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At the GENERAL ASSEMBLY of the Province of *Nova Scotia*, begun and holden at *Halifax*, on the Twenty Eighth Day of *May*, Anno Domini 1765, in the Fifth Year of the Reign of Our Sovereign Lord GEORGE the Third, of *Great Britain, France, and Ireland*, KING, Defender of the Faith, &c. and there continued by several Prorogations until the First Day of *July*, 1767, in the Seventh Year of His said Majesty's Reign; being the Fourth Session of the Fourth GENERAL ASSEMBLY convened in the said Province.

C A P. I.

An ACT to prevent Trespasses upon Crown Lands.

HEREAS sundry evil minded Persons have presumed, not only to take possession of ungranted Lands in this Province, but also, without Leave from Government, to encourage ignorant Persons to settle on such Lands, without obtaining any Grant thereof; which Practices are highly offensive to the Honor and Dignity of the Crown, Be it therefore Enacted by the Governor, Council and Assembly, That any Persons convicted in manner hereafter mentioned, either of possessing themselves of any ungranted Lands in this Province, or that shall presume to place thereon any Inhabitants, or occupy such Lands in any manner whatever, without Leave in Writing first obtained for that Purpose, from the Governor, Lieutenant Governor, or Commander in Chief for the Time being, may and shall be prosecuted for the same, by Bill, Plaint, or Information, in any of His Majesty's Courts of Record in this Province, and upon due Conviction thereof by the Oath of one credible Witness, shall be adjudged to forfeit and pay the Sum of Fifty Pounds.

Preamble.

Any Persons possessing themselves of, or occupying &c. any ungranted Lands, without leave in Writing from the Governor &c. shall forfeit £50.

## C A P. II.

An Act in further Addition to an Act, intituled *An Act for regulating Petit Juries and declaring the Qualification of Jurors*†.

† 33. Geo. 2. c. 9.

Preamble.

Qualification of Jurors in the Islands of Cape Breton, & St. John's.

† 33. Geo. 2. c. 5,

\* 33. Geo. 2. c. 9.

\*\*\*\*\* *HERE AS* the Number of Freeholders in several Counties within this Province, are insufficient for Grand and Petit Juries, whereby Trials are often continued over, and great Delay of Justice thereby happens; Be it therefore Enabled by the Governor, Council, and Assembly, That any Person residing in the Islands of Cape Breton, or St. John's, in this Province, not being a Freeholder, but that shall have Personal Estate to the Value of Ten Pounds and upwards, shall be obliged to serve on Juries, being duly summoned for that Purpose; and in Case of Neglect shall incur and pay the same Fines and Penalties which, in the like Case, are imposed by an Act made and passed in the Thirty Third Year of His late Majesty's Reign, intituled *An Act for regulating Petit Juries and declaring the Qualification of Jurors*†; and also by an Act made and passed in the Thirty Third Year of His late Majesty's Reign\*, intituled *An Act in Addition to an Act, intituled "An Act for regulating Petit Juries and declaring the Qualification of Jurors!"* And that all Persons so summoned by the Provost Marshal or his Deputy, shall attend and serve as Jurors, unless they shall make it appear by Oath before the Court, that they are not possessed of Personal Estate to the Value of Ten Pounds.

## C A P. III.

An Act in Addition to an Act made in the Fourth Year of His present Majesty's Reign†, intituled *An Act to enable the Inhabitants of the several Townships within this Province to maintain their Poor.*

† 3 Geo. 3. c. 7.

\* 3. Geo. 3. c. 7.

Preamble.

\*\*\*\*\* *HERE AS* it is provided in and by an Act made in the Fourth Year of His present Majesty's Reign\*, intituled *An Act to enable the Inhabitants of the several Townships within this Province to maintain their Poor*, "That it shall and may be lawful for the Freeholders of any Township within this Province, where there are Fifty or more Families Freeholders resident, to meet on the First Monday in January Annually, and to vote such a Sum of Money as they shall judge necessary for the current Year, to support and maintain their Poor;" And Whereas there are some Townships who do not consist of Fifty Families Freeholders resident, which Townships labour under great Inconveniency for want of a Power to make Provision for their Poor; For  
Remedy

Remedy whereof, Be it Enacted by the Governor, Council, and Assembly, That it shall and may be lawful for the Freeholders of all such Townships, tho' they do not consist of Fifty Families Freeholders resident, to meet on the First Monday of *January* Annually, and there to proceed in Manner and Form as is prescribed by the afore recited Act, in the making Provision for their Poor; and that the said Freeholders shall be intitled to all the other Powers and Prescriptions contained in the said Act, any Law, Usage, or Custom to the contrary in any wise notwithstanding.

The Freeholders of any Township may meet annually and make Provision for their Poor, altho' they do not consist of Fifty Families resident therein.

### C A P. IV.

An ACT to explain and amend the several Acts of this Province, relating to the *Affize of Bread*, and for ascertaining the *Standard of Weights and Measures*.

HEREAS Doubts have arisen respecting the Distribution of the several Fines and Forfeitures incurred on the Acts made and passed by the General Assembly of this Province, relating to the *Affize of Bread* and for ascertaining the Standard of Weights and Measures, Be it therefore Enacted by the Governor, Council, and Assembly, That for the future all Fines and Forfeitures, incurred on the said Acts, shall be applied One Half to the Clerks of the Market or Informer, and the other Half to the Poor of the Town where the Offence shall be committed, any Law, Usage, or Custom to the contrary notwithstanding.

Preamble.

All Fines and Forfeitures to be one Half to the Informer, and the other Half to the Use of the Poor.

### C A P. V.

An ACT for regulating the Times and Places for holding the several Courts of Justice therein named.

Be it Enacted by the Governor, Council, and Assembly, That the General Quarter Sessions of the Peace, and the Inferior Court of Common Pleas, for the County of *Annapolis*, shall be held in the Town of *Annapolis*, on the Third Tuesday of *January*, and on the Second Tuesday of *September*; For the County of *Lunenburg*, in the Town of *Lunenburg* on the Second Tuesday of *April*, and on the Second Tuesday of *October*; For *Queen's County*, in the Town of *Liverpool*, on the First Tuesday of *February*, and on the Third Tuesday of *September*; For *King's County*, in the Town of *Horton*, on the last Tuesday of *May*, and on the First Tuesday of *October*; And for the County of *Cumberland*, in the Town of *Cumberland*, on the First Tuesday of *June*, and on the Second Tuesday of *October*; which Courts shall be held at the said Places respectively, on the said Days in every Year.

Times and Places ascertained for holding the Courts for the Counties of *Annapolis*,

*Lunenburg*,

*Queen's County*,

*King's County*,

*Cumberland*,

At what Times the  
Supream Court shall  
be held.

II. *And Whereas the Time for holding the Supream Court on the last Tuesday of April, has been found inconvenient, many of the Suitors, their Witnesses, and Jurors, being at that Time engaged in the Fishery; Be it therefore Enacted, That the Supream Court shall be Annually held on the First Tuesday of April, and on the last Tuesday of October, in the Town of Halifax.*

## C A P. VI.

An A C T to impower the Governor, Lieutenant Governor, or Commander in Chief, to grant Warrants on the Treasury, for a Sum not exceeding One Thousand Six Hundred pounds, bearing interest, for securing the Payment of the Expences of Government.

Preamble.

*WHEREAS the Revenues of the Government for the Year past, have been partly applied for Payment of sundry old Accounts, to the Amount of Two Thousand Two Hundred and Twenty Five Pounds, Thirteen Skillings and Eight Pence, which has created an exceeding of the Expence of Government, whereby the Treasurer of the Province has been rendered unable to pay the Interest of the Loan Warrants, and Treasurer's Receipts, as the same became due, which have caused a Depreciation of the Government's Securities, to the great Prejudice of the Possessors: And Whereas by empowering His Excellency the Governor, the Lieutenant Governor, or Commander in Chief for the Time being, to grant Warrants bearing Interest, for securing the Payment of the Expences of Government for One Year, all the Monies arising from the Revenues may be immediately applied for paying off all the Interest that now is or may become due, Be it therefore Enacted, by the Governor, Council and Assembly, That the Governor, Lieutenant Governor, or Commander in Chief for the Time being, be and he is hereby impowered to grant Warrants on the Treasury, for a Sum not exceeding One Thousand Six Hundred Pounds, bearing Interest at the Rate of Six per Cent. per Annum, for securing the Payment of the Expences of Government to the Thirty First Day of December next, agreeable to the Estimate for the annual Expence of Government, formed by his Excellency the Governor, and agreed to by the General Assembly.*

The Governor, &c.  
impowered to grant  
Warrants on the  
Treasury for  
£1600. bearing In-  
terest at 6. per Cent.  
per Ann.

to pay the Expences  
of Government  
to 31st December,  
1767.

The Interest to be  
paid Annually.

II. *And be it further Enacted, That the Interest of all Warrants to be granted by virtue of this Act, shall commence at the Date of such respective Warrants, and shall be annually paid by the Treasurer as the same becomes due, out of such Monies as he shall have in his Hands, arising from the Publick Revenues of the Province.*

## C A P. VII.

An ACT in further Amendment of an Act, made in the Thirty Third Year of His late Majesty's Reign, intituled *An Act for establishing a Public Market at the Market House in Halifax and for regulating the same.*

34. Geo. 2. c. 6.

**W**HEREAS the Liberty given to the People coming from the Country, to sell several Articles brought by them immediately by Hand, as is provided for by an Act intituled, An Act in Amendment of an Act, made in the Thirty Third Year of His late Majesty's Reign, intituled "An Act for the Establishing a Public Market at the Market House in Halifax, and for regulating the same," has been found beneficial both to such People, and to the Inhabitants of this Town; And whereas it is apprehended that if the Country People had further Liberty given them, to sell such their Provisions by Hand, at any Time, as well within Market Hours as without, it would still be more beneficial; Be it Enacted, by the Governor, Council and Assembly, That any Person coming from the Country with any Quantities of Dead Meat, Poultry and Pigs alive or dead, Roots, Greens, and other Vegetables, shall have free Liberty to sell and dispose of the same by Hand, in any of the Streets or Lanes of the Town of Halifax, to any of the Inhabitants of said Town (not being Butchers or Hucksters) at any Time, whether within Market Hours or without, and that such Persons shall have free Liberty to carry the same to the Market House, to be sold and disposed of there, without being put to any Expence for Stallage; any Law, Usage, or Custom to the contrary notwithstanding.

Preamble.

Persons coming from the Country with dead Meat, &c. may sell the same at any Time to any Person (not being a Butcher or Huckster) and may sell the same in the Market House without any Expence for Stallage.

## C A P. VIII.

An Act in further Addition to an Act made in the Thirty Second Year of His late Majesty's Reign, intituled *An Act for preventing Trespasses.*

32. Geo. 2. c. 14.

**W**HEREAS many evil minded Persons have broke open Inclosures by pulling down Stone Walls, carrying off and destroying Fences, Gates, Bars, and other Materials for Fencing, to the great Prejudice of the Owners of such Inclosures; In order therefore to prevent and deter such Offenders, Be it Enacted by the Governor, Council and Assembly, That if any Person (not being the Proprietor, or having legal Authority) shall presume to throw down or remove any Fence of Stone Wall, or any Part thereof, inclosing any

Preamble.

Any Person who shall throw down or remove any Fence of Stone Wall, or carry away any Rails, &c.

Parcel of Ground within this Province, or shall carry away any Rails, Posts, Gates, Bars, Boards, or any other Materials, whereof Fences are made, or shall level any Ditches, or cut down any Hedges, such Person shall, upon Conviction thereof before the *General Sessions of the Peace*, or before any Court of Record within this Province (over and above the Damages given to the Party injured) forfeit and pay a Sum not exceeding Ten Pounds; one Half to His Majesty, and the other Half to the Prosecutor; and if such Person shall be unable to pay the same, he shall be committed to the House of Correction, there to be kept to hard Labour for the Space of two Months, or be whipped at the Discretion of the Court.

(on Conviction thereof before any Court of Record) shall forfeit £10. besides the Damages, or if unable to pay, shall suffer two Months Imprisonment or be whipt.

Owners of Horses breaking into Inclosures on the Peninsula of *Halifax*, shall forfeit Ten Shillings for each Horse, besides the Damages,

to be recovered before any one Justice of the Peace.

Where no Owner shall appear, such Horse shall be sold to pay Costs, &c. the Surplus to be restored to the Owner, when he shall appear.

II. *And Whereas Horses, by being suffered to go at large on the Peninsula of Halifax, frequently break into Inclosures, and do great Damages, Be it Enacted,* That all Horses that shall break into any Inclosures, within the Peninsula of *Halifax*, lawfully fenced, or that shall be found trespassing therein; the Owner of all such Horse or Horses shall forfeit and pay the Sum of Ten Shillings for each and every such Horse, over and above the Damages; which Forfeiture shall be recovered, on Proof thereof, before any one of His Majesty's Justices of the Peace for the County of *Halifax*; one Half thereof to the Prosecutor, and the other Half to the Use of the Poor of the Town of *Halifax*; and where no Owner shall appear to pay the Costs, Damages, and Fine, it shall and may be lawful for the Justice of the Peace, who has heard and determined the same, after public Advertisement given for Ten Days, to sell the said Horse; and the Surplusage, over and above the Payment of the Costs, Damages, and Fine, to be restored to the Owner when he appears.