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At the GENERAL-ASSEMBLY of the Province of *Nova-Scotia*, begun and holden at HALIFAX, on the Sixth Day of *June*, *Anno Domini* 1770, in the Tenth 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 Twentieth Day of *October*, *Anno Domini* 1775, in the Fifteenth Year of His said Majesty's Reign, being the Fifth GENERAL-ASSEMBLY convened in the said Province.

C A P. I.

An Act for raising a Tax on the Inhabitants of this Province, for defraying the Expence of maintaining and supporting the Militia of the said Province, and for the Defence of the same.

W *HEREAS* a most unnatural and dangerous Rebellion, against the Laws of Great-Britain, and His Majesty's Government, in his Colonies in America; now subsists to the great Distress of all His Majesty's liege Subjects in America; Preamble.

And whereas the Violence of such Rebellion has not only been extended to the Neighbourhood of this Province, but actual Invasion and Depredations have been made upon the same, and those more distressing are to be apprehended from the wicked and traitorous Pursuits of His Majesty's rebellious Subjects, against his Province of Canada.

And whereas the Representatives of the People of this Province, have in Legislature, in the most solemn Manner acknowledged the Supremacy of the Laws of Great-Britain made in Parliament, by
the

the King, Lords and Commons, to bind this Province in all Cases whatsoever.

And whereas His Majesty's liege Subjects of this Province, in Testimony of their Acknowledgment of such Supremacy, and from their Zeal and Affection to his Majesty's Benign Government, established in this Province, have in the most public Manner signed an Association to evince to their Sovereign and his Representative in this Colony, their Readiness at all Times, when Danger or Necessity may require, not only to Hazard their Property, but cheerfully expose their Lives, for the Defence of this His Majesty's Province, and particularly for the Support of his Garrison, and Military Stores at Halifax, and as it is thought necessary at this Time, that Preparations should be made for embodying, regulating and supporting the Militia of this Province, or such Part thereof as may be judged necessary, for the Defence of the same.

We His Majesty's most dutiful and loyal Subjects, being desirous to make Provision for the Purposes aforesaid, have resolved to give and grant unto His Majesty the Rate or Tax herein after mentioned, to be levied and paid by the Inhabitants of this Province.

Tax to be paid.

I. And be it therefore Enacted, by the Governor, Council and Assembly, That all and every Male Person being an Inhabitant of this Province, above the Age of Twenty One Years, shall within Twelve Months after the Publication of this Act, pay into the Hands of the Commissioners or Assessors as hereinafter is directed, a Rate, Assessment or Sum of Money, not less than Five Shillings, and not exceeding Five Pounds.

Poor and Indigent Persons &c. to be exempted.

II Provided always, and be it Enacted, That all and every Commissioner or Assessor to be appointed as herein after is directed, are hereby empowered to excuse and exempt from paying or bearing the aforesaid Rate, Assessment or Tax, any and all such Person or Persons, within the respective District of such Commissioners or Assessors, as they may judge to be Poor or Indigent Persons, or such Person or Persons as may have numerous and chargeable Families, and unable to bear the Rate, Assessment and Tax aforesaid.

Governor Lieutenant Governor or Commander in Chief to appoint Commissioners in each Township, being Freeholders, who shall within Ten Days after their Appointment give Notice of Time appointed for making the Rate, that the Inhabitants may attend.

III. And be it also Enacted, That the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, with the Advice and Consent of His Majesty's Council, shall and may nominate and appoint three good and sufficient Persons in each Township or District, (being Freeholders of the same) within this Province, who shall within Ten Days after their Appointment give public Notice, of at least eight Days of such Time and Times as they may appoint, in every such Town or District for making the

the Rate and Assessment aforesaid, in every such Town or District respectively, and to the End, that all and every Inhabitant, living within such Town or District, may attend before the said Commissioners or Assessors, at such Time and Place as they may appoint, to represent and state to such Commissioners or Assessors, his or their Estate, Circumstances and Ability, to bear and pay such Rate and assessment, as the Commissioners aforesaid may judge proper to lay and impose upon all and every such Inhabitant.

IV. *And be it also further Enacted*, That the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, may give full Power and Authority to any Commissioners or Assessors of any Township within this Province, to rate and assess the Inhabitants of any District, not within, but living near, adjoining to any Township, for which they may be appointed.

Governor, &c. to give Power to Commissioners to assess Persons near to Township for which they are appointed.

V. *And be it Enacted*, That all and every Commissioner or Assessor so to be nominated and appointed, shall before his or their making any Rate or Assessment, by Virtue of this Law, take and subscribe, before any One of His Majesty's Justices of the Peace, the following Oath,

“ I ——— Do solemnly swear, that I will without Favor,
 “ or Affection, Hatred or Malice, truly and impartially to
 “ the best of my Skill and Knowledge, rate and assess, all and
 “ every Inhabitant of the Township or District of ———
 “ agreeable to an Act, made in the Sixteenth Year of His present
 “ Majesty's Reign, intituled, *an Act for raising a Tax on the In-*
 “ *habitants of this Province, for defraying the Expence of main-*
 “ *taining and supporting the Militia of the said Province, and for*
 “ *the Defence of the same.*”

Oath to be taken by the Commissioners.

VI. *And be it Enacted*, That every Commissioner or Assessor so to be appointed, shall according to the best of his Knowledge and Skill, rate and assess, all and every such Inhabitant of each respective Township or District as aforesaid, according to his or their Circumstances and Abilities, to bear and pay such Rate and Assessment, which Rate shall be paid by each and every Person so to be rated and assessed, at such Times, and in such Proportions, within twelve Months from the Publication of this Act, as may be by the Commissioners aforesaid, judged the least burthenome to the respective Persons, so to be Rated and Assessed, and as may facilitate and be the most conducive to the Support of such Part of the Militia of this Province, as may be judged necessary to be embodied in Defence of the same.

Commissioners to rate the Inhabitants according to their Circumstances.

and to be paid at Times least burthenome to them, within twelve Months, and so as may be most conducive to the end proposed.

VII. *And*

Commissioners to make Return of Assessment to the Treasurer of the Province, within one Month, and collect the Rate.

and at the Expiration of every two Months or ten Days after make Payment to the Treasurer of the Monies collected, and by the Treasurer be paid on the Orders of the Governor, &c. Account of the Expenditure to be rendered to the General-Assembly.

Commissioner refusing to serve or neglecting his Duty to Pay £5.

Person refusing or neglecting to pay Rate, to be sued in the Name of one or more Commissioners before one Justice, and levied with Costs on Goods or Chattles of Person so refusing or neglecting to pay.

VII. *And be it also Enacted*, That every Person who may be nominated and appointed a Commissioner or Assessor as aforesaid, shall within one Month after the Rate and Assessment so to be made as aforesaid, make Return thereof to the Treasurer of the Province, and shall demand, receive and collect from all and every such Person rated and assessed as aforesaid, all and every such Sum and Sums of Money, which he or they may be respectively rated and assessed, and shall at the Expiration of every two Months, after a Rate made by them or within ten Days thereafter, make Return and Payment of all such Monies, as he or they may have collected, by Virtue of this Act into the Hands of the Treasurer of this Province, to be paid by him to the several Orders of His Excellency the Governor, Lieutenant Governor, or Commander in Chief for the Time being, and for the special Purpose of supporting the Militia, so to be embodied as aforesaid, and a true and just Account of all such Payments of the aforesaid Monies into, and out of the Treasury aforesaid, and the particular Expenditure thereof, shall be rendered to the General-Assembly, as all other Accounts and Returns of Levies, Taxes and Collections, made by Virtue of the Laws of this Province.

VIII. *And be it also further Enacted*, That every Person or Persons refusing to be a Commissioner or Assessor as aforesaid, or neglecting the several Duties of the said Office, shall forfeit and pay a Penalty of Five Pounds, to be recovered by the Oath of one or more credible Witnesses, in any of His Majesty's Courts of Record within this Province, by Bill, Plaint or Information.

IX. *And be it Enacted*, That Every Person so refusing or neglecting to pay such Rate and Assessment, as may be made and imposed upon him or them by Virtue of this Act, shall and may be sued and prosecuted for the same, by and in the Name, and at the Suit of any one or more of any such Commissioner or Commissioners for each and every Town or District respectively, where the same Rate and Assessment may be neglected or refused to be paid, and before any One of His Majesty's Justices of the Peace, in such Township and District, where such Rate and Assessment may be made, or before any One of His Majesty's Justices of the Peace in the adjacent Townships, and that all and every such Sum and Sums of Money as may be so sued for and recovered as aforesaid, shall and may be levied with Costs by Warrant of Distress under the Hand and Seal of any such Justice of the Peace upon the Goods or Chattels of each and every Person so refusing or neglecting to pay, his or their Rate or Assessment as aforesaid.

X. *And*

X. *And be it also Enacted*, That the Commissioner or Assessors to be nominated and appointed as aforesaid, shall, for their Trouble, in and about the Execution of this Act, be exempted from paying any Assessment for his or their Proportion of the Rate or Tax to be raised in Virtue thereof.

Commissioners for their Trouble to be exempted from paying Rate themselves.

XI. *And be it also further Enacted*, That the Monies arising from the Rate or Tax imposed by this Act, and not expended for the Purposes intended by the same, shall be, and are hereby appropriated to such Uses and Purposes as shall be Voted and agreed on by the General-Assembly, and to no other Purpose whatsoever.


Monies arising from Rate, and not expended for the Purposes intended by this Act, to be appropriated as voted and agreed on by the General-Assembly.

XII. *And be it Enacted*, That the Monies arising by the Operation of this Act, shall be accounted for unto His Majesty in the Kingdom of *Great-Britain*, and to the Commissioners of His Majesty's Treasury, or High Treasurer for the Time being, and audited by the Auditor General of His Majesty's Plantations or his Deputy.

Monies to be accounted for to Commissioners of Treasury, &c.

C A P. II.

An Act for further regulating the Market at *Halifax*.

*  * *Be it Enacted, by the Governor, Council and Assembly*, That from and after the Publication of this Act, each and every Person who shall take a Stall in the Market House in *Halifax*, by the Year or Quarter, shall pay to the Keeper at the Rate of Four Pounds, *per Annum*, to be paid Quarterly, and those who shall take a Stall for a shorter Time shall pay Nine Pence per Day, and that the Keeper of the said Market House shall receive for his Services and Care of the same, one Half the Amount of the said Rents, in Lieu of all other Allowance or Salary whatsoever, any Law, Usage or Custom to the contrary notwithstanding.

The rates of the Stalls in the Market House regulated

Keeper to receive half the Amount of the Rents for his Services.

II. *And be it also Enacted*, That any Person or Persons being being resident, Inhabitants of any Town or Place in this Province (the Butchers resident in *Halifax* excepted) bringing from the Country into the Town of *Halifax*, any number or Quantity of Neat Cattle, Sheep, Hogs or Poultry, alive or dead, Roots, Greens and other Vegetables, shall have free Liberty, by themselves or Agents, to kill, sell and dispose of the same by Hand or otherwise, in the Streets or Lanes of the said Town, or in any House,

Any Persons (Butchers of *Halifax* excepted) bringing from the Country to *Halifax* Cattle, &c. may kill and dispose thereof at any Time.

Bulk

Bulk or Stall in the same, at any Time whether within Market Hours or without, any Law, Usage or Custom to the contrary notwithstanding,

All the Monies arising from the Rents after paying Keeper to be applied for Repairs of the House.

III. *And be it further Enacted*, That all the Monies arising from the Rents of the said Market House, over and above the Keepers Salary, shall be applied to the keeping the said Market House in Repair, under the Inspection of the Justices of the Peace at their meeting in the General Sessions, and under their Direction.

This Act to continue three Years.


IV. *And be it Enacted*, That this Act shall continue and be in Force for and during the Term of three Years from the Publication thereof, and until the End of the Session of the *General Assembly* then next following.

C A P. III.

An Act to continue an Act made in the Fifteenth Year of his present Majesty's Reign, intituled, *An Act to prevent for a limited Time the Exportation of Wheat, Rye, Barley, Flour, Meal and Pease, from this Province.*

15 Geo. 3d. cap. 4.

Preamble.

 *HEREAS* the Exportation of *Wheat, Rye, Barley, Flour, Meal and Pease* from this Province, being the Produce thereof, has been the Occasion of great Scarcity, and has proved of great Detriment to His Majesty's Subjects within the same. *And whereas* the Continuance of the Act for preventing the Exportation of those Articles for a further Time, is of the utmost Consequence to the Welfare of the People of this Province.

Act 15th Geo. 3d. continued in Force for one Year from the expiration thereof and until end of Session following.

Be it Enacted, by the Governor, Council and Assembly, That an Act made in the Fifteenth Year of His Majesty's Reign, intituled, *An Act to prevent for a limited Time the Exportation of Wheat, Rye, Barley, Flour, Meal and Pease, from this Province*, shall be, and the same is hereby continued in Force, from the Expiration thereof for one Year, and untill the End of the Session of the *General Assembly* then next following,

C A P. IV.

An Act in Addition to, and Amendment of, an Act made in the Third Year of his present Majesty's Reign, intituled, *An Act to prevent Nuisances by Hedges, Wears and other Incumbrances obstructing the Passage of Fish in the Rivers in this Province.* 3d Geo. 3d, cap. 2.

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* *W* * * * * *

HEREAS in and by an Act made in the third Year of his present Majesty's Reign, intituled, "An Act to prevent Nuisances by Hedges, Wears, and other Incumbrances, obstructing the Passage of Fish in the Rivers in this Province." *It is Enacted*, "That if any Person or Persons shall presume to erect or set up any Hedge, Wear, Fish garth, or other Incumbrance, or Place any Seine or Seines across any River in this Province, contrary to the Rules and Regulations made by the Justices in their *General Quarter Sessions* annually, such Person or Persons shall upon due Conviction thereof, forfeit and pay the Sum of Ten Pounds," *whi b Penalty in many Cases is found too high, and the Method of recovering the same inconvenient, For Remedy whereof,* Preamble

I. *Be it Enacted by the Governor, Council and Assembly*, That it shall and may be lawful for the Justices in their *General or Special Sessions of the Peace*, annually to make Rules and Orders for the Regulation of the River Fishery in their respective Counties and Districts, as they from Time to Time shall find necessary for the Preservation thereof, and to affix a Penalty for the Breach of the same, not exceeding Ten Pounds, to be recovered when the Sum does not exceed Twenty Shillings before one Justice, and when the Sum exceeds Twenty Shillings and not exceeding Three Pounds before two Justices, any Law, Usage or Custom to the contrary notwithstanding. The Justices in their General or Special Sessions to make Regulations for the River Fishery and affix a Penalty for breach thereof not exceeding £10.

how recovered.

II. *And be it also Enacted*, That the said Justices in their Sessions as aforesaid, shall and may appoint two or more fit Persons to be Overseers of the River Fishery, who shall be sworn to the faithful Discharge of their Duty, and shall have Power to remove any Net, Hedge, Wear, Fish garth, Seine or other Incumbrance, that shall be found in any River contrary to the Regulations made by the said Justices. The Justices to appoint two or more fit Persons to be Overseers of the River Fishery.

III. *And be it also further Enacted*, That if any Net, Hedge, Wear, Fish garth, Seine, or other Incumbrance shall be found in any River, contrary to the Regulations so made by the said Justices If any Net, Hedge &c. is found in any River contrary to the Regulations the same with the Fish therein to be forfeit.

tices, and no Owner appearing to claim the same in Ten Days after public Notice shall have been given, thereof, the said Net, or Seine, shall, together with the Fish found therein, be forfeited and sold, to satisfy the Penalties aforesaid, the Overplus if any is to be paid to the Overseers of the Poor for the Use of the Poor of the Township where the Offence shall be committed.

Nothing in this Act to extend to Rivers where Fish do not resort in Seasons for spawning.

IV. *Provided*, That nothing in this Act shall be construed to extend to such Rivers, to which Fish do not resort in the Seasons for spawning.

Additions and amendments made by this Act to be in Force two Years.

V. *And be it Enacted*. That the several Additions and Amendments made to the afore recited Act, by this Act, shall continue, and be in Force for the Term of Two Years, and until the End of the Session of the *General Assembly* then next following.

C A P. V.

An Act for continuing several Acts that are near expiring.

Preamble:

WHEREAS the several Acts hereunder mentioned are near expiring, and that it is necessary the same be continued.

Several Acts concerning Bail.

6. Geo. 3. cap. 3.
8. ————— 3.
9. ————— 3.

Act to prevent the multiplicity of Law suits.

6. Geo. 3. cap. 2.
Act to prescribe the Forms of Writs, &c
6. Geo. 3. cap. 1.
8. ————— 5.
11. ————— 10

Act for Establishment of Fees.

6. Geo. 3. cap. 4.
11. ————— 13
14. ————— 5.

Be it Enacted, by the Governor, Council and Assembly, That an Act made in the Sixth Year of his present Majesty's Reign, intituled, *An Act concerning Bail*, and an Act made in the Eighth Year of his said Majesty's Reign, intituled, *an Act for altering amending and continuing the said Act*, and an Act made in the Ninth Year of his said Majesty's Reign, in further amendment of the said Act, also, an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act to prevent the Multiplicity of Law Suits*, also an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act for prescribing the Forms of Writs and the Manner of issuing the same*, and an Act made in the Eighth Year of his present Majesty's Reign, for altering, amending and continuing the said Act, and an Act made in the Eleventh Year of his said Majesty's Reign for altering, amending and further continuing the said Act, also an Act made in the Sixth Year of his said Majesty's Reign, intituled, *an Act for the Establishment of Fees, as regulated by the Governor and Council, at the Request of the House of Assembly*, and an Act made in the Eleventh Year of his said Majesty's Reign in Addition to the said Act, and an Act made in the Fourteenth Year of his said Majesty's Reign, in further Addition to, and for continuing the said Acts, shall be and continue

continue, and the same are hereby continued in Force, from and after the End of this present Session of the *General Assembly* for two Years, and until the End of the Session of the *General Assembly*, then next following.

continued in Force for two Years from the end of this present Session, &c.

C A P. VI.

An Act for altering the Time of fitting and holding the Supreme Court, in *King's County*, and at the Counties of *Annapolis* and *Cumberland* in the Spring Circuit of the Year 1776.

HERE AS the Days appointed for holding his Majesty's Supreme Court at *King's County*, & at the Counties of *Annapolis* & *Cumberland*, in the Spring of the Year One Thousand Seven Hundred and Seventy Six, happen to fall out at such a Season as that the travelling will be extremely difficult and dangerous.

Preamble.

Be it Enacted, by the Governor, Council, and Assembly, That the said Supreme Court shall be held for the Spring Circuit of the Year, One Thousand Seven Hundred and Seventy Six, at *King's County* on the First Tuesday of *May*, at *Annapolis* on the Second Tuesday of *May*, at *Cumberland* on the last Tuesday of *May*, and that all Writs and other Procefs returnable at said Court, in each of the said Counties, be made returnable accordingly.

Supreme Court to be held for the Spring Circuit 1776. at *King's County*, 1st Tuesday in *May*. at *Annapolis*, 2d Tuesday in *May*. at *Cumberland*, last Tuesday in *May*.

At