Poor

they shall deliver the same to their successors, and shall pay into their hands any balance of money received by them as aforesaid, and remaining unexpended.

Examination of
Accounts of
Overseers

VI. *And be it further enacted*, That the Justices of the Peace in their respective Sessions, in the several Counties throughout the Province, the town of Halifax excepted, shall and may examine the accounts of the Overseers of the Poor, submitted to them as before directed, and shall allow such accounts, if they appear just, and may refuse to allow any sums of money, charged in such accounts, which the said Justices shall have reasonable grounds to believe unduly or unfairly charged or expended.

Refusal to serve
as an Overseer

VII. *And be it further enacted*, That each and every person who has been duly nominated and appointed an Overseer of the Poor, and who shall refuse to serve in that office, shall forfeit and pay the sum of five pounds for such refusal, which sum shall be sued for and recovered before any two Justices of the Peace, by the Overseers of the Poor who shall be in office next after such refusal, within and for the Township or Settlement for which such person refused to serve as aforesaid; and the Overseers of the Poor for the time being, of the several Townships and Settlements respectively, who shall neglect to issue their Precept, as before directed, to the Constables, requiring them to notify the Inhabitants to meet on the days appointed by this Act, for the purpose of voting money as aforesaid, shall severally forfeit and pay the sum of ten pounds, which shall be sued for and recovered by the Clerk of the Peace for the County or District wherein such fine was incurred, or by any other person who will sue for the same, and before any Court of Record within such County or District; and all such Overseers of the Poor as shall not, hereafter, within one month after the expiration of their office, render to the Clerk of the Peace an account of all sums of money, received and expended by them for the support of the Poor, in manner directed by the fifth section of this Act, shall, on complaint of the said Clerk, or of any one or more Inhabitants, forfeit and pay the sum of five pounds each, which shall be levied, on non-payment thereof, by Warrant, under the hands and seals of any two of His Majesty's Justices of the Peace; and all fines, in and by this section imposed, when recovered, shall be applied and expended towards the support of the Poor of the Townships and Settlements, respectively, within which such fines were incurred.

Overseers neg-
lecting to call
Meetings of
Inhabitants

Overseers to
render accounts
to Clerk of
Peace

Inhabitants
neglecting to
vote money for
support of the
Poor

VIII. *And be it further enacted*, That in case the Freeholders of any Township or Settlement as aforesaid, shall neglect to meet on any of the days herein before appointed for the purpose of making provision for the support of their poor, as before directed, or, having so met, shall neglect to make any such provision, or one adequate and sufficient for the said purpose, in any or either case, the Justices of the Peace in the General Sessions, held for the County or District within which such Township or Settlement is situated, or in any Special Sessions to be called and held for the purpose, shall, on the application of the Overseers of the Poor for such Township or Settlement, amerce such Township or Settlement in such a sum as shall appear to them to be necessary for the purpose aforesaid, and shall appoint Five Freeholders of such Township or Settlement, (any three of whom shall form a quorum) to assess the same upon the Inhabitants of such Township or Settlement, in manner herein before directed, which Assessors shall nominate and appoint Collectors, as herein before provided, to collect and receive the sum or sums of money so assessed, and the Assessment, so made, shall be affixed in some public place within such

such Township or Settlement, at least three days before the end of the same Sessions, in order that any of the Inhabitants so assessed, may, if they see cause, appeal against such Assessment, and that the Justices may determine thereon during the same Sessions; and all sums of money for which such Amercements and Assessments shall be made, shall be levied and collected by the same ways and means as are herein before directed and provided, where Assessments are made by the Freeholders at their meetings aforesaid, and shall be paid over in like manner, and be applied and expended for the purpose aforesaid.

Appeal against assessment

IX. And be it further enacted, That where any person or persons appointed an Assessor or Assessors under this Act, shall refuse to serve in that capacity, the Freeholders or Justices in each case respectively, as aforesaid, shall appoint another or others in the stead or place of the person or persons so refusing, and each and every person appointed an Assessor, who shall refuse to serve as aforesaid, shall forfeit and pay the sum of forty shillings; and each and every person who has accepted the said office, and who shall neglect or refuse to make the assessment required within Twenty Days after his appointment, shall be subject to a fine of Five Pounds: which fines respectively shall, on failure of payment thereof, be recovered, by complaint or information, by the Overseers of the Poor, before any two Justices of the Peace of the County wherein such fines were incurred, and shall be levied by warrant of distress from the said Justices, and by sale of the offenders Goods and Chattles; and all such fines, when recovered, shall be applied and expended towards the support of the Poor of the Township or Settlement within which such fines were incurred. *Provided always,* That no person shall be obliged to serve as an Assessor more than once in three years.

Refusal of Assessors to serve

X. And be it further enacted, That each and every person appointed a Collector to collect any sum of money assessed under this Act, who shall refuse to serve in that capacity, shall forfeit and pay the sum of Forty Shillings for such refusal, and another person shall forthwith be appointed in like manner to serve as aforesaid, which fine, for such refusal, on failure of payment thereof, shall and may be recovered by the Overseers of the Poor of the Township or Settlement within which such fine was incurred, before any two Justices of the Peace for the County wherein such Township or Settlement is situated, and be levied by warrant of distress from the said Justices, and by sale of the offender's Goods and Chattles, and be applied and expended for the use of the Poor within such Township or Settlement.

Refusal of Collectors to serve

XI. And be it further enacted, That each and every Collector of any sum or sums of money, assessed by virtue of this Act, shall, once in every three months, account with, and pay into the hands of, the Overseers of the Poor of the Township or Settlement wherein he was acting as such Collector, all such sums of Money as he may have collected or received in that capacity; and, upon his neglect or refusal so to account and pay, he shall and may be prosecuted for the recovery of the said sums, by the Overseers of the Poor for the time being, of such Township or Settlement, by bill, plaint or information, in any of His Majesty's Courts of Record within this Province; and each and every person who has accepted the said office of a Collector, and who shall neglect, for the space of thirty days thereafter, to perform the duty required of him by this Act, of

Collectors to account quarterly

enforcing, agreeable to the directions of the same, the payment of the sum or sums of money which he was appointed to collect, shall forfeit and pay the sum of five pounds for each and every such neglect, which shall, in like manner, be sued for and recovered, and shall be applied and expended for the use of the Poor of the Township or Settlement wherein such fine was incurred.

Assessments heretofore made confirmed

XII. *And be it further enacted,* That all Assessments, heretofore made for the maintenance of the Poor, shall be, and they are hereby, confirmed, and the arrears due thereon shall and may be collected and levied by the Collectors for the time being, notwithstanding any want of form in the said Assessments, or length of time since the same have been made.

Persons liable to make compensation for relief furnished

XIII. *And be it further enacted,* That when any Person shall apply for and obtain relief, from the Overseers of the Poor of any Town or Place, and it shall happen that such Person, at the time of his or her application, or relief, was possessed of, or entitled to, any Property, real or personal, out of which the expenses incurred for his or her relief may be repaid, it shall and may be lawful for such Overseers, as Creditors to such Person in behalf of the Public, to demand and receive from him or her a repayment of all, or any part of, the expenses so incurred for the relief of such Person, and it need be to enforce the payment thereof by the usual remedies of attachment, arrest, or other legal process, and all monies, so received or recovered, shall be accounted for by such Overseers as other monies received for the use of the Poor.

Refusal to pay assessment

XIV. *And be it further enacted,* That if any person assessed under and by virtue of this Act, shall refuse or neglect to pay the sum for which he was so assessed, it shall and may be lawful for the Collector or Collectors appointed to receive the rates for the purpose aforesaid, notwithstanding any such appeal as aforesaid, to levy for the amount of such person's rate by warrant of distress in manner herein before provided for the recovery of the same.

Relief afforded by appeal

XV. *And be it further enacted,* That if the person or persons so appealing to the next General or Special Sessions of the Peace as herein before provided, shall make it appear to the Justices thereof, that he or they hath or have been assessed or taxed more than his or their just share or proportion of the amount of the said assessment, then, and in such case, it shall and may be lawful for the said Justices, to cause such appellant or appellants, to be relieved and reimbursed the excess of such rate, by order to the Overseers of the Poor for the Township or Settlement within which such person or persons, was or were so rated, which Overseers are hereby directed to refund the same.

Poor Laws of the Province not affected by this Act

XVI. *And be it further enacted,* That this Act or any part thereof, shall not extend, or be construed to extend, to repeal, alter or affect, any of the Laws now in force within the Province, relating to the settlement of the Poor.

Act 3d and 4th Geo. 3 (with exceptions) repealed

XVII. *And be it further enacted,* That the Act, made and passed in the third and fourth years of the Reign of His late Majesty King George the Third, entitled, An Act to enable the Inhabitants of the several Townships within this Province to maintain their Poor, and all Acts since made in addition to, or in amendment of the same, and every matter, clause and thing, therein contained, except so far as the said Acts relate to the support of the Poor in the Town of Halifax, be and the same are hereby repealed.

CAP. VII.

An ACT authorising the Lending a Sum of Money to the Governors of Dalhousie College, and for securing the repayment thereof.

WHEREAS a large sum of Money hath been expended in erecting the Dalhousie College, and Preamble
 which is now nearly completed, but debts incurred in its erection cannot be discharged without disposing of part of the Monies placed in the English Funds for the support of Professorships, the doing which would entirely prevent the Governors of the said College from proceeding any further towards the accomplishment of the objects for which the said Building was erected and endowed. And whereas it would be injudicious, after the expenditure of large sums of Money upon the said Building, that the further progress of the Governors should be delayed, without a fair trial being made of the usefulness of the said Institution; therefore, in order to enable the Governors of the said College to discharge the said debt:

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly,* That a sum, not exceeding Five Thousand Pounds, in Treasury Notes, be lent to the Governors of the said College for five years, on the terms and conditions herein-after expressed; and shall be drawn from the Treasury of the Province, by warrant from His Excellency the Lieutenant-Governor, or Commander in Chief, for the time-being, in favor of the Governors of the said College. Loan to Governors

II. *And be it also enacted,* That the Monies in the British Funds, belonging to the said College, being Eight Thousand Two Hundred and Eighty-nine Pounds Nine Shillings and Six Pence Sterling, of Three per Cent. Consolidated Annuities, shall be and stand pledged to the Province as security for the repayment of the said sum of Five Thousand Pounds; and that the same shall be paid into the Treasury of the Province, whenever, after the said five years, the same shall be required as herein after directed; and in order that the said Governors of the Dalhousie College may be enabled fully to carry into effect the provisions of this Act, they are hereby authorised to adopt such measures as may be necessary to enable the Trustees, in whose Names the said sum of Eight Thousand, Two Hundred and Eighty-Nine Pounds Nine Shillings and Six Pence, sterling, is invested in the Three per cent. Consolidated Annuities, to dispose of so much of the said sum of Money as shall be sufficient to repay to the Province the sum of Five Thousand Pounds, lent to the Governors of the said College: *provided,* The same shall be required by a Resolution of the House of Assembly of this Province, after the expiration of the said five years. Security

III. *And be it further enacted,* That the said Building, called Dalhousie College, with the Ground pertaining to the same, be, and the same are hereby pledged, to the Province, as an additional security, for the repayment of the said sum of Five Thousand Pounds, and are hereby made liable for the repayment of the said Sum of Five Thousand Additional Security
 sand

land Pounds, or such part thereof as shall be due after the expiration of the said term of five years; *provided*, The said sum of Money in the said Three per Cent. Consolidated annuities shall be insufficient to discharge the same.

CAP. VIII.

An ACT to continue an Act, entitled, An Act for the Summary Trial of Actions.

Act 3d. Geo.
IV. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the third Year of His present Majesty's Reign, entitled, An Act for the Summary Trial of Actions; and every matter, clause and thing, in the said Act contained, shall be continued, and the same is hereby continued, for one Year, and from thence to the end of the next Session of the General Assembly.

CAP. IX.

An ACT in addition to and amendment of an Act, entitled, An Act to regulate the Appointment of Collectors, and other Officers of Import and Excise.

Districts for
collection of
Duties enlarged
or limited

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to enlarge or limit any of the Districts or Ports for which any Collector of Import and Excise hath been, or shall hereafter be, appointed, and to define the limits and bounds of such District or Port in the Commission of such Collector, any thing in the said Act to the contrary notwithstanding.

CAP. X.

An ACT to repeal an Act, passed in the fifty-ninth year of His late Majesty's reign, entitled, An Act to authorise a Drawback of certain Duties, and to regulate the manner of obtaining the same.

Act 59th. Geo.
III. repealed

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the fifty-ninth year of His late Majesty's reign, entitled, An Act to authorise a Drawback of certain Duties, and to regulate the manner of obtaining the same, and every clause and thing therein contained, be, and the same is hereby, repealed.

CAP.

CAP. XI.

An ACT to alter an Act, passed in the thirty-second year of His late Majesty's Reign, entitled, An Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication of this Act, if any Goods, Wares or Merchandise, shall be found in the custody or possession of any Shopkeeper or Trader, of the value of Five Pounds, or upwards, without a certificate that the Duty of Excise has been paid or secured thereon, pursuant to the provisions of the Act, passed in the thirty-second year of His late Majesty's reign, entitled, An Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares or Merchandise, imported into this Province, such Shopkeeper or Trader shall be subject, for such offence, to a penalty not less than Five Pounds, nor exceeding Fifty Pounds, to be recovered by bill, plaint, or information, in any of His Majesty's Courts of Record, by any person who will prosecute and sue for the same: one half of the penalty to go to the informer, the other half to the King, for the use of the Province.

Contraband Goods found in possession of Shopkeepers, &c.

II. *And be it further enacted*, That this Act, and every matter and thing therein contained, shall be and continue in force until the twenty-fifth day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

Continuation of Act

CAP. XII.

An ACT in addition to an Act, passed in the fifty-eighth year of His late Majesty's Reign, entitled, An Act to empower the Lieutenant-Governor or Commander in Chief for the time being, to issue Treasury Notes.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by Warrant, or otherwise, to direct the Commissioners appointed under the said Act, entitled, An Act to empower the Lieutenant-Governor or Commander in Chief for the time being to issue Treasury Notes, or any other Act, now in force, relating to Treasury Notes, to make a further issue of Treasury Notes to any amount, not exceeding Five Thousand Pounds: the said Notes, so to be issued, shall be One Pound Notes, and Two Pound Notes, and shall bear date the First Day of June, One Thousand Eight Hundred and Twenty-three, and be of the same form, signed, countersigned and delivered, and shall be paid, and received in payment, in like manner, and again re-issued, under the rules, regulations, restrictions, pains, penalties and provisions, as are mentioned and contained in the said Act of which this is an addition.

Further issue of Treasury Notes

Amount and description of Notes to be issued

II.

Funding, and
cancelling, &c.
of Notes

II. *And be it further enacted*, That the Treasury Notes, so to be issued under this Act, shall be funded, cancelled, and others issued in lieu thereof, under the rules, regulations, pains, penalties and provisions, and as if the same had been issued under the authority of an Act, passed in the first year of His present Majesty's Reign, entitled, An Act to authorise the cancelling of Treasury Notes, and to issue others in lieu thereof.

CAP. XIII.

An ACT for the appointment of Commissioners of Sewers, prescribing their power and authority, and for repealing the Acts now in force relating to that Office.

Preamble

WHEREAS great quantities of marsh, meadows and low grounds, in this Province, and particularly in the Bay of Fundy, and rivers, bays and creeks, branching therefrom, are spoiled by overflowing of the sea, and other waters, which by industry may be greatly improved, as well for the general good as for the benefit and profit of the owners; and also much meadow and pasture land might be gained out of swamps and other rough and unprofitable grounds, by drowning and draining the same: to the intent therefore that proprietors of such marshes, meadows and low grounds, may be encouraged and enabled to raise dykes, and remove such obstructions, as to prevent these lands from being immediately useful:

Appointment,
powers and du-
ties, of Com-
missioners of Sew-
ers

I. *BE it enacted by the Lieutenant Governor, Council and Assembly*, That it shall be lawful for the Lieutenant Governor, or Commander in Chief, with the advice of His Majesty's Council, upon request of any of the proprietors of such lands, to grant Commissions of Sewers, to such and so many able and discreet persons as to him shall seem meet, for the building and repairing such dykes and wears as are necessary to prevent inundations, and also for damming and flowing, and draining, such swamps and other unprofitable lands, which Commissioners shall be, and are hereby authorised, and empowered, to meet and convene together, from time to time as occasion may require, to view, consider, consult and contrive, such ways and methods for building and repairing such dykes and wears as are necessary to prevent inundations, and for the drowning and draining of swamps and other unprofitable land, and to employ workmen and labourers for such reasonable wages as may be agreed upon for the effecting the premises, and from time to time, to assess and tax the owners or possessors of such meadows, marshes, or such unprofitable swamps and lands as aforesaid, towards the charge thereof, having regard to each person's quantity of land and benefits to be received thereby, equally, according to the best of their judgment, and also to appoint and swear a Collector or Collectors for collecting and paying the same to such person or persons as by the said Commissioners shall be appointed to receive the same, with powers to distrain all such persons as shall neglect or refuse to make payment of his, her or their, parts or proportions set and assessed, as aforesaid, in such manner as is usually done in like cases, and to call before them the said Collector or Collectors to account for his or their trusts in the premises.

Assessment of
Proprietors

H.

II. *And be it further enacted by the authority aforesaid,* That the said Commissioners shall be sworn to the faithful discharge of their duty, and shall receive a compensation for their services, at the rate of ten shillings each per day, while actually employed, which services shall be included in the said assessment, together with such reasonable sum, as may be necessary to defray the expence of the Clerk of the said Commissioners, and the collecting of assessments made under this Act.

Commissioners
of Sewers to be
sworn
Compensation
to Commission-
ers
Clerk to Com-
missioners

III. *And be it further enacted,* That upon complaint being made upon oath before any one of His Majesty's Justices of the Peace, for the County where such lands lie, by the Collector or Collectors appointed as aforesaid, it shall and may be lawful for the said Justice, to grant a warrant under his Hand and Seal, directed to any one of the Constables in the said County, to levy of, and from, the Goods and Chattels of such person or persons so neglecting or refusing to pay his, her or their, part or proportion of such assessment by distress, and sale, of the said Goods and Chattels, the full sum so assessed, with costs for prosecuting the same; which costs shall not, in any one case, exceed the sum of ten shillings.

Distraining for
sum assessed

IV. *And be it further enacted,* That if Goods or Chattels of any owner or owners, possessor or possessors, of lands so dyked, drained or improved, as aforesaid, are not to be found within the County or District where the said lands lie, to answer his, her or their, proportion of the assessment so made as aforesaid, it shall and may be lawful, for any one of His Majesty's Justices of the Peace for the said County, to let the same, or so much thereof, as may be sufficient to pay the proportion of the said assessment, first giving twenty days notice in the township or place where the lands lie.

Land liable for
sum assessed

V. *And be it further enacted,* That each and every owner or possessor of marsh, swamps and other unprofitable lands, in any Township or Place within this Province, (where Commissioners of Sewers are appointed,) shall in all common cases, either in raising new or repairing old dykes, or ditching or draining such lands, attend either by himself, or provide a sufficient labourer, with proper tools to work, and teams, if required at the time and place appointed by the said Commissioners of Sewers, agreeably to the orders of such Commissioners, and every owner or possessor of any such land, shall furnish labourers and teams, in proportion to the quantity of land he may own or possess, pursuant to the order of such Commissioners.

Labourers,
Tools, and
Teams to be
furnished

VI. *Provided always,* That such owner or possessor of such land shall have at least six days notice of the time and place where the work is required to be done by one or more of the Commissioners of Sewers, or by some person appointed by them for that purpose.

Proviso

VII. *And be it further enacted,* That in case of any sudden breach in any dyke or aboiteau, or where any breach is likely to be made, or inundation occasioned, by storms, high tides, or otherwise, each and every owner or possessor of land within such dykes, shall forthwith, on notice being given by any one or more of the Commissioners of Sewers, or persons appointed by them, repair to the place directed with teams, if required, and proper tools to labour, and shall use their utmost endeavours to repair the breach, or place likely to be a breach, and shall continue to work from day to day on the same, so long as the Commissioners of Sewers shall judge necessary.

Sudden breaches
in Dykes,
&c.

VIII.

Refusal to perform or provide a just proportion of Labour, &c.

VIII. *And be it further enacted*, That if any owner or possessor of any such land, shall neglect or refuse to attend, and labour, or to send a sufficient number of labourers or teams, at the time and place, to be appointed by the Commissioners of Sewers as aforesaid, in proportion to the quantity of land in his or their possession, (due notice having been given as aforesaid) each and every owner or possessor of such lands so neglecting or refusing shall forfeit and pay over and above his or their assessment or tax, the sum of five shillings for every day's neglect or refusal, for each and every labourer, and the like sum for each and every team, such owner or possessor of such land was required to furnish; and if any such owner or possessor of such lands shall neglect or refuse to attend and labour where any sudden breach shall happen, or be likely to happen, to any such dykes, on immediate notice given to such owner or possessor, or shall neglect or refuse to furnish such teams as may be required, such owner or possessor shall forfeit and pay the sum of ten shillings for each day's neglect, and the like sum for each team he was required to furnish, for each and every person, to be recovered by warrant of distress, on proof thereof, before any one of His Majesty's Justices of the Peace, for the County where such persons shall reside, and; for want of Goods and Chattles to satisfy the distress and charges, the lands of such person, or so much as shall be sufficient, shall be held and let out by the said Justice, until the produce thereof shall amount to the fine and charges so levied, in the same manner as is directed by law for a delinquent's proportion of assessments or taxes, for making and repairing dykes; and the monies arising from such fines to be paid into the hands of the Commissioners of Sewers, to be appropriated for the making and repairing of the said dykes.

Lands liable for assessment may be sold

IX. *And be it further enacted*, That if no person shall appear to pay the proportion of any assessment, made according to the provisions of this Act, and no sufficient distress shall be found, to satisfy such assessments as aforesaid, the Commissioners of Sewers shall, by advertisement during three months in the Royal Gazette, cause notice to be given for the selling the lands of such person; setting forth in the said notice, the time and place of such sale, and also, that if no person shall appear within the said three months to pay the said proportion of such assessment, with the costs of advertising the said land, that the same will, at the expiration of such notice, be sold at Public Auction, by the Sheriff or his Deputy, for the purpose of paying the said proportion of the said assessment; and if upon such notice, so given as aforesaid, no person shall within the said three months appear, and pay the said proportion of such assessment, it shall and may be lawful for the said Commissioners, or the major part of those named in the Commission, to cause the said Sheriff or his Deputy, at the time and place set forth in said notice, to sell at Public Auction, to the highest bidder, so much of such delinquent's lands so dyked, drained or improved, as aforesaid, as may be sufficient to pay the proportion of the sum due as aforesaid, with the charges; and the Sheriff, or his Deputy, is hereby authorised and directed, immediately, upon such sale, to execute a Deed thereof; and deliver seizen and possession of the lands so sold to the purchaser or purchasers, (for which the said Sheriff or his Deputy shall receive a fee of ten shillings, and no more,) any law, usage or custom, to the contrary notwithstanding.

Damages sustained by Proprietors of Dykes

X. *And be it further enacted*, That when the sods or soil, shall have been cut off the land

land of any proprietor, dyked in common with other proprietors, for the purpose of dyking the same, or that the land of such proprietor shall have been washed away by the tide or current of the river or bay, and that by the making of new dykes to secure such land, so held in common, such proprietor shall have lost a part or the whole of his lot, it shall and may be lawful for the Commissioners of Sewers to cause a just valuation to be made of the loss such proprietor shall have sustained as aforesaid, which valuation shall be made by at least five freeholders, not interested in the said land where the loss shall have been sustained, who shall be sworn, truly and impartially, to value the same; and if it shall happen that there is in such a sufficient quantity thereof, lying in common and undivided to make good the loss so sustained, the Commissioners of Sewers shall decree possession thereof, or of so much thereof as is sufficient to make good the same to such proprietor, or, on failure thereof, by an assessment for the value, to be paid in a just proportion by the other persons interested in such piece or tract of land.

XI. *And be it further enacted*, That, whenever the building or repairing dykes and wears are necessary to prevent inundations, or for the draining or flowing of swamps, and other unprofitable grounds, or for working and draining marsh lands, shall appear expedient to the Commissioners aforesaid, and the expenses thereof shall exceed the sum of five shillings per acre on the whole quantity of such land, the said Commissioners, or the major part of them, shall summon the owners or possessors of such lands, to meet on a certain day and place for the purpose of electing five Assessors, and the said Commissioners, with such Assessors, or the major part of them, shall, and they are hereby authorized and directed (the said Assessors being first duly sworn impartially to execute the said office) to assess and tax all such persons as shall be owners or possessors as aforesaid, towards the charge of building or repairing such dykes and wears, and draining such unprofitable lands, having regard to each person's quantity and quality of land, and the benefits to be received thereby.

When expense of dyking, &c. exceeds the sum of 5s. per acre

XII. *And be it further enacted*, That it shall not be lawful for the Commissioners of Sewers, by virtue of this Act, to meet and convene together from time to time, as occasion may require, to view, consider, consult and contrive, such ways and methods for building such dykes and wears as are necessary to prevent inundations, and for the draining and draining of swamps and other unprofitable lands, otherwise than upon application from, and at the request of, such a number of the proprietors, whose rights and shares in such dyked land, marsh, swamp and other unprofitable land, when added together, will amount to more than one half of such land, any thing herein contained to the contrary notwithstanding. *Provided always*, That nothing herein contained shall extend, or be construed to extend, to prevent the Commissioners of Sewers from proceeding to drain or repair breaches made in any lands, now dyked, in the manner before directed and prescribed,

Applications to Commissioners of Sewers by Proprietors of dyked Lands

Proviso

XIII. *And be it further enacted*, That when any person or persons shall pasture any part of the marshes or other lands inclosed within any common dyke, or any land without and adjoining such dyke, whereby any part of the common dyke shall be injured, that it shall be lawful for any two or more of the Commissioners of Sewers, from time to time, as often as there shall be occasion, to make an order upon such person or persons

Persons injuring Common Dykes

fons for the repairing of such injury by a certain day to be named in such order, and in case of refusal to obey such order, such Commissioners shall cause the injury to be forthwith repaired.

Disobedience
of orders of
Commissioners

XIV. *And be it further enacted,* That the person or persons neglecting or refusing to obey any such order of the Commissioners, shall forfeit and pay for each offence the sum of ten shillings: which said sum, with the cost of such repair, to be recovered before any one of His Majesty's Justices of the Peace for the County, shall from time to time be levied by warrant of distress under the hand and seal of such Justice.

Commissioners
of Sewers heretofore
appointed

XV. *And be it further enacted,* That all Commissions heretofore issued for the appointment of Commissioners of Sewers shall be and continue in force until the Governor, Lieutenant-Governor or Commander in Chief, shall otherwise direct.

Proceedings
under Act,
hereby repeal-
ed

XVI. *And be it further enacted,* That all proceedings that have heretofore taken place under the authority of the Acts hereby repealed, or any of them, shall, to all intents and purposes, be as valid as if the said Acts were in force.

Works heretofore
commenced
proceeded in

XVII. *And be it further enacted,* That all work and proceedings that have been commenced by the direction of any Commissioners of Sewers before the publication of this Act, shall be proceeded in and completed pursuant to the provisions of the Acts hereby repealed, or to the provisions of this Act, as shall seem most expedient to the Commissioners of Sewers, under whose authority and directions the same shall have been commenced.

Glebes and
School Lands

XVIII. *And be it further enacted,* That the Lands granted for the support of Schools, and set off as Glebes and Ministerial Rights, shall in no case be sold for the payment of Assessments under the provisions of this Act, but shall be Let at Auction to the highest bidder for the payment of such Assessments, on such terms and conditions as may be deemed expedient by the Commissioners of Sewers; twenty days previous notice of the time and place of such Letting being publicly given in the Royal Gazette.

Commissioners
of Sewers to
keep a record
of their
proceedings

XIX. *And be it further enacted,* That the Commissioners of Sewers within each Township and District, or County in this Province, shall keep a record of all their proceedings, and a fair account of all work and monies laid out and expended by them, or under their direction, and of monies by them received which record and account shall be open for the inspection of all and every person or persons interested therein, upon paying one shilling for each inspection or search, and a copy thereof shall be furnished to the proprietors of lands who are interested therein, when demanded, he or they paying for such copy or copies, sixpence for every ninety words.

Persons ag-
grieved by
proceedings of
Commissioners

XX. *And be it further enacted,* That if any owner or possessor of land, shall think himself aggrieved by the proceedings of the Commissioners of Sewers, or any other person in pursuance of this Act, it shall and may be lawful to remove the proceedings of the Commissioners of Sewers into the Supreme Court, by Certiorari, where the whole of such proceedings shall be examined if necessary, and such determination made thereon, as, by the said Court, shall be deemed proper. *Provided,* That before any Writ of Certiorari shall be issued, sufficient security shall be given, by the person or persons applying for the same, for payment of such costs as may be awarded and taxed by the said Court.

XXI.

XVI. *And be it further enacted*, That an Act, made and passed in the thirty-fourth year of the Reign of His late Majesty King George the Second, entitled, An Act for appointing Commissioners of Sewers, and all Acts since passed in amendment, extension or alteration of the same, or in addition thereto, shall be, and the same are hereby, repealed. Act 34th Geo. II. &c. repealed

CAP. XIV.

An ACT to continue the several Acts for raising an Additional Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the sixtieth year of His late Majesty's reign, entitled, An Act for raising an Additional Duty of Excise on all Goods, Wares and Merchandise, imported into this Province; and also an Act, passed in the third year of His present Majesty's reign, entitled, An Act to amend and continue an Act for raising an Additional Duty of Excise on all Goods, Wares and Merchandise, imported into this Province, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, until the twenty-fifth day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Twenty-four, and no longer. Act 60th Geo. III.
Act 3d Geo. IV.
Continued

CAP. XV.

An ACT to continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act, made in the thirty-second year of His late Majesty's reign, entitled, An Act for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province; also the Act, made in the forty-eighth year of his said Majesty's reign, for repealing so much of the aforesaid Act as exempts from such Duty certain Articles, therein enumerated, and for declaring what Goods, Wares and Merchandise, shall hereafter be exempt from such Duty of Excise; and also the Act, made in the fifty-fourth year of His said Majesty's reign, entitled, An Act to continue the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province; and also, the Act, made in the fifty-eighth year of His said Majesty's reign, entitled, An Act to continue and amend the several Acts of the General Assembly for the further increase of the Revenue by raising a Duty of Excise on all Goods, Wares and Merchandise, Act 32d Geo. III.
Act 48th Geo. III.
Act 54th Geo. III.
Act 58th Geo. III.

Act 3d Geo.
IV.
Continued

dise, imported into this Province ; and also an Act, passed in the third year of His present Majesty's reign, entitled, An Act to amend and continue the several Acts of the General Assembly for the further encrease of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province ; and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, until the twenty-fifth day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

CAP. XVI.

An ACT to continue an Act for granting a Drawback of the Duties on Brown or Raw Sugar, used in the Manufacture of Refined Sugar within the Province, and for regulating the mode of obtaining the same.

Act 57th Geo.
III.
Continued

BE it enacted by the Lieutenant Governor, Council and Assembly, That the Act, passed in the fifty-seventh year of His late Majesty's reign, entitled, An Act for granting a Drawback of the Duties on Brown or Raw Sugar, used in the manufacture of Refined Sugar within the Province, and for regulating the mode of obtaining the same, be continued, and the same, with every matter, clause and thing, therein contained, is hereby continued until the twenty-fifth day of March, which will be in the year of our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

CAP. XVII.

An ACT to continue an Act, entitled, An Act in addition to and in amendment of the several Acts now in force for repairing and mending Highways, Roads, Bridges and Streets, and for appointing Surveyors of Highways, within the several Townships in this Province.

Act 3d Geo.
IV.
Continued

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act, passed in the third year of His present Majesty's Reign, entitled, An Act in addition to, and in amendment of, the several Acts now in force for repairing and mending highways, roads, bridges and streets, and for appointing Surveyors of Highways within the several Townships in this Province, and every matter, clause and thing in the said Act contained, shall be continued, and the same is hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

CAP.

CAP. XVIII.

An ACT to continue an Act for Establishing a Bridewell or House of Correction for the County of Halifax, and for providing a Police Office in said Town, with proper Officers to attend the same.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the fifty-fifth year of His late Majesty's reign, entitled, An Act for Establishing a Bridewell or House of Correction for the County of Halifax, and for providing a Police Office in said Town with proper Officers to attend the same, and every matter, clause and thing, therein contained, be continued, and the same is hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

Act 55th Geo.
III.
Continued

CAP. XIX.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province by laying a Duty on Persons hereafter to be Licensed to keep Public Houses and Shops, for the retail of Spirituous Liquors.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the thirty-ninth year of His late Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a duty on Persons hereafter to be licensed to keep Public Houses and Shops, for the Retail of Spirituous Liquors, and for regulating such Public Houses and Shops; Also, the several Acts passed in the forty-first, forty-sixth and fifty-fifth years of His late Majesty's reign, for reviving, altering, continuing and amending, and adding to the said Act, and every matter, clause and thing, in the said Acts contained, be continued, and the same are hereby continued, until the twenty-fifth day of March, which will be in the year of our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

Acta 39th, 41st,
46th, and 55th,
Geo. III.
Continued

CAP. XX.

An ACT to continue an Act, entitled, An Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the fifty eighth year of His late Majesty's reign, entitled, An Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing

Act 58th Geo.
III.
Continued

for a sufficient Watch at Night, and every matter, clause and thing, therein contained shall be continued, and the same is hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

CAP. XXI.

An ACT to continue, alter and amend, an Act, passed in the third year of His Majesty's Reign, entitled, An Act to provide for the support of a Light-House erected on Cranberry Island, near the entrance of the Gut of Canso.

Act 3d Geo.
IV. continued
(with exceptions)

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act, passed in the third year of His Majesty's Reign, entitled, An Act to provide for the support of a Light-House erected on Cranberry Island, near the entrance of the Gut of Canso, except so far as the same is hereby altered and amended, be continued, and the same is hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

Vessels exempted from Light-Duty

II. *And be it further enacted*, That, from and after the publication of this Act, no Light-Duty shall be required to be paid by any Ship or Vessel in any of the Ports or Places in the Gulf of Saint Lawrence, unless such Ship or Vessel shall have entered the same through the Gut of Canso: any thing in the said Act to the contrary thereof notwithstanding.

Proof to be produced by Vessels claiming exemption from Light Duty.

III. *And be it further enacted*, That if any dispute shall at any time arise as to whether such Ship or Vessel passed through the said Gut of Canso, in entering the said Gulf of Saint Lawrence, on any Voyage, or entered the same by any other way, it shall be obligatory upon the Master, or other Person having the charge and command of such vessel or vessels, to give satisfactory proof to the Collector of such Light-Duty that such ship or vessel did not enter the Gulf of Saint Lawrence, through the Gut of Canso, and in default of giving such proof such Vessel shall be liable to the duty imposed by the said Act.

CAP. XXII.

An ACT to enable the Proprietors of Land, in the Rear Blocks or Divisions of Land in the Township of Guysborough, to open roads through the same.

Preamble

WHEREAS by Letters Patent under the Great Seal of this Province, bearing date the second day of June, in the year of Our Lord One Thousand Seven Hundred and Eighty-five, Fifty-three Thousand Eight Hundred and Fifty acres of Land in the Township of Guysborough, were granted in common to Nathan Hubbell, Esq. and Two Hundred and Seventy-eight others therein named, a partition of which

lands

lands was thereafter made on a plan, by which each of said Grantees had one fourth part of the lands so granted to him, allotted in that part of the said grant which fronted on Milford Haven River, a part of survey of which front lands has since been made, and the remaining three fourths of the lands contained in said Grant, was set off on the said plan, in lots forming several Rear Blocks or Divisions, extending, in different directions, to the distance of six miles and upward from the said River, of which no actual survey has yet been made, nor have any roads been laid out or opened through the same, whereby the persons owning them, might have access to their respective lots, for the purpose of settling or improving them, in consequence of which, the whole of said rear divisions yet remain in their original wild state, and it is desirable that a general survey of said lands should be made, and such roads laid out and opened through them. And whereas, a great number of the said original Grantees have sold their front lots, and have since died without heirs, or gone out of the Province, without disposing of their said rear lots, and there are no means now by law provided, whereby the just and equal proportions of the expense, which would be incurred in laying out such roads, and which of right should be chargeable upon the said rear lots, so laid out to such Grantees could be obtained, and the whole of such expense would be too heavy to be borne by the resident proprietors, whereby the settlement and improvement of the said rear lots are much retarded, for remedy whereof :

I. BE it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Clerk of the Peace for the County of Sydney, to return to the Justices at the first, or any future, General Sessions of the Peace, to be held after the passing of this Act, in and for the said County, the names of the original Proprietors or Grantees of said lands, with the quantity of such lands assigned to each person in the said rear blocks or divisions, and, when any number of the said Proprietors, or of the present Owners or Occupiers of said Lots, the aggregate amount of whose Lots shall exceed one fourth part of the quantity of land contained in the whole of the said rear blocks or divisions shall, by memorial in writing, signed by them, make known to the said Justices, at any such General Sessions of the Peace, that it is their desire that a general survey of the said rear blocks or divisions should be made, and roads laid out and opened through them, and, in said Memorial, shall express and set forth in what manner the same shall be done, and also the rules and regulations which such Proprietors desire may be pursued and followed in making such survey, and laying out and opening such roads, and shall also recommend ten fit and proper persons to act as a Committee for procuring the said survey to be made, and to lay out such roads, and also to assess the expense thereof, and, in such Memorial, shall also recommend six fit and proper persons to act as Surveyors to open such roads, it shall and may be lawful for the said Justice to nominate and appoint five out of the ten persons so recommended, to be a Committee for the purposes aforesaid, which Committee shall have power to appoint a Collector, (to be approved by the said Justices) to collect the assessments by them to be made for the purposes aforesaid, as hereinafter directed, and out of the six per-

Application for
General Survey
of Rear Divisi-
ons of Land,
and the laying
out of Roads

Expense of
Survey, &c.
assessed

sons

Surveyors of
Roads

Surveyors ap-
pointed refus-
ing to serve.

Powers of
Surveyors

Allowance to
Surveyors

Proviso

Expense of
making Roads,
&c. defrayed by
Assessment

Persons recommended to act as Surveyors of Roads in the said rear divisions, the said Justices may nominate as many as they shall judge to be necessary for that purpose, and the persons so nominated and appointed as aforesaid, shall be sworn in like manner, and be subject to the like penalties for not accepting, or for neglect of duty, as Surveyors of Highways are now, or may hereafter be, liable by the Laws of the Province, for refusing to serve, or neglect of duty, in their said office; and the said persons, so chosen and nominated for Surveyors of Roads as aforesaid, shall be vested with all the powers and authority that Surveyors of Highways have throughout the several Towns and Settlements of this Province; and shall be allowed for each and every day actually employed as Surveyor of Highways, in opening and improving said roads, the sum of five shillings each per day, to be paid out of the monies that may be recovered from delinquent proprietors, or such as refuse or neglect to perform the labor hereinafter required by this Act, to be done by them upon the said roads, or, in default thereof, to be paid out of the License money raised from Licensed Public Houses in the said Township, to be allowed and approved of by the Grand Jurors and Justices in Sessions as aforesaid; and as soon after the said roads shall be laid out as they shall think proper, the said Justices, by an order of Sessions, shall direct such Surveyors to open and improve them, agreeably to the rules and regulations specified in such memorial. *Provided always*, That before such Justices shall act upon such memorial it must be made appear to their satisfaction, that the Proprietors, who have signed the same, do actually own at least one fourth of the lands in the said rear divisions. *And provided also*, That if any one or more of the said Proprietors, through whose wilderness lands it may be necessary to lay out any of the said roads, shall object to the same, it shall be lawful for the said Justices in their Sessions as aforesaid, upon application made to them by the said Committee, to order a Jury to lay out the same conformably to the Laws of this Province, in such case made and provided; and should it appear to the said Justices, by the report of the said Jury to be made to them, that such objection was unreasonable, or vexatious, the said Proprietor shall be chargeable with the expense of such Jury, to be taxed and allowed by the said Justices in Sessions, and in default of payment thereof, the same shall and may be recovered from such Proprietor, by an action at the suit of the County Treasurer for the time being, in like manner as debts of like value are recovered before one or more Justices of the Peace, or other Courts having Jurisdiction within and over the said township, and shall be applied to the purposes of defraying the aforesaid expense.

II. *And be it further enacted*, That each and every person or persons being the Owner or Owners of any lands in the said rear division, or that may hereafter own any of the said lands by purchase or otherwise, shall be liable for his or their proportion of the expense of making such general survey, and laying out said roads as aforesaid, to be assessed by the said Committee and approved by the said Justices, and to be assessed in proportion to the quantity of lands owned by each person in the said rear division, and such proportion, when so assessed and approved, shall be levied in the same manner as County Rates are by the Laws of this Province directed to be levied upon the goods and chattles of such Proprietors as shall refuse or neglect to pay the sums so assessed on them as aforesaid, and subject to a like appeal.

III. *And be it further enacted,* That each and every person being the Owner or Owners of any tract or parcel of land in the said rear blocks or divisions of land in the said township of Guysborough, or who may hereafter be any such Owner or Owners by purchase or otherwise, shall and are hereby made liable for each one hundred acre lot, and so in proportion for every fifty acres by him or them respectively owned during the continuance of this Act, to labour one day in every year, between the first day of April and the first day of November, in opening and making such roads as aforesaid, under the direction of the said Overseers: such labour to be over and above what they now are, or may be, by law subject to perform in the statute labour of said township; which additional work shall be performed by the said Owner or Owners, or by an able man or men to be procured by him or them respectively, and provided at his or their expense, with suitable tools, according to the work he or they may be called upon to perform; and the Owner or Owners of such lands as aforesaid, who shall neglect or refuse to execute or perform the said labour, shall, for each and every day's work so neglected or refused to be performed, forfeit and pay the sum of five shillings, and in the same proportion for a less space of time: the same to be recovered by the Surveyors of the Highways for the said rear block or divisions of land, appointed as aforesaid, in like manner as debts of the like value are recovered before one or more Justices of the Peace, or other Courts having Jurisdiction in the said Township: the same to be applied and laid out by the Surveyors in opening and improving roads, and making bridges through the rear blocks or divisions of land aforesaid.

Labour to be performed by Proprietors

IV. *And be it further enacted,* That if on any lot within the said rear blocks or divisions of land, not containing more than one hundred acres, there now is, or hereafter may be cut down, cleared and burnt off, and made ready for a crop, five acres thereof; or if there shall be a house built on the said lot, and a person or persons residing therein, it shall be lawful for the Surveyors aforesaid, to excuse the owner or owners of such lot, and the person or persons residing thereon, as aforesaid, if any such there be, from performing the labour by this Act required for such lot; but it shall and may be lawful for the said Surveyors to compel the person or persons who may be residing upon such lot as aforesaid, or the Owner or Owners thereof, where no person or persons is or are so residing, to work on such new roads through the said rear blocks or divisions for the number of days he or they is or are bound to labour upon roads, under and by virtue of the several Statutes now in force, or that may hereafter be enacted, for the repairing of highways, bridges and streets, throughout the Province; and if upon any lot in the said rear blocks or divisions, containing more than one hundred acres, there shall be cut down, cleared and burnt off, and made ready for crop, in the proportion of five acres to every one hundred acres thereof, it shall and may be lawful for the Surveyors appointed under this Act, in like manner as aforesaid, to excuse the Owner or Owners of such lot from performing the labour required by this Act, but the said Surveyors, shall as aforesaid compel such Owner or Owners to work on such new roads, for the number of days he or they is or are bound to labour on the Highways by virtue of the Statutes aforesaid; and the person or persons refusing or neglecting to perform on such new roads the labour required of them by the said Statutes, are hereby made liable to all the fines and penalties in the said several Statutes contained.

Persons exempted from Labour

Lands of Proprietors liable for their proportion of Labour

V. *And be it further enabled*, That when the said Surveyors shall be unable to recover from any Proprietor or Proprietors of said land, the value of the labour he or they are bound to perform as aforesaid, the lands of such Proprietor or Proprietors shall be held charged with the same, and in case, at the end of three years, no person shall perform such labour, or pay the arrears due for the same from such delinquent Proprietor or Proprietors, it shall and may be lawful for the Judges who hold the Supreme Court in the County of Sydney, upon complaint thereof made to them by the said Surveyor or Surveyors at any Sitting of said Court in said County, to order public notice to be given, in the Royal Gazette, to such delinquent Proprietor or Proprietors, that, unless he or they shall, within three months from the date of such notice, pay to the said Overseers the arrears due by him or them respectively, together with the costs of such complaint and notice, that so much of the said lands, by him or them respectively owned, as will be sufficient to pay their said several arrears, will be sold; and in case it shall be afterwards made appear to the said Supreme Court, either sitting in said County or at Halifax, that all or any of the said arrears remain due and unpaid, it shall and may be lawful for the said Court to direct an order to the Sheriff of the County, or his Deputy, to sell at Public Auction, in the same manner as if taken in Execution, so much of such Proprietor's said wilderness land as will be sufficient to pay their said respective arrears, together with such costs of complaint, charge and expenses of sale, and conveyance of such lands, as the said Court shall tax and allow; and the said Sheriff shall return his doing, on such order, at the next term for the sitting of the said Court, when it shall be lawful for the Court to confirm the doings of the Sheriff, or to set the same aside, and order another sale as the case may require; and it shall be lawful for the said Court, when it shall approve of such sale, to order the Sheriff to execute a Deed or Deeds in fee simple to the purchaser or purchasers, which, when executed, shall make, to such purchaser or purchasers, a title as good and valid in law, as if executed by the person or persons owning the same, or their Heirs or Assigns, and the said Court shall order the Sheriff to pay over the amount of the arrears, so recovered, to the said Surveyors, to be by them expended on said roads, and out of the residue of the proceeds of such sale, to pay such costs and charges as the said Court shall have taxed and allowed. *Provided always*, That no sale shall take place of the lands of any absent Proprietor, until the Surveyors of said Roads, or some one of them which shall have been appointed under this Act, shall make and file an affidavit in the Supreme Court, stating that the Proprietors of the Lots who are resident within the County of Sydney, have fully performed all the labour upon the roads passing through the said lands, which, by this Act, they are bound to perform.

Appointment of successors to Overseers

VI. *And be it further enacted*, That in each and every year during the continuance of this Act, it shall be lawful for the said Justices to appoint annual successors to the Overseers for such Roads, and to order them to proceed in opening and making the same, pursuant to the rules and regulations which the said Proprietors may from time to time make and set forth in their memorials to the said Justices. *Provided*, That all such memorials be signed and agreed to pursuant to the provisions contained in the first section of this Act.

VII. *And be it further enacted*, That when the Collector, to be appointed as herein before directed for the purpose of collecting the assessments from the said Proprietors, for defraying the expense of making the said general survey, and laying out the said roads, shall be unable to recover from any Proprietor or Proprietors of said lands, his or their proportion of said expense, the lands of such Proprietor or Proprietors shall be held charged therewith, in like manner as with the arrears due for labour to be performed upon the said roads, under the provisions of the fifth section of this Act, and upon complaint thereof made to the Judges who hold the Supreme Court in the County of Sydney by the said Collector, in the same manner as is, by the said recited Act, directed to be done by the Surveyors of said roads, it shall be lawful for the said Judges to order public notice to be given, and sales and conveyances to be made of so much of such delinquent Proprietor or Proprietors land, within the said rear division, in the same manner, and under the same provisions, regulations and restrictions, as are contained in the fourth section of the before recited Act, as will be sufficient to pay their said respective arrears, together with such costs of complaint, charges of sale, and conveyance of such lands, as the said Court shall tax and allow. The proceeds of such sale to be paid to the said Collector for the purpose of defraying the aforesaid expense, with costs and charges as aforesaid.

Recovery of Assessed portions of expense of General Survey

VIII. *And be it further enacted*, That this Act shall be, and continue, in force for five years, and from thence to the end of the next Session of the General Assembly, and no longer.

Continuation

CAP. XXIII.

An ACT to prevent disorderly Riding, and to regulate the driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That, from and after the publication of this Act, it shall not be lawful for any person to ride at full speed, or gallop, any Horse, Mare, Gelding, Mule or Ass, on any Street or Public Highway in any of the Towns within this Province.

Disorderly riding in the Towns of the Province prevented

II. *And be it further enacted*, That all and every person who shall hereafter drive any Truck, Sled or Wheel Carriage, used for the carriage of Goods, within the Town of Halifax, or any Town within this Province, shall not, on any pretence whatever, drive swifter than a slow or easy trot, and shall, at all times, take care to lead his, her or their, Horse or Horses with a halter, or to guide them with proper reins.

Driving of Trucks, Sleds, &c. regulated

III. *And be it further enacted*, That each and every person who shall hereafter drive any Chaise, Sleigh, or other Carriage whatsoever, within any Town in this Province, shall drive the same in a moderate and careful manner.

Driving of Carriages, &c. regulated

IV. *And be it further enacted*, That all and every person or persons who shall hereafter drive any Sleigh or Sled in any of the Streets or Highways within this Province, shall have

Bells to be provided

have, affixed to the harness used for the purpose of drawing such Sleigh or Sled, at the least, two good open Bells, or four round Bells, such as are commonly used on Sleighs.

Width of
Sleds

V. *And be it further enacted*, That all Sleds, used for the carriage of loads upon any of the roads of this Province, shall not be less than four feet wide from outside to outside of the runners.

Width of loads
of Hay or
Straw, &c.

VI. *And be it further enacted*, That it shall not be lawful for any person or persons to drive upon any of the roads of this Province any load of Hay or Straw of a greater width than twelve feet; nor shall it be lawful for any person or persons returning with Sleds to suffer pointed stakes to remain standing, or carry frames or projecting pieces outside of the said Sled.

Side of the
road to be tak-
en by Gigs, &c.
passing each
other

VII. *And be it further enacted*, That every person who, in summer or winter, shall drive any Gig, Chaise, Carriage, Waggon, Cart, Truck, Sleigh or Sled, on any Street in the said Town of Halifax, or any Public Road or Highway in this Province, every such person or persons shall always, hereafter, leave the centre of such Street or Road on his right hand side.

Gigs, &c. pro-
ceeding in
similar
direction

VIII. *And be it further enacted*, That, hereafter, when the driver of Carriage, any Sleigh or Sled, on any of said Streets or Public Roads, attempt to pass any other Carriage, Sleigh or Sled, having its head in the same direction, such driver shall take care to pass on the right side of such Carriage, Sleigh or Sled, so as to leave a sufficient way open on his left hand for the Carriage, Sleigh or Sled, which he is so about to pass; and all Carriages, Sleighs and Sleds, at all times, both in the night and in the day, shall hereafter be obliged to keep on the side of the road appointed and established by this Act.

Gigs, &c. stop-
ping on the
road

IX. *And be it further enacted*, That whenever any Carriage, Waggon, Cart, Truck, Sleigh or Sled, shall at any time hereafter, shall stop, or be suffered to stand, loaded or unloaded, on any of the said Streets of Halifax, or Public Road, every such Carriage, Waggon, Cart, Truck, Sleigh or Sled, shall not be placed nearer to the centre of such Street or Road than eighteen inches.

Violations of
this Act

X. *And be it further enacted*, That every person offending against any of the regulations of this Act, shall, upon conviction on the Oath of one credible Witness, before any one of His Majesty's Justices of the Peace, forfeit and pay, for each and every offence, the sum of ten shillings; and, in case of refusal or neglect to pay, the same shall be levied by Warrant of Distress, on the Goods and Chattles of such Offender, and, for want thereof such Offender shall be committed by such Justice to the County Jail, for a period not exceeding forty-eight hours.

Prosecutions

XI. *And be it further enacted*, That all prosecutions, under this Act, shall be commenced in forty-eight hours after the committing of the offence.

Application of
Penalties

XII. *And be it further enacted*, That all Monies, arising from Fines under the provisions of this Act, shall be paid into the hands of the Treasurer of the County wherein the same shall be recovered, and be applied to the repair of Highways in such County.

Acts 33d, 29th,
Geo. III. and
Act 3d Geo.
IV. repealed

XIII. *And be it further enacted*, That an Act, passed in the thirty-third year of the reign of His Majesty King George the Second, entitled, "An Act to prevent disorderly riding Horses, and driving Carts, Trucks and Sleds, Sleighs, or any other Carriage whatsoever, within the Town of Halifax, or any other Town within the Province;"

and

and also an Act, passed in the twenty-ninth year of His late Majesty's reign, entitled, "An Act in amendment of the several Acts, passed in the first and twenty-eighth years of His Majesty's reign, relative to the repairing of Highways, Roads, Bridges, &c.;" and also the Act, passed in the third year of His present Majesty's Reign, entitled, "An Act to regulate the driving of Carriages on the Streets of Halifax, or Public Roads of this Province," and every matter, clause and thing, in each and every of the said Acts contained, be, and the same are hereby, repealed.

XIV. *And be it further enacted*, That this Act, and every matter, and thing, therein contained, shall be and continue, and the same is hereby continued in force, for three years from the publication hereof, and from thence to the end of the next Session of the General Assembly.

Continuation of
this Act

CAP. XXIV.

An ACT to extend to the Town of Pictou, an Act, passed in the second year of His late Majesty's reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire; and also several Acts and Clauses of Acts since passed, in amendment and alteration thereof.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the second year of His late Majesty's Reign, entitled, An Act for appointing Firewards, ascertaining their Duty, and for punishing thefts and disorders at the time of Fire; and also an Act, passed in the twenty-second year of His said Majesty's reign, entitled, An Act in addition to an Act, made in the second year of His present Majesty's reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire; and also an Act, passed in the twenty-eighth year of His late Majesty's reign, entitled, An Act in further addition to an Act, passed in the second year of His Majesty's reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire; and also the first and second sections of an Act, passed in the thirtieth year of His said late Majesty's reign, entitled, An Act to amend the Act, entitled, An Act for appointing Firewards, and ascertaining their duty, and for punishing thefts and disorders at the time of Fire; and also in amendment of the several Acts made in amendment of, or in addition to, the said recited Act, and to extend the several provisions therein contained, to the Town of Shelburne; and also, the first, second and third sections of an Act, passed in the sixtieth year of His said late Majesty's reign, entitled, An Act in amendment of an Act, passed in the second year of His Majesty's reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire, be, and the same are hereby, extended to the Town of Pictou, to be there in operation, and to have full effect within the limits following, that is to say: from the East line

Acts 2d, 22d
and 28th Geo.
III. first and
second Secti-
ons of Act
30th Geo. III.
and also first,
second and
third Sections
of Act 60th
Geo. III. ex-
tended to Pic-
tou

of David Patterfon's land on the West, to the East line of the lot owned by Hugh De-noon, Esq. on the East; and extending from the water of the Harbour of Pictou, on the South, to the rear line of the lots laid off and fronting on said Harbour on the North; and the Justices in their Sessions for the District of Pictou, Justices of the Peace, Constables, and all other persons whatsoever in and within the said limits, are hereby bound strictly to conform to the said Acts and Clauses of Acts, and to carry the same into operation within the said limits, in as full and ample a manner, to all intents and purposes, as if the said Town of Pictou had been originally named therein.

Act 55th Geo.
III. repealed

II. *And be it further enacted*, That the said Act, passed in fifty-fifth year of His said late Majesty's reign, entitled, An Act to extend to the Town of Pictou the several Acts for the appointing Firewards, be and the same is hereby repealed.

CAP. XXV.

An ACT for the preservation of His Majesty's Rights in Coal Mines.

Preamble

WHEREAS, *sundry persons have, without leave or permission, presumed to dig, and carry away, large quantities of Coal from the Mines, Veins und Seams, of Coal reserved for His Majesty's use in this Province, which practice is prejudicial to the Rights of the Crown:*

Penalty for taking Coals without leave

I. *BE it therefore enacted by the Lieutenant Governor, Council and Assembly*, That any Person or Persons who may be convicted as hereinafter directed, of opening or digging in any Mine, Vein or Seam, of Coal, within this Province, or raising or taking from the same any quantity of Coals, without leave, in writing, first obtained for that purpose, from the Governor, Lieutenant-Governor, or Commander in Chief for the time being, every such Person or Persons shall be adjudged to forfeit and pay to Our Lord the King a sum not exceeding Twenty-five Pounds, upon conviction in any of His Majesty's Courts of Record in this Province, on bill, plaint or information, there filed and exhibited against any such offender or offenders.

Coals discovered on board of Vessels

II. *And be it further enacted*, That in case any quantity of Coals, not less than two Chaldrons, the produce of this Province, shall be found laden on board of any Boat or Vessel, of any denomination or description, within any River, Creek, Bay, Port or Harbour, of this Province, or within one league of the shore thereof, it shall and may be lawful for any Officer of His Majesty's Customs, or of the Impost and Excise Department, if duly and properly authorized for that purpose, to seize and take all such Coals as forfeited to His Majesty, unless the Person or Persons in charge of every such Boat or Vessel shall produce to such Officer or Officers a Certificate, in writing, being of such form as the Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall hereafter direct and establish, for the purpose of shewing that such Coals have been dug, raised or taken, from the Mines, Seams or Veins, of Coals belonging to His Majesty, in this Province, by some Person or Persons duly authorized and licensed for that purpose as aforesaid.

III.

III. *And be it further enacted*, That it shall and may be lawful for the Officer or Officers who shall so seize any quantity of Coals not less than two Chaldrons, if unaccompanied with the Certificate aforesaid, to unload, land, and put such Coals on shore, as speedily as possible, from the Boat or Vessel in which the same may be found laden as aforesaid, and to prosecute the same to final condemnation in any of His Majesty's Courts of Record in this Province, and one half the neat proceeds of such Coals shall, after condemnation, go, and be paid, to His Majesty, and the other half to the Officer who shall make and prosecute such Seizure.

Seizure of
Coals unaccom-
panied with the
necessary Cer-
tificate

CAP. XXVI.

An ACT to extend an Act, passed in the forty-first year of His late Majesty's reign, entitled, An Act for repairing, keeping in repair, cleansing and paving, the Streets in the Town and Peninsula of Halifax, to the Towns of Pictou and Annapolis Royal.

BE it enacted by the Lieutenant-Governor, Council and Assembly. That the Act, passed in the forty-first year of His late Majesty's reign, entitled, An Act for repairing, keeping in repair, cleansing and paving, the Streets in the Town and Peninsula of Halifax, and for removing obstructions therein, and also to suspend the power and authority vested in the Surveyor of Highways within the Town and Peninsula of Halifax, after the first day of August next, during the operation of this Act, and every matter, clause and thing, therein contained, (save and except the first and tenth sections, and the first Proviso, in the third section thereof) be extended, and the same are hereby extended to the Towns of Pictou and Annapolis Royal.

Act 41st Geo.
III. extended
(with excep-
tions) to Pictou
and Annapolis

II. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to nominate and appoint three fit and proper persons, Inhabitants of the said Towns of Pictou and Annapolis Royal, respectively, to be Commissioners to carry into operation the several clauses of the said Act hereby extended within the limits hereinafter defined; and in case of death, refusal to act, or removal, of any or all of the Commissioners so appointed, his and their place and places from time to time to be filled by such person or persons, inhabitants of the said Towns of Pictou and Annapolis Royal, respectively, as the Governor, Lieutenant-Governor and Commander in Chief, for the time being, by and with the advice of His Majesty's Council shall nominate and appoint.

Appointment of
Commissioners
of Highways
for Pictou and
Annapolis

III. *And be it further enacted*, That the limits of the said Town of Pictou, subject to the control and superintendance of the Commissioners to be appointed as aforesaid, shall extend from the west side of the Town Gut so called, on the west, to the west side line of the farm now occupied by David Lowden on the east, and from the waters of the Harbour of Pictou, on the south to the rear line of the original lots laid out and fronting

Limits of
Town of Pictou
and Annapolis
subject to con-
trol of Com-
missioners

fronting on the said Harbour on the north—and that the limits of the said Town of Annapolis Royal, subject to the control and superintendance of the Commissioners to be appointed as aforesaid, shall extend eastwardly to where the present road leading to the Dalhousie Settlement intersects the Main Road to Halifax, southerly to the General's Bridge, so called, westerly to Allen's Creek Bridge, and northerly to Hog Island, including the same.

Powers of Surveyors of Highways restricted

IV. *And be it further enacted*, That, from and after the first day of May next, all power and authority now vested in the Surveyors of Highways within the limits above described, shall cease and determine, any law, usage or custom, to the contrary notwithstanding.

CAP. XXVII.

An ACT to continue the several Acts respecting the Liverpool Light-House.

Acts 52d and 59th Geo. III. continued

BE it enacted by the Lieutenant Governor, Council and Assembly, That an Act, passed in the fifty-second year of His late Majesty's reign, entitled, An Act to provide for the support of a Light-House, on the south end of Coffin's Island, on the eastern side of the entrance of Liverpool Harbour; also the Act, passed in the fifty-ninth year of His late Majesty's reign, to revive, continue and amend, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

CAP. XXVIII.

An ACT to continue an Act, made and passed in the thirty-eighth year of His late Majesty's reign, entitled, An Act to amend and render more effectual an Act, passed in the eighteenth year of His present Majesty's reign, entitled, An Act to prevent forestalling, regrating and monopolising, of Cord Wood in the Town of Halifax, and also the Act now in force in addition thereto.

Acts 38th and 68th Geo. III. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made and passed in the thirty-eighth year of His late Majesty's reign, entitled, An Act to amend and render more effectual an Act, passed in the eighteenth year of His present Majesty's reign, entitled, An Act to prevent forestalling, regrating and monopolising, of Cord Wood in the Town of Halifax; and also, an Act, passed in the fifty-eighth year of His late Majesty's reign, entitled, An Act in addition to the Acts to prevent the forestalling Cord Wood, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

CAP.

CAP. XXIX.

An ACT to continue the Act, passed in the third year of His Majesty's reign, entitled, An Act to revive and continue, alter and amend, an Act, made and passed in the fifty-seventh year of the reign of His late Majesty King George the Third, entitled, An Act for the Summary Trial of Actions.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the before mentioned Act, and every matter, clause and thing, therein contained, shall be continued, and the same is hereby continued for one year from the publication thereof, and from thence to the end of the next Session of the General Assembly.

Act 3d Geo:
IV. continued

CAP. XXX.

An ACT to amend and continue the several Acts, now in force, for regulating the Expenditure of Monies for the service of Roads and Bridges.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the fifty-second year of His late Majesty's Reign, entitled, An Act to regulate the expenditure of Monies, hereafter to be appropriated for the service of Roads and Bridges, (except so far as the said Act is altered by the Acts hereinafter named); also an Act, passed in the fifty-seventh year of His late Majesty's reign, to alter and amend the said Act, (except so far as the said last mentioned Act is altered by the Act hereinafter named) and also an Act, passed in the sixtieth year of His late Majesty's reign, to alter and continue the said Acts; and every matter, clause and thing, in the said Acts contained, excepting as before excepted, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

Acts 52d, 57th
and 60th Geo.
continued,
(with exception)

AND WHEREAS, the Main Roads are often greatly injured by the locking or chaining the wheels of loaded Waggon and Carts in descending the Hills:

It. Be it therefore enacted, That, from and after the publication hereof, it shall not be lawful for the Driver of any loaded Waggon or Cart to cause such Waggon or Cart to be drawn upon any of the Public Roads of this Province, with any one or more of the Wheels of such Waggon or Cart locked or chained, to prevent it from turning, unless such Driver of such Waggon or Cart shall cause to be placed under such Wheel or Wheels an Iron Shoe, not less than five inches in width, and sixteen inches in length, or a Wooden Shoe, of the same length, and eight inches wide, connected with a chain to some part of such Waggon or Cart, in such way that such Wheel or Wheels, so chained or locked, shall be borne up, and drawn, upon said Shoe.

Waggons, &c:
using locks or
chains, to have
iron and wood-
en shoes affix-
ed to the
Wheels

Violation of
Act

III. *And be it further enacted*, That any Person who shall drive any Waggon or Cart on any of the said Roads, contrary to the provisions of this Act, or who shall place and leave on any of the said Roads, any stones, sticks or other obstructions, shall be subject to a fine of Ten Shillings : to be recovered on the Oath of one credible Witness, before any one of His Majesty's Justices of the Peace for the County or Town wherein the offence shall have been committed ; which sum, if not paid, shall be levied by Warrant from such Justice of the Peace, from off the Goods and Chattles of the offender, and for want thereof he shall be committed to the Jail of such County, for the space of twenty-four hours : and that all monies arising from fines, under the provisions of this Act, shall be applied for the repair of the Roads in the County wherein the same shall be received.

CAP. XXXI.

An ACT to continue an Act, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue.

Act 3d Geo.
IV. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the third year of His present Majesty's reign, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue ; and every matter, clause and thing, in the said Act contained, shall be continued, and the same is hereby continued for one year, and from thence to the end of the next Session of the General Assembly.

CAP. XXXII.

An ACT to continue the Act to provide for the Accommodation and Billetting of His Majesty's Troops, or of the Militia, when on their March from one part of the Province to another, and also the Acts in amendment thereof.

Acts 48th, 51st
and 53d Geo.
III. continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, made in the forty-eighth year of His late Majesty's reign, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their March from one part of the Province to another ; and also the Acts, passed in the fifty-first and fifty-third years of His late Majesty's Reign, in amendment thereof, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued in force for one year, and from thence to the end of the next Session of the General Assembly.

CAP.

CAP. XXXIII.

An ACT to regulate the Jurisdiction of the Inferior Court of Common Pleas within the County of Cape-Breton, and to fix and establish the times and places for holding of the said Inferior Court and General Sessions of the Peace in and for the said County.

WHEREAS from the great extent of the County of Cape-Breton, the Courts held at Sydney and Arichat, are insufficient, and the Jurisdiction of the Inferior Courts of that Island require to be regulated, for remedy whereof: Preamble

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, when he shall deem it expedient, by and with the advice of His Majesty's Council, to divide the said County of Cape-Breton into three convenient Districts, and to regulate and ascertain the boundaries of such Districts, and to issue a Commission or Commissions to establish an Inferior Court of Common Pleas and General Sessions of the Peace, to be held at some convenient place at the Gut of Canso, or the Gulf Shore of said Island, which Courts of Common Pleas and Sessions are to be held, in addition to the Courts of Common Pleas and Sessions now held at Sydney and Arichat; *Provided always,* That such third Court of Common Pleas and Sessions of the Peace shall not be held until the Governor, Lieutenant-Governor or Commander in Chief for the time being, shall notify by Proclamation the issuing of such Commissions, the establishment and boundaries of each District, and the place where such third Court of Common Pleas and Sessions should be held. Division of Cape-Breton into three Districts
Establishment of Courts at the Gut of Canso
Proviso

II. *And be it further enacted,* That the Inferior Court of Common Pleas and General Sessions of the Peace, shall be held twice in every year, in the northern and southern Districts of said Island as now established, that is to say, the Inferior Court of Common Pleas and General Sessions of the Peace for the northern District, shall be held at Sydney on the Second Tuesday of April and fourth Tuesday of October, in each and every year; and the Court of Common Pleas and Sessions of the Peace for the southern District, shall be held at Arichat, on the fourth Tuesday in April, and second Tuesday of October in each and every year, any law, usage or custom, to the contrary notwithstanding. And when a third District shall be fixed and established in the said County, the Court of Sessions, and Inferior Court of Common Pleas, for such third District, shall be held twice in each year, at such place as shall be appointed for that purpose, as aforesaid, that is to say, on the second Tuesday of May, and fourth Tuesday of September. Times for holding Inferior Courts and Court of Sessions for the Northern and Southern Districts of Cape-Breton

III. *And be it further enacted,* That the Jurisdiction of each of the said Inferior Courts of Common Pleas shall be limited and confined within the District in which each of such Courts of Common Pleas shall respectively set and be held; and all writs and process Jurisdiction of Courts limited

cess of every kind, which shall hereafter issue from any or either of the said Inferior Courts now established, or which may hereafter be established, shall extend only to the District to which the Inferior Courts out of which the same may issue, belong; and it shall not be lawful hereafter, for the Sheriff, or his Deputy, or any other Officer or Officers to serve or execute any Writ or Process, issuing from the Inferior Court of Common Pleas in any of the said Districts now established, or hereafter to be established, save and except in the District to which the Inferior Court out of which such Writ or Process may issue, shall properly belong and appertain; and it shall not be lawful for the sittings of any or either of the said Courts of Common Pleas or General Sessions, to be continued or prolonged for any length of time beyond the space of five days, to be computed from the first day of the sitting of each of such Courts respectively. *Provided always*, That Writs of Execution or Judgments, given in any or either said Courts, shall run and may be served in and over the whole of the said County of Cape Breton, and the several Districts thereof.

Proviso

Courts to be held in the third District when established

IV. *And be it further enacted*, That if it shall appear to the Governor, Lieutenant-Governor or Commander in Chief for the time being, after the said third District shall be established, as aforesaid, that it will be sufficient to hold the Court of Common Pleas and General Sessions of the Peace once in each year in the said new District, it shall and may be lawful for the Governor, Lieutenant Governor or Commander in Chief, by an order made by and with the advice of His Majesty's Council, to suspend one of the sittings in each year of the said Inferior Court and General Sessions, either in the Spring or Autumn, which ever may be most convenient, and continue such suspension so long as the same may be deemed necessary, and no longer.

XXXIV.

An ACT to alter and continue the several Acts of the General Assembly, for granting to His Majesty, certain duties on Wine, Brandy, Gin, Rum and other Distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of the Province.

Acts 55th and 60th Geo. III. 1st and 3d Geo. IV. continued (with exceptions)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the fifty-fifth year of His late Majesty's reign, entitled, An Act for granting to His Majesty certain duties on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of the Province. Also, the Act, made in the sixtieth year of His late Majesty's reign, entitled, An Act to revive, continue and amend, the several Acts of the General Assembly, for granting to His Majesty certain Duties on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Govern-

ment

ment, and for promoting the Agriculture, Commerce and Fisheries, of the Province. Also, the Act, passed in the first year of His present Majesty's reign, entitled, An Act to amend and continue the several Acts of the General Assembly, for granting to His Majesty certain Duties on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of the Province. And also, the Act, passed in the third year of His said Majesty's reign, entitled, An Act to amend and continue the several Acts of the General Assembly for granting to His Majesty certain Duties on Wine, Brandy, Gin, Rum and other Distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of the Province: and every matter, clause and thing, in the said Acts contained, except the twenty-first, twenty-second, twenty-fourth, twenty-fifth, twenty-sixth and twenty-seventh, sections of the first before mentioned Act be continued, and the same are hereby continued, until the twenty-fifth day of March, which will be in the year of our Lord One Thousand Eight Hundred and Twenty-four, and no longer.

CAP. XXXV.

An ACT for altering the time of holding the Courts of Common Pleas and General Sessions of the Peace, in the County of Cumberland.

WHEREAS the holding of the Courts of Common Pleas and General Sessions of the Peace, on the last Tuesday of April, and the first Tuesday of November, in the County of Cumberland, hath been found inconvenient, for remedy whereof:

I. BE it enacted by the Lieutenant-Governor, Council and Assembly, That the said Courts of Common Pleas and General Sessions of the Peace, shall, in future, be held annually in the Township of Amherst, in the County of Cumberland, on the last Tuesday of June, and the first Tuesday of January, any law, usage or custom, to the contrary notwithstanding.

II. And be it further enacted, That all such Writs as may have been or shall be issued, returnable on the last Tuesday of April, shall, instead thereof, be returnable on the last Tuesday of June; and all Writs, hereafter to be issued, shall be made returnable on the last Tuesday of June, and the first Tuesday of January, the day of the sitting of the said Courts, and the parties shall be bound to appear in the said Courts accordingly.

III. And be it further enacted, That the Grand and Petit Jurors shall respectively serve for the said Inferior Courts of Common Pleas and General Sessions of the Peace, in the Township of Amherst, and County of Cumberland, on the last Tuesday of June, and the first Tuesday of January, in each year, any law, usage or custom, to the contrary notwithstanding.

CAP. XXXVI.

An ACT to make further provision for the Administration of Justice in the County of Cape-Breton.

Preamble

WHEREAS it is deemed necessary to make some further provision for the Administration of Justice in the County of Cape-Breton :

Appointment of Chief-Justice of Cape-Breton

I. *BE it therefore enacted by the Lieutenant Governor, Council and Assembly,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint one fit and proper Person, who shall have been regularly admitted and sworn as an Attorney of His Majesty's Supreme Court of this Province, and who shall have practised as an Attorney of the said Court for at least five years after such admission, to be Chief-Justice of the Inferior Court of Common Pleas for the said County of Cape-Breton, and President, or First Justice, of the Court of Sessions, in and for the said County.

Chief-Justice to preside at Inferior Courts and Courts of General Sessions Salary Travelling expenses of Chief-Justice.

II. *And be it further enacted,* That the person, so appointed, shall preside as the First Justice in all and every of the Sittings of the said Inferior Court of Common Pleas, for the said County of Cape-Breton, and in all and every of the Courts of General Sessions of the Peace, in and for the said County.

III. *And be it further enacted,* That there shall be allowed and paid, as the yearly Salary of such Judge, the sum of Four Hundred Pounds, and that the further sum of One Hundred Pounds shall annually be allowed and paid to him, in lieu of all travelling fees and incidental charges.

CAP. XXXVII.

An ACT to continue an Act, entitled, An Act in addition to and amendment of an Act, passed in the forty-first year of His Majesty's Reign, entitled, An Act for repairing, cleansing and paving, the Streets, in the Town and Peninsula of Halifax, and for removing Obstructions therein ; and also the Act in amendment thereof, passed in the forty-second year of His present Majesty's reign.

Acts 50th and 42d Geo. III continued

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the fiftieth year of His late Majesty's reign, entitled, An Act in addition to and in amendment of an Act, passed in the forty-first year of His Majesty's reign, entitled, An Act for repairing, cleansing and paving, the Streets in the Town and Peninsula of Halifax, and for removing obstructions therein ; and also the Act in amendment thereof, passed in the forty-second year of His late Majesty's reign, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the next Session of the General Assembly.

CAP. XXXVIII.

An ACT to continue an Act in addition to an Act, passed in the thirty-third year of the Reign of His late Majesty George the Second, entitled, An Act for regulating the rates and prices of Carriages.

BE it enacted by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the fiftieth year of His late Majesty's reign, entitled, An Act in addition to an Act, passed in the thirty-third year of the reign of His late Majesty King George the Second, entitled, An Act for regulating the rates and prices of Carriages, and every matter, clause and thing, therein contained, shall be continued, and the same is hereby continued for one year, and from thence to the end of the next Session of the General Assembly.

Act 60th Geo.
III. continued
