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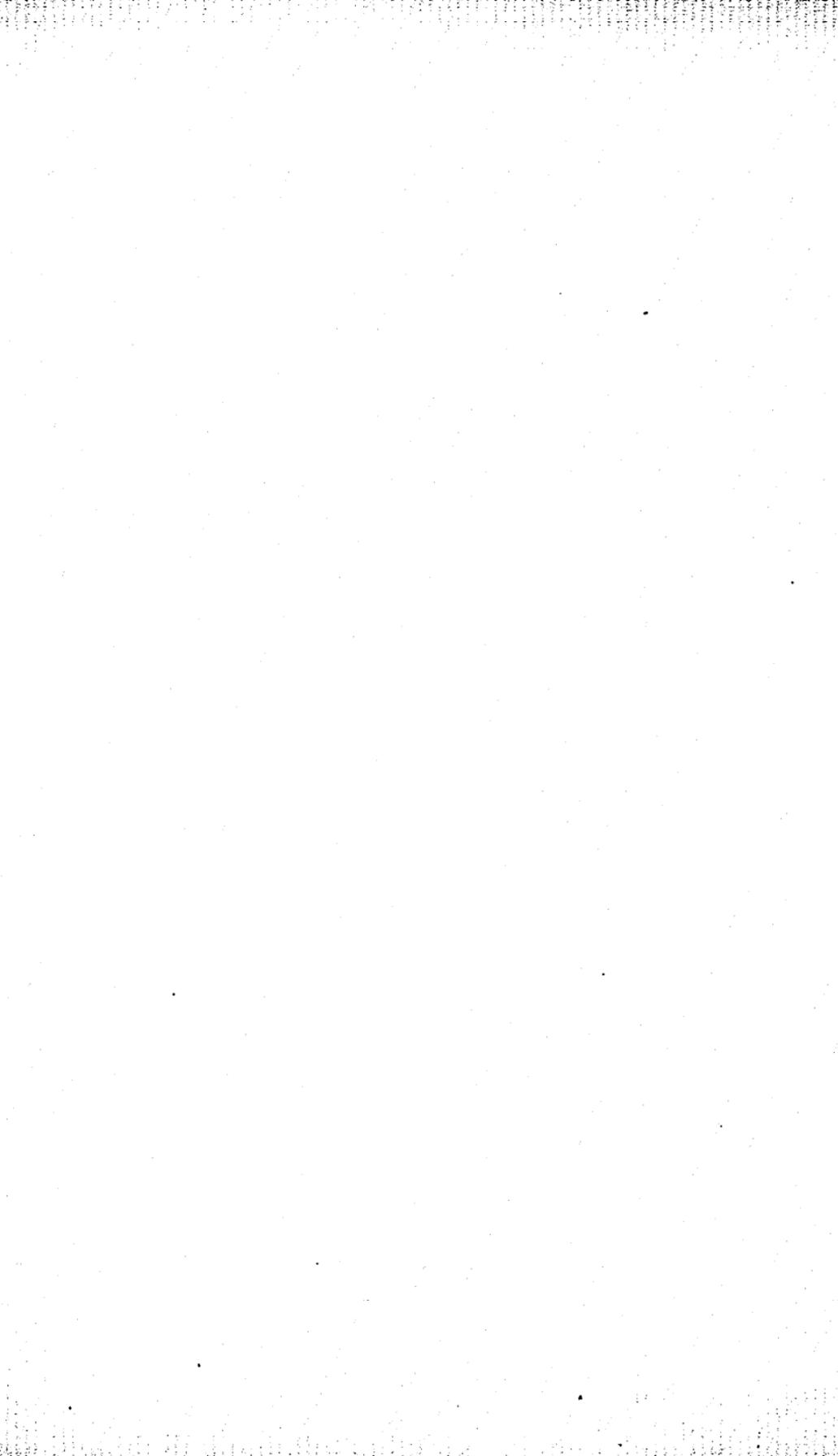
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THE
STATUTES
OF



NOVA-SCOTIA.

PASSED IN THE FIRST SESSION

OF THE

GENERAL ASSEMBLY

OF THE

TWENTY-THIRD YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA;

HELD

ON THE TWENTY-SIXTH JANUARY, 1860.



HALIFAX:

PRINTED BY E. M. McDONALD,

PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.

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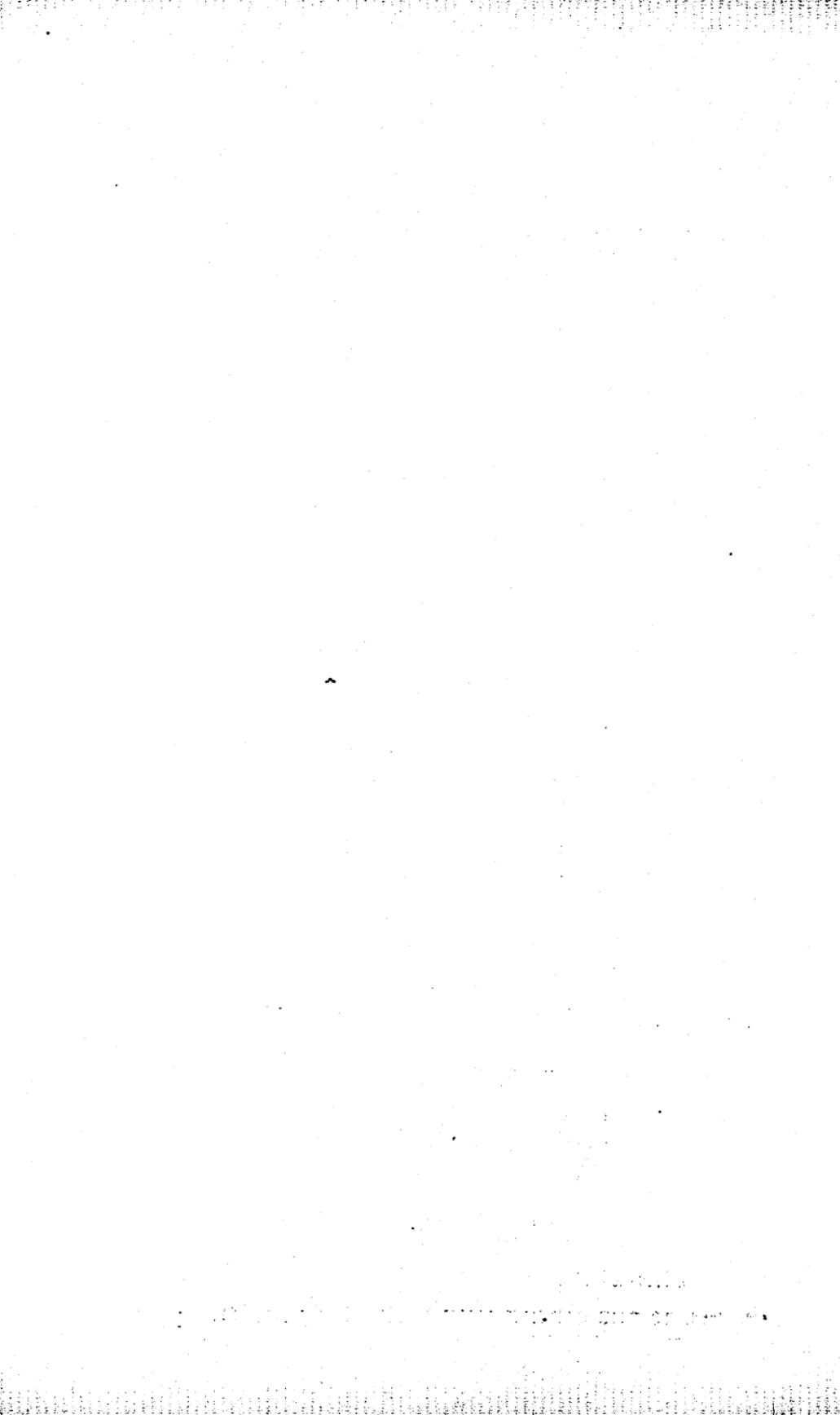


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OF

NOVA SCOTIA.

23^o. VICTORIÆ.

1860.

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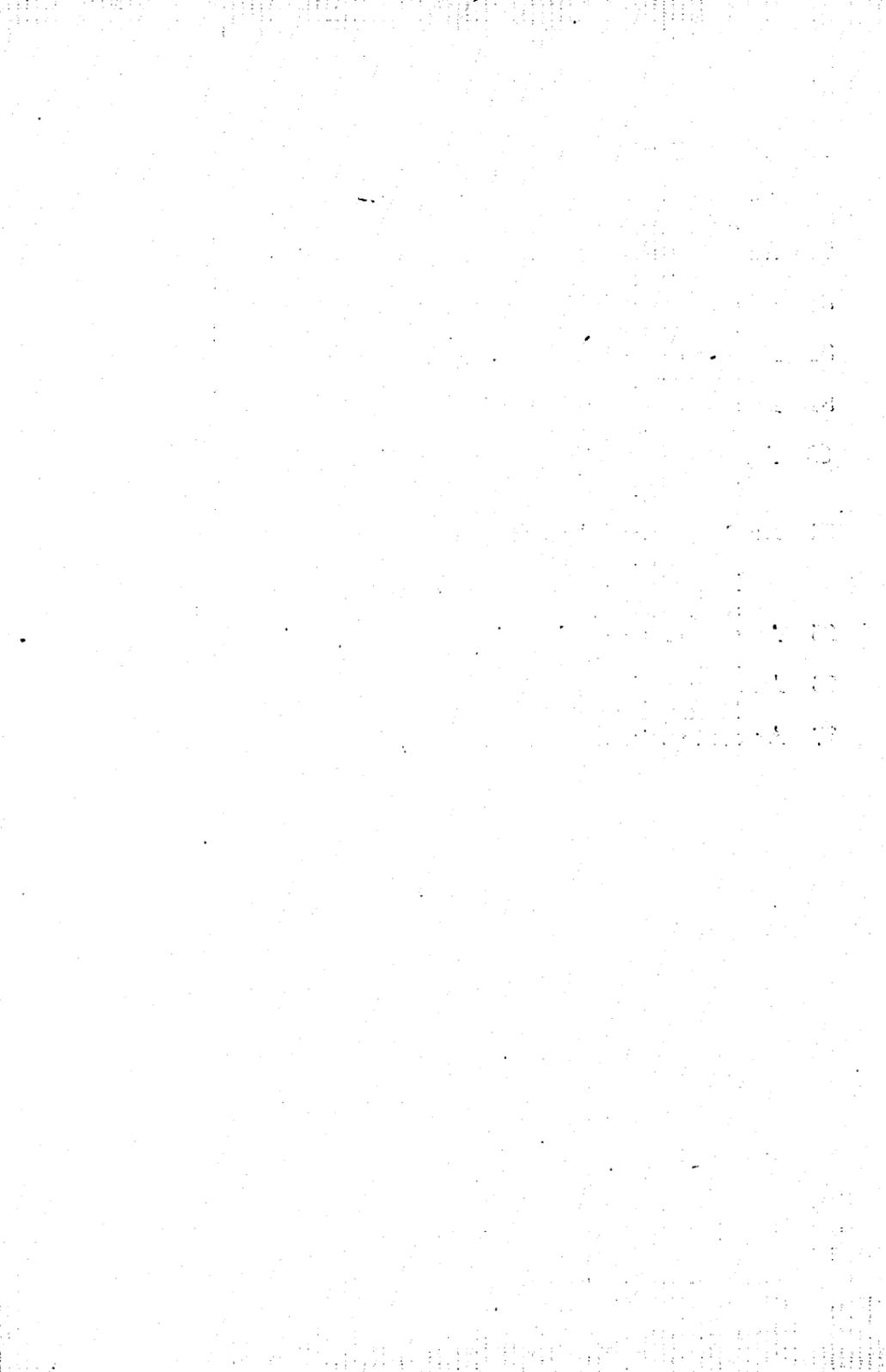
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At the General Assembly of the province of Nova-Scotia, begun and holden at Halifax on Thursday the 26th day of January, 1860, in the twenty-third year of the reign of our Sovereign lady Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, defender of the faith, &c., &c., &c., being the first session of the twenty-second General Assembly convened in the said province.*

* In the time of His Excellency The Earl of Mulgrave, Lieutenant-Governor; Edward Kenny, president of the Legislative Council; Stewart Campbell, speaker of the Assembly; Charles Tupper, provincial secretary; and Alexander James, clerk of Assembly.

CHAPTER 1.

An Act to regulate Customs Duties.

(Passed the 31st day of March, A. D. 1860.)

SECTION.

1. Operation and continuation.
2. Duties to be collected in the currency set forth in "Table of Duties."
3. Goods free of Duty.
4. Entry how collected and applied.
5. To be collected according to the weights in use, which are to apply proportionately.

SECTION.

6. In what form, &c., paid.
7. How applied and drawn.
8. Governor in Council may declare production of B. N. A. Colonies free.
9. Treaty with the U. S. not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. This act shall come into operation on the first day of April, in the year one thousand eight hundred and sixty, and shall continue in force until the first day of April next thereafter.

Operation and continuation.

2. There shall be collected and paid to her Majesty for the use of the province upon all goods brought into this province, by sea or land carriage, the several duties in currency set forth in figures on the table hereinafter contained, denominated "Table of Duties," opposite the respective articles in such table mentioned, according to the value, number, or quantity of every such article.

Duties to be collected in the currency set forth in the "Table of Duties."

3. The goods mentioned in the table hereinafter contained, denominated "Table of Exemptions," shall be free of duty.

Goods free of duty.

4. The duties shall be collected, paid, and received, and the proceeds thereof applied under the provisions of the provincial statutes from time to time in force concerning the same.

Duties—how collected and applied.

5. The duties shall be collected, paid, and received, according to the weights and measures in use in this province, and where, in the table of duties, such duties are imposed accor-

To be collected according to the weights in use, which are to apply proportionately.

ding to any specific value, quantity, or number, the same shall apply in the like proportion to any greater or less value, quantity, or number.

In what coin to be paid. 6. The duties shall be paid to the collectors of the colonial revenue, and received at the office of the Receiver General, either in treasury notes at the value of four dollars each, or in current coin at the legal rate of tender.

How applied and drawn.

7. Duties paid into the Receiver General's office shall be carried to account of the provincial revenue, and become part of the public funds, and shall be paid and applied only to such purposes as may be expressed from time to time in the provincial statutes concerning the same, and shall in all cases be drawn only by warrant under the hand and seal of the Governor.

Governor in Council may declare productions of B.N.A. colonies free.

8. The Governor in Council may, whenever it shall be advisable so to do, declare by proclamation what articles the growth and production of the British North American Provinces of Canada, New Brunswick, Prince Edward Island, and Newfoundland, or any of them, may be imported into the province free of duty, and may declare in what manner and under what restrictions the same may be so imported.

Treaty with the U. S. not affected.

9. Nothing herein contained shall operate to impose duties on articles exempted from duty under the act for giving effect, on the part of the province of Nova Scotia, to a certain treaty between her Majesty and the United States of America, passed in the year 1854.

TABLE OF DUTIES.

Apples, fresh or dried, per barrel,	\$1.00
Bacon, per cental or 100 lbs.	2.00
Beef, salted, per barrel,	1.00
" fresh, per 100 lbs.	1.00
Biscuit, fine, and bread, including crackers or cakes, per 100 lbs.	1.00
Butter, per 100 lbs.	1.75
Candles, tallow, per lb.	3
all other Candles, per lb.	8
Cassia and Cinnamon, ground, per lb.	5
Cattle, viz.: horses, mares, or geldings, each,	10.0
Neat cattle, viz.: oxen or other neat cattle, 3 years old or upwards, each,	7.50
Cows and cattle under 3 years old, each,	2.50
Sheep, each,	75
Hogs, alive, over 100 lbs. weight, each,	5.00
of 100 lbs. weight and under, each,	50
Cheese, per 100 lbs.	1.00
Chocolate or cocoa paste, per lb.	3
Coffee, green, per lb.	3

Roasted, burned, or ground, per lb.	\$5
Flour, wheat, per barrel,	25
Ginger, ground, per lb.	4
Geneva and whiskey, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength than the strength of proof, per gallon,	60
Hams, smoked or dried, per 100 lbs.	2.00
Lard, per 100 lbs.	1.75
Leather, viz.: sole leather, including hides and skins, partially dressed therefor, per lb.	3
Molasses, per gallon,	5
Onions, per 100 lbs.	50
Pears, fresh or dried, per barrel,	1.00
Pork, salted, per barrel,	1.00
fresh, per 100 lbs.	1.00
Pepper and Pimento, ground, per lb.	4
Raisins, per lb.	2
Rum, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength of proof per gallon,	35
Spirits, viz.: Brandy, cordials and other spirits, except Rum, Geneva, and Whiskey, not exceeding the strength of proof by Sykes' hydrometer, and so in proportion for any greater strength of proof, per gallon,	80
Sugar, brown or Muscovado, not refined, per 100 lbs.	1.50
Candied, brown, crushed, and bastard facings, and refined, per 100 lbs.	2.00
Teas: souchong, congou, pekoe, bohea, pouchong, and all other black teas, per lb.	5
Gunpowder, hyson, young hyson, twankay, and other green teas, per lb.	10
Tobacco, manufactured, except snuff and cigars, per lb.	4
Tongues of cattle, dried or pickled, per 100 lbs.	2.00
Wines, viz.: hock, constantia, malmsey, tokay, champagne, burgundy, hermitage, sautern, and claret, costing \$2 and upwards, per gallon,	90
Madeira, port, and sherry wines, of which the first cost is £30 sterling per pipe and upwards, per gallon,	80
All other wines, per gallon,	30
On all wines, an additional duty for every \$100 of the value,	15.00
Clocks, and all wheels, machinery, and materials used in their manufacture,	} 20.00
Confectionary, syrups, and articles manufactured from sugar,	
For every \$100 of the value,	

Cigars and Snuff, Currants and Figs, Leather, viz. : boots, shoes, and leather manufactures of all kinds, Upper leather of all sorts, including hides and skins partially dressed therefor, Meat, fresh, except beef or pork, Poultry of all sorts, dead, For every \$100 of the value,	} 10.00
Anchors, grapnels, and anchor palms, Cables, of hemp or other vegetable substance, or of iron, Cotton yarn, Copper, viz. : plates, sheets, bars, or bolts, for ship- building; wrought or cast for machi- nery; pure or without other metal; copper castings of every description for machinery, for mills or steamboats; copper and composition nails and spikes for shipbuilding, Cordage, tarred or untarred, whether fitted for rig- ging or otherwise, Iron, viz. : in bars or bolts, castings for mills or steam engines, and cast or unwrought pipes or tubes, sheet iron, and iron spikes, Machinery of all kinds, of copper or iron for mills, steamboats, and manufactories, and Muntz metal sheathing, Oakum, Pitch, Sail Cloth of all kinds, canvas, sail twine, and ready made sails, Tar, Zinc, viz. : zinc sheathing of a size 48 inches long by 14 inches wide, intended for and to be used as sheathing for vessels, and zinc sheathing nails, For every \$100 of the value,	} 5.00
All other goods, wares, and merchandize, not other- wise charged with duty, and not enumerated in the table of exemptions, For every \$100 of the value,	} 10.00

TABLE OF EXEMPTIONS.

Ashes, viz. : pot ashes and pearl ashes.
Asses and Mules.

- Baggage and apparel of Passengers, not intended for sale.
Barilla and Soda Ash.
Beans.
Biscuit or Bread.
Books not prohibited to be imported into the United Kingdom.
Bristles and hair used in the manufacture of brushes.
Bullion, gold or silver.
Burr Stones.
Coal.
Cocoa.
Coin : gold and silver coins, and British copper coins.
Copper, viz. : copper ore, or in pigs or bricks, old or worn, or fit only to be remanufactured.
Corkwood.
Corn, viz. : wheat, rye, indian corn, barley, oats, rice, and buckwheat, unground ; barley meal, rye meal, indian meal, oatmeal, buckwheat meal, peas and beans.
Engravings.
Fish, viz. : fresh, dried, salted, or pickled.
Fish Hooks.
Fish oil, viz. : train oil, spermaceti oil, head matter and blubber, fins or skins, the produce of fish or creatures living in the sea.
Flax.
Furniture that has been in actual use, working tools and implements,—the property of immigrants or persons coming to reside in the Province, and not intended for sale.
Hay.
Hemp.
Hides, or pieces of Hides raw, not tanned, curried, or dressed.
Horns.
Horses and carriages of travellers, and horses, cattle, carriages and other vehicles when employed in carrying merchandise, together with the necessary harness and tackle, so long as the same are actually in use for that purpose.
Iron, viz., unwrought or pig iron, ores of iron of all kinds, iron rails for railroads, steam boilers, boiler plates, plow moulds and hoop iron.
Lintels.
Lime and Limestone.
Lines for the fisheries of all kinds,
Manures of all kinds.
Maps and Charts.
Nets, fishing nets, and seines of all kinds.
Ores of all kinds.
Paintings.
Palm Oil.
Pig lead and pig tin.

Pilot Bread.

Plants, shrubs, and trees.

Plate of gold and silver, old, and fit only to be re-manufactured.

Potatoes.

Printing paper, of not less than demy size.

Printing presses and types, and printers' ink.

Rags, viz., old rags, old rope, junk, and old fishing nets.

Rosin.

Sails, rigging, and ship materials saved from vessels wrecked on the coast of this Province, and saved from vessels owned and registered in the Province, if wrecked on the coast of this Province or elsewhere.

Salt.

Seeds of all kinds.

Skins, furs, pelts or tails undressed.

Stones, unmanufactured.

Straw.

Statuary.

Sugar of the Maple.

Tallow.

Twines and lines used in the fisheries.

Tobacco, unmanufactured.

Tow.

Turpentine.

Whale fin or bone.

Wood, viz. : boards, planks, staves, square timber, shingles and fire wood, but not to include woods used for dyeing.

CHAPTER 2.

An Act to continue the Law imposing Light House Duties.

(Passed the 31st day of March, A. D. 1860.)

SECTION.

1. Cap. 21 Revised Statutes, and Cap. 26,
Act 1859, continued.

SECTION.

2. Decimal Currency to be used.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Chapter Twenty-one of the Revised Statutes, "Of Light House Duties," and Chapter Twenty-six of the Acts of 1859, in addition thereto, are hereby respectively continued until the First day of April, in the year One thousand eight hundred and sixty-one.

2. Such Light House Duties shall be collected and paid in decimal currency.

Cap. 21 Revised
Stat., and cap.
26 Acts 1859,
continued.

Decimal cur-
rency to be
used.

CHAPTER 3.

An Act to regulate the Currency and the Decimal System of Accounting.

(Passed the 31st day of March, A. D. 1860.)

SECTION.

1. Sec. 1 and 2, Cap. 83, Rev. Statutes, 2nd series, and Cap. 24, Acts 1859, repealed.
2. List of coins made legal tenders, and their value.
3. Silver.
4. Treasury notes.
5. Scales of fees, &c., reduced to dollars and cents.
6. Judgments to be entered in dollars and cents. Mistakes how rectified.
7. Executions upon subsisting Judgments how taken out, &c. Discrepancies how rectified.

SECTION.

8. Pence and half-pence—their value. Not to be re-issued.
9. Government may issue cents and half cents.
10. Copper or bronze a legal tender to the amount of 25 cents.
11. All Government accounts to be in dollars and cents. May have a column for pounds, shillings and pence.
12. Governor or Council may modify or enlarge the provisions of this Act.

Be it enacted by the Governor, Council, and Assembly, as follows :

I. OF CURRENCY.

1. The first and second sections of Chapter 83 of the Revised Statutes, second series, and Chapter 24 of the Acts of 1859, shall be and are hereby repealed.

2. The several coins hereinafter mentioned shall be legal tenders in discharge of any present or future liability or demand at the respective rates following, that is to say :

The gold coin of the United Kingdom called a Sovereign, being of full weight, at the rate of one pound sterling, or five dollars.

The foreign gold coin called the Doubloon, being of not less weight than 360 grains of pure gold, at the rate of three pounds four shillings sterling, or sixteen dollars.

The Peruvian, Mexican, Columbian, and old Spanish dollars, being of the full weight of 416 grains, and containing not less than 373 grains of pure silver, at the rate of four shillings and twopence sterling, or one dollar and four cents.

The silver coins of the United Kingdom, at the following rates, to wit :

The Crown at one dollar 25 cents.

The Half Crown at 62½ cents.

The Florin at 50 cents.

The Shilling at 25 cents.

The Sixpence at 12½ cents.

The Fourpence at 8 cents.

3. No person shall be compelled to receive at any one Silver.

Secs. 1 and 2, Cap. 83 Revised Stat. 2d series Cap. 24 Acts '59 repealed.
List of coins made legal tender, and their value.

time a greater amount than ten dollars in British silver money.

Treasury notes.

4. The Treasury Notes for Twenty shillings each shall hereafter be computed at the public departments at four dollars each.

Scale of fees, &c., reduced to dollars and cts.

5. In the laws of the Province now in force, whenever any fees, charges, or other sums in currency are mentioned, the amounts so mentioned shall hereafter be computed and taken to represent dollars and cents in the following scale: A pound shall represent four dollars; a shilling shall represent twenty cents; a penny, two cents; twopence, $3\frac{1}{2}$ cents; threepence, 5 cents; fourpence, $6\frac{1}{2}$ cents; fivepence, $8\frac{1}{2}$ cents; sixpence, 10 cents; sevenpence, $11\frac{1}{2}$ cents; eightpence, 13 cents; ninepence, 15 cents; tenpence, $16\frac{1}{2}$ cents; elevenpence, 18 cents; tweldepence, 20 cents.

Judgments to be entered in dollars and cents.

6. From and after the first day of July, in the year one thousand eight hundred and sixty, all Judgments shall be entered in dollars and cents; and in case of any omission or mistake in such entries, any two Justices of the Peace, where the Judgment has been awarded by one or more Justices, and a Judge of the Supreme Court in the case of Judgments entered therein, shall have power to rectify such omission or mistake in such terms as shall appear reasonable and just.

Mistakes—how rectified.

Execution upon subsisting judgments—how taken out, &c.

7. Executions upon Judgments now subsisting, or which shall be awarded or entered previous to the first day of July, in the year one thousand eight hundred and sixty, may be taken out in pounds, shillings, and pence, or in the corresponding amount of dollars and cents, at the option of the Judgment creditor, and any undesigned or accidental discrepancy between the amount of the Judgment and Execution, may be rectified by the Justice or a Judge of the Court from which the Execution issued, on such terms as shall appear to be reasonable and just.

Discrepancy—how rectified.

II. OF COPPER COINAGE.

Pence and half pence—their value.

8. The copper pence and half pence, heretofore issued by the Province, shall be received at the Treasury, and the holders paid the full exchangeable value thereof, at the rate of sixty pence, or one hundred and twenty half pence to the dollar, in such amounts and at such periods as the Executive Government may from time to time direct; and the copper money so paid in shall not be re-issued, but shall be recoined or sold as the Government may deem most expedient.

Not to be re-issued.

Government may issue cents and half cents.

9. The Government shall have power to import and issue from the Treasury copper or bronze cents, of such device and weight as they may approve, to the value of eight thousand dollars, and half cents to the value of two thousand dollars.

10. The copper or bronze cent so issued shall be a legal tender to the extent of twenty-five cents, and the same rule shall apply to all copper or bronze money that may be hereafter issued from the Treasury; and the copper pence and half pence heretofore issued by the Province, and to be paid off as hereinbefore mentioned, shall, while they continue in circulation, be a legal tender to the extent of twenty-five cents at the rate aforesaid.

Copper or bronze a legal tender to the amount of 25 cents.

III. OF DECIMAL ACCOUNTING.

11. All accounts to be rendered to the Provincial Government or to any public office or department, by any officer or functionary, or by any person receiving aid from the Province or otherwise accountable to the Government or Legislature thereof, shall continue to be rendered in dollars and cents; but such accounts may have a second column containing sums in pounds, shillings, and pence, equivalent to the sums so stated in dollars and cents, if the accountant prefers to render his account in that form.

All Government accounts to be in dollars and cents.

May have a column for pounds, shillings & pence.

12. The Governor in Council shall have power to modify, restrain, or enlarge the terms and provisions of this act by any orders to be published in the Royal Gazette, which orders shall continue in force and have the same authority as a law of the Province until the close of the then next session of the Assembly.

Governor in Council may modify or enlarge the provisions of this Act.

CHAPTER 4.

An Act to amend Chapter 139 of the Revised Statutes, "Of the Partition of Lands."

(Passed the 31st day of March, A. D. 1860.)

SECTION—Proceedings may be taken before Judge at Chambers, except trial of an issue.

Be it enacted by the Governor, Council, and Assembly, as follows:

All proceedings connected with the partition of Lands, under the Act hereby amended, may be taken before a Judge at Chambers, except where the trial of an Issue before a Jury shall become necessary; and all orders required by the said Act, to be made by the Court, may be made by a Judge, subject to an appeal from any such order to the Court at its next sittings in the County.

Proceedings may be taken before Judge at Chambers, except trial of an issue.

CHAPTER 5.

An Act to amend Chapter 117 of the Revised Statutes, "Of the sale of Lands under Foreclosure of Mortgages."

(Passed the 31st day of March. A. D. 1860.)

Sec.—Powers may be exercised by single Judge subject to appeal, except trial of issues.

Be it enacted by the Governor, Council, and Assembly, as follows :

Powers may be exercised by single Judge subject to appeal, except trial of issues.

The powers conferred by the Act hereby amended upon the Court may be exercised by a single Judge, except where the trial of an Issue before a Jury may become necessary, subject to an appeal from any order of the Judge to the Court, at its next term in the County.

CHAPTER 6.

An Act to postpone the ensuing Spring Sittings of the Supreme Court at Halifax.

(Passed the 23rd day of April, A. D. 1860.)

SECTION.

1. Sittings postponed till second Tuesday of May. May be extended.

SECTION.

2. Lists when given in.

Be it enacted by the Governor, Council, and Assembly, as follows :

Sittings postponed till 2nd Tuesday of May.

1. The ensuing Spring Sittings of the Supreme Court at Halifax shall commence on the second Tuesday of May, instead of on the fourth Tuesday of April, and shall continue for three weeks, if the business of the Court shall require such continuance; and the presiding Judge is authorized to extend such sittings for a further period of three days, if such extension should be deemed necessary, and for such further time as may be requisite in consequence of any trial being protracted beyond such extension; and all matters and proceedings pending or to be had therein shall be had and proceeded with; and all jurors, officers, and parties bound to appear thereat, shall appear and attend on the second Tuesday of May, instead of on the fourth Tuesday of April.

may be extended.

2. The lists of Jury causes for trial at such sittings shall be given in to the Prothonotary on or before the Tuesday preceding the second Tuesday of May.

Lists when given in.

CHAPTER 7.

An Act to revive and amend Chapter 20 of the Revised Statutes, "Of the Regulation of Distilleries."

(Passed the 23rd day of April, A. D. 1860.)

SECTION.

1. Cap. 20 Rev. Stat. as amended, revived.
Continuation.

SECTION.

2. Maximum and minimum forfeitures.
3. Sec. 13 repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Chapter 20 of the Revised Statutes, "Of the Regulation of Distilleries," is revived, and, as hereinafter amended, is continued until the First day of April, in the year One thousand eight hundred and sixty-one.

Cap. 20 Revised Stat. as amended, revived.
Continuation.

2. The minimum forfeiture under section 8 of such Chapter is increased to Two thousand dollars, and the maximum forfeiture to Six thousand dollars.

minimum and maximum forfeitures.

3. Section 13 of the Chapter hereby revived is repealed.

Sec. 13 repealed.

CHAPTER 8.

An Act relating to Electoral Divisions.

(Passed the 23rd day of April, A. D. 1860.)

SECTION.

1. Oaths, questions, &c., made applicable to the electoral divisions.

SECTION.

2. Sec. 1 Cap. 66 Acts of 1856 amended.

Whereas by Chapter 1 of the Acts of 1859, entitled, "An Act for the better equalizing the Elective Franchise in certain Counties," several new constituencies were created under the name of Electoral Divisions, and no alteration was made in the questions and oaths applicable to previously existing constituencies, and it is desirable to prevent future questions arising from that cause.

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. The oaths numbers one, two, and four, in the Schedule to Chapter 5 of the Revised Statutes, entitled, "Of the qualification of Candidates and Electors, and frauds in regard thereto," and the oaths numbers one, three, and four, in the Schedule to Chapter 7 of the Revised Statutes, entitled, "Of the manner of conducting Elections," and the sixth question in section 9 of such Chapter 5, and the oath for a candidate's agent in section 8 of such Chapter 7, shall be made applica-

Oaths, questions, &c., made applicable to the electoral divisions.

ble to cases of Elections for Electoral Divisions by using and inserting therein the title of the Electoral Division for which the Election is being held, instead of the title of County or Township.

Sec. 1 Cap. 66,
Acts 1856
amended.

2. In section 1 of Chapter 66 of the Acts of 1856, entitled, "An Act to alter the Representation of Queens County," the words "Northern Electoral Division," shall be substituted in the place of the words "Northern District," and the words "Southern Electoral Division" in the place of the words "Southern District."

CHAPTER 9.

An Act to amend the law imposing Light House Duties.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Duty payable on arrival.

SECTION.

2. Part of Sec. 2 repealed.

Be it enacted by the Governor, Council, and Assembly, as follows :

Duty payable on
arrival.

1. The duty of ten cents per ton imposed on vessels coming into this Province under Section 2 of Chapter 21 of the Revised Statutes, "Of Light House duties," shall hereafter be payable on the arrival of such vessels, and not on entry as now required under that section.

part of Sec. 2 re-
pealed.

2. So much of section 2 of such Chapter as is inconsistent with this Act is repealed.

CHAPTER 10.

An Act respecting the apprehension of Criminals escaping from any of Her Majesty's Provinces and Governments in North America into Nova Scotia..

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Upon proof of handwriting of Justice who has issued a warrant for felony against person escaped into this Province, a Justice here may endorse warrant, which shall be sufficient authority to arrest the party and take him into the Province where warrant issued.

Be it enacted by the Governor, Council and Assembly, as follows :

Upon proof of
handwriting of
Justice who has
issued a warrant
for felony
against person
escaped into
this Province, a
Justice here
may endorse
warrant which
shall be suffi-
cient authority to
arrest the party
and take him

1. If any person against whom a warrant may be issued by the Chief Justice of the Queen's Bench, or Supreme Court, or by any other Justice having competent authority, in any of Her Majesty's Provinces or Governments in North America, respectively, for any felony or other crime of a high nature, escapes into or is found in any part of Nova Scotia, any Justice of the Peace of the county, city or place where such person resides or is supposed to be, may, upon due proof being made of the handwriting of such Chief or other Justice who

issued the warrant, endorse his, the said Justice's, name thereon; and such warrant so endorsed shall be a sufficient authority to all persons to whom such warrant was originally directed, and also to all constables and policemen of the county, city or place where such warrant has been so endorsed, to execute the same by apprehending the person or persons against whom such warrant has been granted, and to convey him or them into the Province or Government from which such warrant was originally issued, to be dealt with according to law.

into the Province where warrant issued

CHAPTER 11.

An Act to provide for the organization of a Volunteer Militia Force for the defence of this Province.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Governor may draw \$3,000. How expended.

2. Governor may combine Volunteers with Militia, or organize them separately.

SECTION.

3. Accounts how rendered, &c.

4. Every enrolled member must take the oath of allegiance.

5. Continuation.

Whereas while large standing armies are maintained by the despotic powers of Europe, it is necessary that the physical resources of the British Empire should be ascertained and organized, that its integrity may be preserved, its commerce protected, and its power and influence maintained.

Preamble.

And whereas the youth of this Province have shown a laudable spirit of emulation in coming forward to enroll themselves as volunteers for the defence of their country, and it is necessary to provide them with the means of acquiring such discipline and training as will render them an effective force for that purpose.

Be it therefore enacted by the Governor, Council and Assembly as follows:

1. The Governor may, during the continuance of this Act, draw from the Treasury of this Province a sum not exceeding eight thousand dollars per annum, and may expend the same in the payment of staff officers and drill serjeants who have been trained in the British army, in the purchase of ammunition and accoutrements, and in the storage and preservation of the arms furnished by Her Majesty's Government, and generally in such other services as may from time to time appear to him to be necessary for the efficient organization and maintenance of such volunteer force.

Governor may draw \$3,000. How expended.

2. The Governor may combine the volunteer companies so raised with the militia regiments of the counties from which they are drawn, or may organize and drill them as a separate and distinct force in companies, regiments, or brigades.

Governor may combine Volunteers with Militia or organize them separately

Accounts how rendered, &c.

3. Accounts with vouchers for the expenditure authorized by this Act shall be rendered quarterly to the Financial Secretary, to be audited by him and laid before the Committee of Public Accounts.

Every enrolled member must take oath of allegiance.

4. Every person who shall be enrolled in any volunteer company shall take the oath of allegiance to Her Majesty, which oath any commissioned officer of the company duly authorized by the Governor, may administer.

Continuation.

5. This Act shall continue in force for one year, and from thence to the end of the then next session of the General Assembly.

CHAPTER 12.

An Act relating to Naval Volunteers and Shipping Masters.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Authority conferred on Shipping Masters by Merchant Shipping Act of 1854, and Chapter 40 Acts 22 and 23 Victoria, extended to Registrar of Shipping at Halifax.

Be it enacted by the Governor, Council and Assembly as follows :

Authority conferred on Shipping Masters by Merchant Shipping Act of 1854, and Cap. 40 Acts 22 and 23 Victoria, extended to Registrar of Shipping at Halifax.

1. The powers and authority conferred upon shipping masters by "The Merchant Shipping Act, 1854," and the duties imposed upon shipping masters by the Act 22 and 23 Victoria, Chapter 40, for the establishment of a reserve of Royal Naval Volunteers, shall extend and belong to the Registrar of Shipping at Halifax, and shall be exercised and performed by him according to the circumstances of each case, subject to the approval of the Governor.

CHAPTER 13.

An Act to continue the Act to authorize a Provincial Loan.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Cap. 3 Acts 1858 continued.

Be it enacted by the Governor, Council and Assembly, as follows :

Cap. 3 Acts 1858 continued.

1. Chapter 3 of the Acts of 1858 entitled, "An Act to authorize a Provincial Loan," is continued for one year, and from thence to the end of the then next session of the General Assembly.

CHAPTER 14.

An Act to amend Chapter 33 of the Revised Statutes, "Of the Census and statistical information."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Time for census—how fixed.

SECTION.

2. Regulations, &c., how made.

Be it enacted by the Governor, Council and Assembly, as follows:

1. The Governor in Council shall have power to fix by proclamation to be published in the Royal Gazette, the time for taking the next census in this Province.

Time for census—how fixed.

2. The Governor in Council may frame such regulations as may be thought necessary for the guidance of the Board of Statistics, and may prescribe the forms and proceedings to be used in such census, and shall have all such powers as may be requisite and necessary to carry out the suggestions of the Registrar General of England in reference to such census or so many of such suggestions as may be deemed suitable to the circumstances of this Province.

Regulations, &c., how made.

CHAPTER 15.

An Act to revive and continue the laws relating to Education.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Cap. 60 Revised Statutes as amended revived, and continued.

Be it enacted by the Governor, Council and Assembly, as follows:

1. Chapter 60 of the Revised Statutes "Of Public Instruction" as amended by Chapters 12 and 25 of the Acts of 1859, and also the Act 13th Victoria Chapter 36, entitled, "An Act relating to the Pictou Academy," are hereby respectively revived and continued until the first day of May, in the year one thousand eight hundred and sixty-one.

Cap. 60 Revised Statutes, as amended, revived and continued.

CHAPTER 16.

An Act to amend Chapter 70 of the Revised Statutes, "Of Railroads."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Party in whose favor award is made may elect to consider such award as against the county.

SECTION.

2. Award with election endorsed thereon shall become a county charge.
3. Assessment on Colchester not vitiated because awards not paid by contractors

Be it enacted by the Governor, Council and Assembly, as follows :

Party in whose favor award is made may elect to consider such award as against the county.

1. Any party in whose favor an award shall have been made or shall hereafter be made under provisions of the chapter hereby amended in respect of damages for materials taken for railway purposes, may elect to consider such award as an award against the county.

Award with election endorsed thereon shall become a county charge.

2. Upon such award being filed with the county treasurer, with such election endorsed in writing thereon and signed by the party in whose favor the same shall have been made, the same shall become a county charge in the same manner as if it had been first paid by the contractor under the provisions of such chapter.

Assessment on Colchester not vitiated because award not paid by contractors.

3. The assessment imposed on the County of Colchester at the last General Sessions of the Peace in respect of award for railway materials shall not be vitiated on the ground that the awards may not have been paid by the contractors; and the monies collected thereunder shall be payable to the parties holding the awards.

CHAPTER 17.

An Act to amend Chapter 16 of the Revised Statutes, "Of the Importation of Goods."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Board of Revenue may require Masters to make manifests more in detail.
2. May require importers to file duplicate Invoices.
3. May restrain vessels with dutiable goods from coming to wharves, and impose penalties.
4. Dutiable goods not reported to be forfeited. Board may remit if no fraud. Master to forfeit £50.
5. May permit liquors from foreign ports in packages not less than thirty gallons.
6. May destroy forfeited liquors. Compensation in respect of seizure to be paid out of Treasury.

SECTION.

7. Oaths under 22nd Section when practicable to be made by principal and may be modified.
8. Goods may be appraised at public warehouse. Additional duty if value exceed entry by ten per cent.
9. Packages may be opened. Goods not agreeing with entry forfeited.
10. Orders of Board subject to approval.
11. Board may require vessels entering Great Bras d'Or to be reported and entered.
12. Inconsistent parts of amended chapter repealed.

Be it enacted by the Governor, Council and Assembly, as follows :

1. It shall be competent for the Board of Revenue to require all masters of vessels to make written reports or manifests more in detail than heretofore, and in such forms as the board may, from time to time, approve. Board of Revenue may require Masters to make Manifests more in detail.
2. It shall be competent for the board to require the importers of goods chargeable with duties advalorem, to file duplicate invoice thereof. May require Importers to file duplicate Invoices.
3. The board may restrain vessels having dutiable goods on board from coming to any wharves or piers, or discharging cargo between sunset and sunrise, and may impose penalties for so doing. May restrain vessels with dutiable goods from coming to wharves, and impose penalties.
4. Dutiable goods found on board a vessel and not reported on entry by the master shall be forfeited, but the board shall remit such forfeiture whenever they are satisfied that no fraud has been practised by the owners of the goods, and upon such terms as the board shall approve ; and the master by whom such defective report has been made shall forfeit fifty pounds. Dutiable goods not reported to be forfeited.—Board may remit if no fraud. Master to forfeit £50.
5. The board may permit spirituous liquors to be imported from foreign ports in casks or packages containing not less than thirty gallons for such periods and in such places as shall be specified in the order. May permit liquors from foreign ports in packages not less than thirty gallons.
6. The board may order forfeited liquors to be destroyed, having first ascertained the saleable value thereof by appraisal, and allowing such compensation in respect of the seizure as they shall approve, and which shall thereupon be paid out of the treasury. May destroy forfeited liquors. Compensation in respect of seizure to be paid out of Treasury.
7. The oath required under the twenty-second section of the chapter hereby amended from the importer of goods or his agent shall, whenever it is practicable, be made by the principal and not by a clerk, and may be modified by the board so as to include the belief of the party making the same, that no other goods are in the packages than such as are entered, and in such other way as the board shall appoint. Oaths under 22nd Section when practicable to be made by principal and may be modified.
8. Goods to be appraised under the twenty-third section of the chapter hereby amended may be taken to a public warehouse for that purpose at the expense of the importer ; if the appraised value of such goods shall exceed by ten per cent. or more the value declared on entry, then in addition to all duty imposed by law, there shall be levied and paid a duty of twenty per cent. advalorem on such appraised value, but the duty shall in no case be assessed on an amount less than the invoice value. Goods may be appraised at public warehouse. Additional duty if value exceeds entry by ten per cent.
9. Any package of dutiable goods may be opened by the Collector of Customs at his discretion, in order to ascertain the contents, and any goods found therein and not agreeing with the entry shall be forfeited, and packages intended to be so Packages may be opened.—Goods not agreeing with entry forfeited.

opened may be taken to a public warehouse for that purpose at the expense of the importer.

Orders of Board subject to approval, and to be published.

10. All orders made by the Board of Revenue under this Act shall be subject to the approval of the Governor in Council, and shall be published in such newspapers as the board shall direct.

Board may require vessels entering Great Bras d'Or to be reported and entered.

11. Vessels entering the Great Bras d'Or may be required to be reported and entered at such place and in such manner as the board may from time to time direct.

Inconsistent parts of amended chapter repealed.

12. So much of the chapter hereby amended as is inconsistent with this Act is repealed.

CHAPTER 18.

An Act in addition to the Act concerning Sheriffs.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. No Sheriff or Deputy to be Justice of the Peace.

SECTION.

2. Penalty how recovered.

Be it enacted by the Governor, Council and Assembly, as follows:

No Sheriff or Deputy to be Justice of the Peace.

1. From and after the 1st day of June next, no sheriff or deputy sheriff shall hold a commission as Justice of the Peace; and all such commissions held by sheriffs or deputy sheriffs shall after that date become null and void.

Penalty—how recovered.

2. Any sheriff or deputy sheriff acting as a Justice of the Peace in violation of this Act shall for each offence forfeit the sum of twenty pounds, to be recovered by any one who will sue for the same as a private debt.

CHAPTER 19.

An Act to amend Chapter 22 of the Revised Statutes, "Of Licenses for the sale of Intoxicating Liquors."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Sessions may determine periods for commencement and expiration.

SECTION.

2. Licenses expiring before next General Sessions may continue until Sessions' Proviso.

Be it enacted by the Governor, Council and Assembly, as follows:

Sessions may determine periods for commencement and expiration. Licenses expiring before next General Sessions may continue until Sessions' Proviso.

1. The sessions in each county shall have power from time to time to determine the periods at which licenses for the sale of intoxicating liquors shall commence and expire.

2. When existing licenses for the sale of intoxicating liquors in the present year shall expire before the next General Sessions for the county shall take place, such licenses may continue in force until such next General Sessions; provided that

on or before the termination of the licenses the persons holding the same shall pay to the Clerk of Licenses the duty thereon estimated *pro rata* for the period intervening between the expiration of the license and the next meeting of the General Sessions as appointed by law.

CHAPTER 20.

An Act to provide for the issue of Writs for Election in certain cases.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—In case of vacancy subsequent to General Election and before meeting of Parliament—Writs how issued. Proviso.

Be it enacted by the Governor, Council and Assembly, as follows:

1. Upon any vacancy arising subsequently to a general election and before the first meeting of Parliament thereafter, by reason of the death or acceptance of office of any member of the House of Assembly, the Governor shall grant his warrant to the Provincial Secretary, or in his absence or in case of a vacancy in his office to the principal clerk therein, for the issue of a new writ for the election of a member to supply such vacancy, and such writ may issue at any time after such death or acceptance of office. Provided always that the election to be held under such writ shall not in any manner affect the rights of any person who may be entitled to contest the previous election; and the report of any election committee appointed to try such previous election shall determine whether the member who shall have so died or accepted office or any other person was duly returned or elected thereat, which determination if adverse to the return of such member and in favor of any other candidate, shall avoid the election held under this act; and the candidate duly elected at the previous election shall be entitled to take his seat as if no subsequent election had been held.

In case of vacancy subsequent to General Election and before meeting of Parliament. Writs how issued.

Proviso.

CHAPTER 21.

An Act to amend Chapter 46 of the Revised Statutes, "Of County Assessments."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Assessors to furnish Clerk of Poor District with copy of Roll referred to in Sec. 21, Cap. 46.

SECTION.

2. Poor rate, how made out.
3. Collectors to give sureties.
4. Sec. 24 Cap. 46, repealed.

Be it enacted by the Governor, Council and Assembly, as follows:

Assessors to furnish clerk of Poor District with copy of Roll referred to in Sec. 21 Cap. 46.

Poor rate how made out.

Collectors to give sureties.

Sec. 24 Cap. 46 repealed.

1. The assessors shall furnish to the clerk of the poor district within their limits a certified copy of the roll forwarded by them to the Clerk of the Peace of the county, as provided in section 21 of the chapter hereby amended.

2. The clerk of the poor district shall, within thirty days after the roll shall have been received, make out the poor rate for his district, pursuant to section 25 of such chapter, and shall place the same in the hands of the collector.

3. Collectors of poor and county rates shall be required to give sureties to the amount of the rate bills placed in their hands for collection.

4. Section 24 of the chapter hereby amended is repealed.

CHAPTER 22.

An Act to extend the operation of Chapter 46 of the Revised Statutes, "Of County Assessments."

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Secs. 80 and 81 Cap. 46, extended to County of Richmond.

Be it enacted by the Governor, Council and Assembly, as follows:

1. Sections 80 and 81 of chapter 46 of the Revised Statutes, "Of County Assessments" are hereby extended to the County of Richmond.

Secs. 80 and 81 Cap. 46, extended to County of Richmond.

CHAPTER 23.

An Act to amend Chapter 85 of the Revised Statutes, "Of the regulation and inspection of provisions, lumber, fuel, and other Merchandize."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Pickled fish cured in bulk, how branded.

SECTION.

2. Inconsistent parts of amended chapter repealed.

Be it enacted by the Governor, Council and Assembly, as follows:

1. All fish known as pickled fish that may be cured in bulk and afterwards packed in barrels, shall, in addition to other brands, instead of the word "bulk," be branded with the name of the place where such fish were taken and cured as "Newfoundland," "Labrador," "Magdalen Islands," or as the case may be.

2. So much of that portion of the chapter hereby amended, relating to the inspection of herring and alewives as is inconsistent with this Act is repealed.

Pickled fish cured in bulk how branded.

Inconsistent parts of amended chapter repealed.

CHAPTER 24.

An Act to amend Chapter 90 of the Revised Statutes, "Of Poor Districts."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Polling Districts in Pictou to be Poor Districts. Names. Exceptions.
2. Polling District No. 1 to comprise three Poor Districts. Boundaries. Names.
3. Albion Mines District to remain as heretofore.

SECTION.

4. Assessors and Overseers—appointment of.
5. Inconsistent parts of Sec. 21 Cap. 89 repealed.

Be it enacted by the Governor, Council and Assembly, as follows:

1. The various polling districts in the county of Pictou as now by law established, shall henceforth be and they are hereby respectively declared to be poor districts for the support of the poor within the same, and shall bear the same name or number as such polling districts now bear, excepting as hereinafter mentioned.

Polling Districts in Pictou to be Poor Districts.

2. Polling district number one shall be divided into three poor districts:

Names. Exceptions.

First. The town of Pictou according to the limits thereof, as now established, to be called, Poor District No. 1, County of Pictou.

Polling District No. 1 to comprise three Poor Districts. Boundaries and names.

Second. That portion of such polling district on the south side of Pictou Harbor commonly called Fisher's Grant, to be called, "Fisher's Grant Poor District."

Third. That portion of such polling district called Pictou Island, to be known by the name of "Pictou Island Poor District."

3. The Albion Mines Poor District comprising a portion of polling district No. 13, shall remain as heretofore established, and shall be called the Albion Mines Poor District.

Albion Mines District to remain as heretofore.

4. The sessions of the county shall hereafter at the February term appoint two or more assessors of poor rates and overseers of poor for each of the poor sections hereby established.

Assessors and Overseers, appointment of.

5. So much of section 21 of chapter 89 of the Revised Statutes as is inconsistent with this act, is repealed.

Inconsistent parts of Sec. 21 Cap. 89 repealed.

CHAPTER 25.

An Act to amend Chapter 89 of the Revised Statutes, "Of the settlement and support of the Poor."

(Passed the 12th day of May, A. D. 1860.)

SECTION.—First Annual Meeting of the Inhabitants of Dartmouth, when held.

Be it enacted by the Governor, Council and Assembly, as follows:

First Annual meeting of the inhabitants of Dartmouth, when held.

1. The first annual meeting of the rateable inhabitants of the township of Dartmouth shall be held on the first Monday of March instead of on the first Monday of April, as directed by section 19 of chapter 89 of the Revised Statutes, "Of the settlement and support of the Poor."

CHAPTER 26.

An Act to extend the operation of Chapter 99 of the Revised Statutes, "Of Fires and Firewards."

(Passed the 12th day of May, D. D. 1860.)

SECTION.—Provisions of Cap. 99 extended to Bridgewater.

Be it enacted by the Governor, Council and Assembly, as follows:

Provisions of Cap. 99 extended to Bridgewater.

1. The provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards," and of chapter 8 of the acts of 1859 in amendment thereof, are hereby respectively extended to the town of Bridgewater in the County of Lunenburg.

CHAPTER 27.

An Act to amend Chapter 62 of the Revised Statutes, "Of laying out roads other than certain great roads."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Roads laid out and confirmed by Sessions legalized. Proviso.

SECTION.

2. No Justice of the Peace to be on Committee to lay out roads.

3. Act not to apply in case of appeal, &c.

Be it enacted by the Governor, Council and Assembly, as follows:

Roads laid out and confirmed by Sessions—legalized.

1. All roads or alterations of roads heretofore laid out by committees of three freeholders under the chapter hereby amended, and confirmed by the sessions, are hereby legalized and established, although such committees may have consisted in whole or in part of Justices of the Peace, provided that, in all other respects, the requisites of the chapter hereby amended shall have been strictly observed.

Proviso.

2. Hereafter no Justice of the Peace shall be appointed a member of any committee to lay out roads under the chapter hereby amended.

No Justice of Peace to be on committee to lay out roads.

3. The provisions of this Act shall not apply to any case where there has been an appeal to the Supreme Court, and the order of Sessions has been reversed, or such appeal is now undetermined.

Act not to apply in case of appeal, &c.

CHAPTER 28.

An Act in addition to Chapter 51 of the Revised Statutes, "Of Religious Congregations and Societies."

(Passed the 12th day of May. A. D. 1860.)

SECTION.

1. Incorporated or constituted religious society may alter or amend Constitution and Bye-Laws. Mode of proceeding.
2. Religious societies not incorporated may adopt constitution, elect officers, &c. Mode of proceeding.
3. Property to be vested in duly appointed Trustees.
4. Powers, &c. of officers.

SECTION.

5. Constitution how altered. Business—transaction of.
6. May dispose of place of worship.
7. Real Estate held by Episcopal sole corporation how disposed of.
8. Not to affect Cap. 50 Rev. Stat., or spiritual government of any Church further than provided for in deed or declaration constituting it.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Any religious society incorporated by act of this Province, or constituted by deed under the provisions of Chapter 51 of the Revised Statutes, may, at any regular meeting held in accordance with their act of incorporation or deed of constitution, alter or amend their constitution or bye-laws, but the constitution shall not be altered unless two-thirds of the members present at any general meeting concur in such alteration.

Incorporated or constituted religious society may alter or amend constitution or bye laws. Mode of proceeding.

2. Any religious society or congregation not incorporated or constituted by deed under chapter 51 of the Revised Statutes, may, at any meeting of the congregation held in pursuance of a notice stating the object of such meeting given at their usual place of holding public worship during divine service, either by verbal announcement to the congregation or by posting the same on the door of such place of worship for three Sabbaths preceding such meeting, proceed to appoint a chairman and secretary, and may, upon the votes of two-thirds of the male members of the congregation and of adherents actually contributing to the funds thereof above twenty-one years of age actually present, proceed to the adoption of a declaration by resolution or otherwise, to the effect that they constitute themselves a religious congregation or society, and may at such meeting or any subsequent meeting called in the same manner, proceed by the majority of votes to the adoption of such permanent constitution and bye-laws as they shall consider necessary, and may appoint trustees and such other office bearers as

Religious societies not incorporated may adopt constitution, elect officers, &c. Mode of proceeding.

they shall see fit and define their powers and duties, and may regulate the terms of membership in the society or congregation.

Property to be vested in duly appointed Trustees.

3. The real and personal estate of the society or congregation shall be vested in such persons as shall be duly appointed trustees thereof during their continuance in office.

Powers, &c. of officers.

4. The officers appointed from time to time by the congregation or society shall be vested with all such powers for the holding and transference of the property and management of the business of the congregation or society as shall be conferred upon them by the constitution.

Constitution how altered.

5. The constitution of the society may be altered by the votes of two-thirds of the members present at any meeting of the society or congregation duly called as hereinbefore mentioned. All other business of the society not delegated to the office-bearers thereof shall be transacted by the votes of a majority of members present at any such regular meeting.

business—transaction of.

May dispose of place of worship.

6. Any religious society or congregation not duly incorporated or constituted under the chapter hereby amended or under this act, or if so incorporated or constituted, not having power to dispose of its place of worship for the purpose of erecting a new place of worship, may at any regular meeting of the society or congregation, by the resolution of the majority of two-thirds of the members present, authorize such persons as they may appoint for the purpose, to sell or otherwise dispose of the place of worship of the society or congregation in such manner as the meeting shall appoint, and a sale thereof under the authority of such resolution shall be valid and effectual.

Real Estate held by Episcopal sole corporation, how disposed of.

7. Any episcopal sole corporation holding real estate in trust for any religious denomination in this province may dispose of the same by deed executed by him and any three ordained clergymen of the denomination to which he belongs and residing within his diocese.

Not to affect Cap. 50 Rev. Stat., or spiritual government of any Church further than provided for in deed or declaration constituting it.

8. Nothing herein contained shall affect any of the provisions of chapter 50 of the Revised Statutes, "Of the Church of England," nor shall interfere with the spiritual government and discipline of any church further than may be provided for in the deed or declaration under which the society or congregation is constituted.

CHAPTER 29.

An Act respecting Blasting Rocks with Gunpowder.

(Passed the 12th day of May. A. D., 1860.)

SECTION.—Precautions to be used in blasting within 100 feet from any street.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Every person who shall blast rocks with gunpowder in any place within one hundred feet from any street, highway, or thoroughfare, shall use the most careful precautions in giving notice thereof by blowing horns, or otherwise, previously to each explosion, and shall limit the quantity of powder to be used, which must not, in any case, exceed eight ounces in any bore, nor explode more than three bores in any one blasting, and shall cover the spot about to be blasted with a sufficient quantity of bushes, timber, earth, stones or other materials, to deaden the force of the explosion.

Precautions to be used in blasting within 100 feet from any street, &c.

2. Every proprietor, contractor, builder, workman, or laborer, concerned in any such blasting, shall, in case of any neglect of the provisions in the foregoing section, be liable to a fine of not less than two dollars, and not more than twenty dollars, to be recovered on the prosecution of any person suing for the same, if in the city of Halifax, in the Police Court, if elsewhere, before any one Justice of the Peace, with costs; and in case of non-payment, shall be liable to imprisonment for a term not exceeding one day for every dollar of such fine, and every person concerned in so blasting rocks without proper precaution, shall be responsible in damages to any person who may be injured thereby.

Fine—how recovered, &c.

to be responsible for damages.

CHAPTER 30.

An Act to amend Chapter 92 of the Revised Statutes, "Of the Preservation of Useful Birds and Animals."

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Sections 11, 14, and 17 of Cap. 92, repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Sections 11, 14, and 17, of chapter 92 of the Revised Statutes, "Of the Preservation of Useful Birds and Animals," are hereby repealed.

Secs. 11, 14, and 17 of Cap. 92, repealed.

CHAPTER 31.

An Act to amend Chapter 126 of the Revised Statutes, "Of the Supreme Court and its Officers."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Sittings at Pictou, Truro, Amherst.
2. Spring Terms at Arichat and Antigonish.
3. Fall Term at Shelburne. One Term to be at Barrington.

SECTION.

4. Term held at Arichat and Antigonish in 1859, declared valid.
5. Sec. 1 Cap. 33, Acts of 1859, and inconsistent parts of amended chapter repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

Sittings at Pictou.

Truro.

Amherst.

Spring Terms at Arichat and Antigonish.

Fall Term at Shelburne.

One Term to be at Barrington.

Term held at Arichat and Antigonish in 1859, declared valid.

Sec. 1 Cap. 33 Acts of 1859, and inconsistent parts of amended chapter repealed.

1. The Supreme Court shall hereafter sit at Pictou on the second Tuesday of June and on the third Tuesday of October.

At Truro on the first Tuesday of June, and on the first Tuesday of October.

At Amherst on the third Tuesday of June, and on the second Tuesday of October.

2. The Spring Term of the Supreme Court shall hereafter be held at Arichat on the fourth Tuesday of June, and at Antigonish on the second Tuesday next after the fourth Tuesday of June.

3. The fall term of the Supreme Court shall hereafter be held at Shelburne on the first Tuesday of October, and there shall be but one Term of the Supreme Court at Shelburne, and one Term at Barrington in each year.

4. The Terms of the Supreme Court held at Arichat on the fourth Tuesday of June, 1859, and at Antigonish on the second Tuesday next after the fourth Tuesday of June, 1859, are hereby declared legal and valid, and all proceedings thereat are hereby respectively confirmed to the same extent as if such terms had been held at a time appointed for that purpose.

5. Section 1 of chapter 33 of the Acts of 1859, and so much of chapter 126 of the Revised Statutes as is inconsistent with this Act are hereby respectively repealed.

CHAPTER 32.

An Act to amend Chapter 127 of the Revised Statutes, "Of Proceedings in Equity."

(Passed the 12th day of May, A. D. 1860.)

SECTION.—In cases in which matters of law and equity arise, Court may determine both, and make necessary orders.

Be it declared and enacted by the Governor, Council, and Assembly, as follows:

1. In all causes in the Supreme Court, in which matters of law and equity arise, the court shall have power to investigate and determine both the matters of law and equity, or either, as may be necessary for the complete adjudication and decision of the whole matter, according to right and justice, and to order such proceedings as may be expedient and proper.

In cases in which matters of law and equity arise, Court may determine both and make necessary orders.

CHAPTER 33.

An Act relating to the Offices of Custos and Justices of the Peace.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Custos not to be County or District Treasurer.

SECTION.

2. Justice holding office of Clerk of Peace or Treasurer, may not vote at Sessions.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. After the expiration of the present term of office of any County or District Treasurer, it shall not be lawful for the Custos of any county or district to be appointed to the office of County or District Treasurer.

Custos not to be County or District Treasurer.

2. It shall not be lawful for any Justice of the Peace, holding the office of Clerk of the Peace, or of County or District Treasurer, to take any part or vote at any meeting of the sessions while holding either of such offices.

Justice holding office of Clerk of Peace or Treasurer may not vote at Sessions.

CHAPTER 34.

An Act to amend Chapter 131 of the Revised Statutes, "Of the Jurisdiction of Justices of the Peace in Civil Cases."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Stipendary Magistrate in Halifax to have same jurisdiction as two Justices.

SECTION.

2. Inconsistent parts of Caps. 76 and 131 repealed.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. The Stipendary Magistrate now appointed, or hereafter to be appointed by the General Sessions of the Peace for the county of Halifax, in actions of debt, shall have the same jurisdiction within the county as is now by law given to two Justices of the Peace.

In actions of debt Stipendary Magistrate in Halifax to have same jurisdiction as two Justices.

2. So much of Chapter 131 and Chapter 76 of the Revised Statutes as is respectively inconsistent with this act is repealed.

Inconsistent parts of Caps. 76 & 131 repealed.

CHAPTER 35.

An Act to amend Chapter 132 of the Revised Statutes, "Of Barristers and Attornies."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Articled clerks to be examined as to educational qualifications, and to procure certificate of moral character—certificates to be filed.

SECTION.

2. Judges to make rules regarding the examination, &c. Act not to go into operation till rules published.
3. Number of clerks.
4. Attornies and Barristers may be admitted in vacation.

Be it enacted by the Governor, Council, and Assembly, as follows :

Articled clerks to be examined as to educational qualifications and to produce certificate of moral character—certificates to be filed.

1. No person shall be received as an articled clerk by any Barrister until he shall have undergone an examination as to his educational qualifications, and shall have produced a certificate of his moral character, which certificate, together with that of his having passed a satisfactory examination, shall be filed with his articles in the office of the prothonotary at Halifax.

Judges to make rules regarding the examination, &c. Act not to go into operation till rules published

2. The Judges of the Supreme Court may from time to time make rules regarding the examination of clerks applying to be articled, and the mode of conducting the same; and this act shall not go into operation until such rules shall have been made, and published in the Royal Gazette.

No. of clerks.

3. The number of articled clerks under section 12 of the chapter hereby amended may be increased to three.

Attornies and Barristers may be admitted in vacation.

4. Application for admission as attorney or barrister may be made in vacation by petition to two Judges of the Supreme Court by any law student who shall have complied with all the requisites, and be by law entitled to his admission; and such Judges may make an order for his admission, or may, if they think proper, direct that application be made to the court at the next term at Halifax.

CHAPTER 36.

An Act further to amend Chapter 147 of the Revised Statutes, "Of Petty Trespasses and Assaults," and the Act in amendment thereof.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Acts amended to extend to Commissioner of Crown Lands and his orders and proceedings.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. The Acts hereby amended shall be extended to and apply to any survey ordered by the Commissioner of Crown Lands, and all other provisions of such Acts shall be applicable to any order or proceedings issued by such Commissioner, in as full and ample a manner as the same are now applicable to the Governor or a Judge of the Supreme.

Acts amended to extend to Commissioner of Crown Lands and his orders and proceedings.

CHAPTER 37.

An Act to amend Chapter 152 of the Revised Statutes, "Of the Custody and Estate of Lunatics."

(Passed the 12th day of May, A. D., 1860.)

SECTION.

1. Mode of proceeding to convey insane person to Hospital for Insane. If certified by one medical man, to be examined before admission.
2. Proceedings to take prisoner to Hospital who is acquitted on ground of insanity.
3. Expenses, how paid.
4. Expenses of insane person payable by township or poor districts and not secured under Act, to be a county charge. How collected.

SECTION.

5. In case of refusal or neglect to assess, Court shall amerce. How collected, &c.
6. Commissioners to receive and provide for insane persons above mentioned, as if bonds were given.
7. In case of estate of insane person not sufficient for his expenses, they may be paid out of the funds of Hospital.
8. Receiver-General to be Treasurer of Commissioners. Secretary, appointment of—salary, &c.
9. Inconsistent parts of Cap. 152 repealed.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. Whenever any person shall be so deranged in his intellect that he cannot be permitted to go at large without danger, or is suffering unnecessary duress or hardship, it shall be the duty of the Sheriff without application, or of any two Justices of the Peace of the county in which such insane person may be found, on being applied to for that purpose, to investigate the case, and summon to their assistance any one or more medical practitioners, duly qualified and practising within the Province, and if such insanity be proved and certified by such medical practitioner or practitioners in writing, the Sheriff or Justices shall issue their warrant directed to any constable of the county, who shall apprehend and convey such insane person to the Provincial Hospital for the Insane. In case such person shall have been certified to be insane by only one medical practitioner, before his apprehension he shall be again examined by two duly qualified medical practitioners, to be appointed by the Commissioners, before he shall be admitted into the hospital.

Mode of proceeding to convey insane person to Hospital for Insane.

If certified by one medical man, to be examined before admission.

2. Whenever any person who shall have been tried for an indictable offence, or an offence punishable upon a summary conviction in the Supreme Court, or a Court General or Special Sessions of the Peace, shall have been acquitted on the ground of his insanity, the Clerk of the Crown or of the Court

Proceedings to take prisoner to Hospital who acquitted on ground of insanity.

in which such person shall have been tried, shall issue his warrant directed to any constable of the county to apprehend and convey such person to the hospital; which warrant such constable shall obey, although the Sheriff, Justices, or Clerk of the Crown, or of such court, may not reside in the county wherein the hospital is situate.

Expenses, how paid.

3. The reasonable expense of apprehension and removal being verified on oath before the Custos, or any two Justices of the Peace, either before or after such removal, and by them allowed, shall, upon their order, be paid by the County Treasurer out of the county funds to the person appointed to apprehend and remove such insane person, and such expenses shall afterwards be levied by warrant of distress, to be signed by two Justices of the Peace, on any goods or chattels of such insane person, or may be realized out of the real estate of the insane person, or the rents thereof, as provided in Section 12 of the chapter hereby amended; and for want of such property shall be a charge against the county in which such insane person had his last legal settlement as hereinafter mentioned.

Expense of insane person payable by township or poor district and not secured under Act, to be a county charge

4. All persons now or hereafter confined in the Hospital for the Insane, whose expenses are now by law payable out of the funds of the townships or poor districts in which they have a legal settlement, and the payment of which expenses is not secured under the Act hereby amended, shall hereafter be chargeable on the respective counties in which such townships or poor districts are situate; and their expenses shall be a county charge, and shall be assessed, levied, and collected in the same manner as county rates.

how collected.

In case of refusal or neglect to assess. Court shall amerce.

5. In case the Grand Jury and Sessions of any county which shall be liable for the expenses of lunatics confined in the Asylum, shall refuse or neglect to assess the county therefor, the Supreme Court shall, upon application, amerce such county for the amount due, which, with the costs and expenses attending such amercement, shall be assessed, levied, and collected, under the order of the Supreme Court by the same persons whose duty it shall be to assess, levy, and collect the county rates, and in the same manner; and the same, when collected shall be paid to the parties respectively entitled thereto.

how collected, &c.

Commissioners to receive and provide for insane persons above mentioned as if bonds were given.

6. The Commissioners, Superintendent, and persons in charge of the Hospital for the Insane, shall receive and provide for such insane persons as are mentioned in the first and second sections of this Act, and also all insane paupers, certified to be so by any two Justices of the Peace, and two duly qualified Medical Practitioners, practising in the Province, notwithstanding no bonds shall be given, as required by section thirty-two of the chapter hereby amended, subject however, to the provisions of section twenty-four of such chapter as if such bonds had been given.

7. Whenever the real and personal estate of any lunatic or insane person, not being a pauper, or of his or her husband, father, or mother, is not more than sufficient to maintain the family of any such person, the expenses of the maintenance of the insane person in the hospital may be defrayed in whole or in part from the funds of the hospital, as the commissioners may, on investigation, order and direct.

In case of estate of insane person not sufficient for his expenses, they may be paid out of the funds of the Hospital.

8. After the first day of July next the Receiver General shall be the treasurer of the Commissioners, and shall perform the duties thereof without additional salary, and the Commissioners may appoint a Secretary, at a salary to be by them fixed, subject to the approval of the Governor in Council.

Receiver-General to be Treasurer of Commissioners.

Secretary, appointment of—salary, &c.

9. So much of Chapter 152 of the Revised Statutes as is inconsistent herewith is repealed.

Inconsistent parts of Cap. 152 repealed.

CHAPTER 38.

An Act to amend Chapter 115 of the Revised Statutes "Of the Descent of Real and Personal Estate."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Distribution of personal estate of intestate leaving issue.

SECTION.

2. Estate of married woman dying intestate without kindred.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The residue of the personal estate of any intestate who shall have died *leaving issue*, shall be distributed one-third to the widow, if any, and the remainder among the persons who shall be entitled to the real estate, and if there be no widow, then the whole among such persons.

Distribution of personal estate of intestate leaving issue.

2. In case of a married woman, entitled to real or personal estate in her own right, dying intestate without kindred, the same shall go to her husband to his own use.

Estate of married woman dying intestate without kindred.

CHAPTER 39.

An Act respecting Trusts and Trustees.

(Passed the 12th day of May, A. D., 1860.)

SECTION.

1. Definition of words. "Seized." "Possessed." "Trust." "Trustee." Construction of words not defined.
2. In case of infant Trustee, Court may make order vesting the lands.
3. If Trustee is out of jurisdiction Court may make such order.
4. If Joint Trustee is out of jurisdiction.
5. In case of doubt as to which Trustee was the survivor.
6. In case it is not known whether Trust last seized is living or dead.
7. In case Trustee died intestate without heir, or heirs or divisors not known.
8. In case trustee will not convey to person entitled.
9. In case land subject to trust has been converted into money by operation of laws relating to railway.
10. Court shall appoint person to convey. Effect of conveyance.
11. Persons upon whose application order may be made.
12. Person applying for order to obtain certificate from master.

SECTION.

13. Motion thereon.
14. May apply by petition and affidavit.
15. Proceeding upon hearing petition, &c.
16. Costs.
17. When facts proved, Court may make order.
18. Order founded on allegation of incapacity or absence of Trustee to be evidence of matter alleged. Court may direct re-conveyance and payment of costs of order improperly obtained.
19. Proceedings when process cannot be served on Trustee. Proviso.
20. On application to master he may order the service of application or dismiss with costs. Orders, how enforced.
21. Court may order costs to be paid out of proceeds of lands.
22. Court may postpone order until right of petition is declared in a suit.
23. Powers may be exercised by two Judges.

Be it enacted by the Governor, Council, and Assembly, as follows :

Definition of words.

"Seized."

1. The several words hereinafter named are herein used and applied as follows respectively, that is to say :

The word "seized" shall be applicable to any vested estate for life, or of a greater description, and shall extend to estates at law or in equity, in possession or in futurity, in any lands.

"Possessed."

The word "possessed" shall be applicable to any vested estate less than a life estate at law, or in equity, in possession, or in expectancy, in any lands.

"Trust."
"Trustee."

The words "Trust" and "Trustee" shall extend to and include implied and constructive trusts, and shall extend to and include cases where such trustee has some beneficial estate or interest in the subject of the trust.

Construction of words not defined.

All other words not hereinbefore defined, but hereinafter used, shall be construed, as nearly as may be, in the sense in which corresponding words are defined in the English 'Trustee Act of 1850.'

In case of infant Trustee, Court may make order

2. Where any infant shall be seized or possessed of any lands upon any trust it shall be lawful for the Supreme Court to make an order vesting such lands in such person in such

manner and for such estate as the court shall direct, and the order shall have the same effect as if the infant trustee had been twenty-one years of age, and had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.

3. When any person solely seized or possessed of any lands upon any trust, shall be out of the jurisdiction of the court, or cannot be found, it shall be lawful for the court to make an order vesting such land in such person in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the trustee had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.

If Trustee is out of jurisdiction Court may make such order.

4. When any person shall be seized or possessed of any lands jointly with a person out of the jurisdiction of the court or who cannot be found, it shall be lawful for the court to make an order vesting the lands in the person so jointly seized or possessed, or in such last mentioned person, together with any other person, in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the trustee out of the jurisdiction, or who cannot be found, had duly executed a conveyance or assignment of the lands in the same manner and for the same estate.

If Joint Trustee is out of jurisdiction.

5. Where there shall have been two or more persons jointly seized or possessed of any lands upon any trust, and it shall be uncertain which of such trustees was the survivor, the court may make an order vesting such lands in such person in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the survivor had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

In case of doubt as to which Trustee was the survivor.

6. Where any one or more persons shall have been seized or possessed of any lands upon any trust, and it shall not be known, as to the trustee last known to have been seized or possessed, whether he be living or dead, the court may make an order vesting such lands in such person, in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the last trustee had duly executed a conveyance or assignment of the lands in the same manner for the same estate.

In case it is not known whether Trustee last seized is living or dead.

7. When any person seized of any lands upon any trust shall have died intestate as to such lands without an heir, or shall have died, and it shall not be known who is his heir or devisee, the court may make an order vesting such lands in such person in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the heir or devisee of such trustee had duly executed a conveyance of the lands in the same manner for the same estate.

In case Trustee died intestate without heir, or heirs or devisees not known.

8. Where any person jointly or solely seized or possessed

In case Trustee

will not convey to person entitled.

of any lands upon any trust shall, after demand, by a person entitled to require a conveyance or assignment thereof, or his lawful agent, have stated in writing that he will not convey or assign the same, or shall neglect or refuse to do so for twenty-eight days next after a proper deed for that purpose, shall have been tendered to him, it shall be lawful for the courts to make an order vesting such lands in such persons, in such manner and for such estate as the court shall direct; and the order shall have the same effect as if the trustee had duly executed a conveyance or assignment in the same manner for the same estate.

In case land subject to trust has been converted into money by operation of laws relating to railway.

9. Where lands subject to a trust have been or shall be converted into money by the operation of any law relating to Provincial Railways, such money shall be considered as land for the purpose of this Act, and shall be dealt with, as nearly as may be, in conformity to the provisions thereof.

Court may appoint person to convey.

10. In every case where the Court shall, under this Act, be enabled to make an order having the effect of a conveyance or assignment of any lands, it shall be lawful for the Court, should it be deemed more convenient to make an order appointing a person to convey or assign such lands, and the conveyance or assignment of the person so appointed shall, when in conformity with the terms of the order by which he is appointed, have the same effect in conveying or assigning the lands as an order of the Council would, in the particular case, have had under this Act.

Effect of conveyance.

Persons upon whose application order may be made.

11. An order under any of the hereinbefore contained provisions concerning any lands subject to a trust, may be made upon the application of any person beneficially interested in such lands, whether under any disability or not, or upon the application of any person duly appointed as a trustee thereof.

Person applying for order to obtain certificate from master.

12. Where any person shall deem himself entitled to an order under this Act from the Court, he may exhibit before any one of the Masters of the Court, a statement of the facts whereon such order is sought to be obtained, and adduce evidence in support thereof; and if such evidence shall be satisfactory to the Master, he shall give a certificate under his hand of the several material facts found by him to be true, and of his opinion that such person is entitled to an order in the form set forth in such certificate.

Motion thereon

13. Any person who shall have obtained such certificate, may apply by motion to the Court for an order to the effect set forth in such certificate, or for such other order as such person shall deem himself entitled to upon the facts found by the Master.

May apply by petition and affidavit.

14. Any person so entitled to apply for an order, may, should he so think fit, present a petition in the first instance to the Court, for such order as he may deem himself entitled to, and may give evidence by affidavit or otherwise in support

of such petition before the Court, and may serve such person as he may deem entitled to service thereof.

15. The Court may, upon the hearing of such petition, direct a reference to a Master to enquire into any facts which require such an investigation, or the Court may direct such a motion or petition to stand over, to enable the petitioner to adduce evidence or further evidence before the Court, or to enable notice or further notice of such motion or petition to be served upon any person.

Proceeding upon hearing petition, &c.

16. Upon the hearing of such motion or petition, whether any certificate or report of a Master shall have been obtained or not, the Court may dismiss such motion or petition with or without costs, or make an order thereupon, in conformity with this Act.

Costs.

17. Whenever, either by the evidence or the admissions of the parties, or by a report of a Master, the facts necessary for an order under this Act shall appear to the Court to be sufficiently proved, the Court may, either upon the hearing of the cause, or of any petition or motion, make such order under this Act.

When facts proved, Court may make order.

18. Whenever any order shall be made under this Act for the purpose of conveying or assigning any lands, and such order shall be founded on an allegation of the personal incapacity of a trustee, or on an allegation that a trustee is out of the jurisdiction of the Court, or cannot be found, in such case the fact that the Court has made an order upon such an allegation, shall be conclusive evidence of the matter so alleged in any Court of Law or Equity upon any question as to the legal validity of the order; provided that nothing herein contained shall prevent the Court directing a re-conveyance or re-assignment of any lands conveyed or assigned by any order under this Act, and it shall be lawful for the Court to direct any of the parties to any suit concerning such lands to pay any costs occasioned by the order under this Act, when the same shall appear to have been improperly obtained.

Order founded on allegation of incapacity or absence of Trustee to be evidence of matter alleged.

Court may direct re-conveyance and payment of costs of order improperly obtained.

19. When, in any suit in such court, it shall be made to appear by affidavit that diligent search and enquiry has been made after any person made a defendant, who is only a trustee, to serve him with the process of the Court, and that he cannot be found, it shall be lawful for the Court to hear and determine such cause, and to make an absolute decree therein against every person who shall appear to them to be only a trustee, and not otherwise concerned in interest in the matter in question, in the same manner as if such trustee had been duly served with process, and had appeared and filed his answer thereto, and had also appeared by his Counsel and Solicitor at the hearing of such cause; provided always, that no such decree shall bind any person against whom the same shall be made without service of process upon him, for or in

Proceedings when process cannot be served on Trustee.

Proviso.

respect of any estate or interest which such person shall have at the time of the making of such decree for his own use or benefit, or otherwise than as a trustee.

On application to master he may order the service of application or dismiss with costs.

Orders, how enforced.

Court may order costs to be paid out of proceeds of lands.

Court may postpone order until right of petition is declared in a suit.

Powers may be exercised by two Judges.

20. When any person shall, under this Act, apply to a Master in the first instance, and adduce evidence for obtaining a certificate as foundation for an order, the Master may order service of such application on any person, or dismiss it, and direct the costs of any person consequent thereon, when taxed by a Judge, to be paid by the applicant; and all orders of a Master under this Act shall be enforced by execution when directed by a Judge.

21. The Court may order the costs and expenses of, and relating to the petitions, orders, directions, conveyances, and assignments, to be made in pursuance of this Act, or any of them, to be paid and raised out of, or from the lands or the rents or produce thereof, in respect of which the same respectively shall be made, or in such manner as the Court shall think proper.

22. Upon any petition, under this Act, to the Court, it shall be lawful for the Court to postpone making any order upon such petition until the right of the petitioner shall have been declared in a suit duly instituted for that purpose.

23. All the powers conferred by this Act upon the Court, may be exercised by two of the Judges thereof.

CHAPTER 40.

An Act to amend Chapter 63 of the Revised Statutes, "Of the Surveyors of Highways and Highway Labor except in Halifax."

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Term "Saddle or Draught Horses," defined.
2. Form of Returns.
3. Monies, how expended.

SECTION.

4. Freeholder of age, residing with parents, to work six days.
5. Commutation money increased.
6. Relief under 18th Section to be afforded under certificate of three Justices.

Be it enacted by the Governor, Council and Assembly, as follows:

1. The term "Saddle or Draught Horses," mentioned in the fifth section of the Chapter hereby amended, shall include all descriptions of horses of five years old and upwards.

2. Returns of Statute labor shall be in such form as shall be prescribed by the sessions in each county.

3. All monies collected by Surveyors of Highways and Commissioners of Streets, shall be expended by tender and contract, or by public auction, after three day's notice given in at least two of the most public places in the district; unless, in the opinion of the Surveyor or Commissioner, it would be

Term "Saddle or Draught Horses," defined.

Form of Returns.

Monies, how expended.

more advantageous to the public that such expenditure should be by day's work. And in cases of expenditure by day's work the Surveyor or Commissioner shall make oath to their accounts as in cases of the expenditure of Government road money.

4. Every person above twenty-one years of age residing with his parents and being a freeholder, shall perform six day's labor.

Freeholder of age, residing with parents, to work six days.

5. The commutation money in Section 16 of the Chapter hereby amended, shall be increased to three shillings and six pence for each days' work.

Commutation money increased.

6. Relief shall only be afforded under the 18th Section of the Act hereby amended, in case three Justices shall concur in granting the certificate required by that section.

Relief under 18th Section to be afforded under certificate of three Justices.

CHAPTER 41.

An Act for applying certain Monies therein mentioned for the service of the Year One Thousand Eight Hundred and Sixty, and for other purposes.

(Passed the 12th day of May, A. D. 1860.)

To His Excellency the Right Honorable THE EARL OF MCGRAVE, Lieutenant-Governor and Commander-in-Chief in and over Her Majesty's Province of Nova-Scotia and its Dependencies, &c., &c., &c.

MAY IT PLEASE YOUR EXCELLENCY,—

We, Her Majesty's dutiful and loyal subjects, the House of Assembly of Her Majesty's Province of Nova Scotia, towards appropriating the supplies granted to Her Majesty, and for supplying the exigencies of Her Majesty's Government, do humbly beseech that it may be enacted; and

Be it enacted by the Governor, Council and Assembly, as follows:

1. Out of monies which now are, or from time to time shall be or remain in the public treasury of this Province, there shall be paid the following sums, viz.:

- Eight hundred dollars to the Speaker of the House of Assembly, for his salary for the present year. \$800 Speaker.
- Twelve hundred dollars to the Clerk of the House of Assembly, for his services for the same year. 1200 Clerk H. A.
- One hundred dollars to the Chaplain of the House of Assembly, for his services for the present session. 100ChaplainHA.
- Eight hundred dollars to the Clerk Assistant of the House of Assembly, for his services for the present session. 800Clk.Asst.HA.
- Three Hundred dollars to the Serjeant-at-Arms to the House of Assembly, for his services for the present session. 300Serjt.atArms
- One hundred and eighty dollars to the Assistant-Serjeant- 180Assistantdo.

at-Arms to the House of Assembly, for his services for the present session.

\$160 Messenger
H. A.

One hundred and sixty dollars to John Fitzgerald, the Messenger to the House of Assembly, for his services for the present session.

160 Messenger
of Ex. Council.

One hundred and sixty dollars to the Messenger of the Executive and Legislative Councils, for his services for the present year.

\$20 Keeper of
Assembly.

Three hundred and twenty dollars to the Keeper of the Assembly House, Council Chamber, and Law Library, for the present year.

1600 Sable Isl'nd

Sixteen hundred dollars to be at the disposal of the Governor, for the support of the establishment at Sable Island for the present year.

100 School Poor
Asylum.

One hundred dollars to the Commissioners of the Poor in Halifax, to defray the expense of continuing the school in the Poor Asylum for the present year.

1200 Indians.

Twelve hundred dollars, to be at the disposal of the Governor, for the benefit of the Indians for the present year.

400 Clk. of Crown

Four hundred dollars to the Clerk of the Crown in the Supreme Court, for his services for the past year.

160 Chairmen
Com.

Eighty dollars each to the Chairmen of the Committee of Bills and of Supply, for their services for the present session.

400 travelling
charges mem-
bers Govt.

Four hundred dollars to defray the travelling charges of members of Government non-resident in Halifax, when summoned during the recess to attend meetings of Council, to be computed at the same rate allowed to members of Assembly.

500 Contingen-
cies.

Five hundred dollars for stationery and other contingencies of the Provincial Secretary's Office for the present year, the expenditure to be accounted for at the next session.

50 Fuel, &c., V.
Admiralty Court

Fifty dollars to the Judge of the Vice-Admiralty Court, for fuel and crier of that court for the present year.

Postage — Pub-
lic Departments

Such sum, to be at the disposal of the Governor, as shall be sufficient to repay the amount advanced from the Treasury to defray the expense of postage of public departments during the past year.

1250 Private
Secretary.

Such sum, to be at the disposal of the Governor, as will provide for the remuneration of a Private Secretary for the present year, at the rate of twelve hundred and fifty dollars per annum.

4000 Controllers

Four thousand dollars, to be at the disposal of the Governor, to pay a sum not exceeding twenty pounds each, for their services during the present year, to the Controllers at the different ports; and such further sum as shall be required to pay at the same rate such other Controllers as may be appointed during the present year.

120 E. Crowell.

One hundred and twenty dollars to Edmund Crowell, of Seal Islands, in the County of Yarmouth, for keeping the establishments on the Islands to aid vessels in distress.

Two thousand three hundred dollars for the salaries of the Clerks in the Provincial Secretary's Office for the present year; the expenditure to be accounted for at the next session. \$2300 Clerks of Secy's Office.

Four hundred dollars, to be at the disposal of the Governor, to provide for reporting and publishing the decisions of the Supreme Court. 400 Reporting Supreme Court.

Eight hundred dollars, to be at the disposal of the Governor, to aid steam communication between Charlottetown and Pictou; the boat to be run twice a-week. 800 Steamer P. E. I.

Two hundred dollars to aid in running a proper packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the sessions of the Counties of Guysborough and Richmond, and to be paid on their certificate. 200 Packet, Guysborough.

One hundred dollars in aid of a packet between Westport and Montegan, in the County of Digby. 100 Packet, Westport.

Eighty dollars in aid of a packet between Weymouth Bridge and Sandy Cove, in the County of Digby. 80 Packet Weymouth.

One thousand five hundred dollars in aid of a suitable steamboat between Halifax and St. John's, Newfoundland, touching at Cape Breton going and returning. 1500 Steamboat, Halifax & N. F.

Two thousand four hundred dollars in aid of a suitable steamboat to run once a-week during the open navigation from Pictou to Arichat, touching at Port Hood, Port Mulgrave, and Ship Harbor, in going and returning. 2400 Steamboat, Pictou, Arichat.

One thousand dollars, at the disposal of the Governor, for running a suitable steamboat from Sydney through the Bras d'Or Lake to Wycocomah twice a-week, calling at Baddeck, while the navigation is open, carrying the Judge, while on circuit, free of expense. 1000 Steamboat, Bras d'Or Lake.

One thousand dollars to such persons as shall run a suitable steamboat between Halifax, Yarmouth, and Boston. 1000 Steamboat Hx. and Boston.

One thousand and six hundred dollars annually, for four years, to such persons as will perform the following service, viz., To run a suitable steamboat three times a-week round the Basin of Minas, connecting Hantsport, King's County, Parrsborough, Five Islands, Londonderry, Maitland, Petit, and Kempt, with the railroad at Windsor. 1600 Basin Minas.

Fifty dollars to the Ferryman at Sheet Harbor in the County of Halifax. 50 Ferryman, Sheet Harbor.

Forty dollars to the Ferryman at the North-West Arm, in the County of Halifax. 40 Ferryman, N. W. Arm.

Twenty dollars to the Ferryman at Basin Gut, Sambro, in the County of Halifax. 20 Ferryman, Sambro.

Forty dollars to the Ferryman at Necum Teuch River, in the County of Halifax. 40 Ferryman, Necum Teuch.

Twenty dollars each to the two Ferrymen at the mouth of Ship Harbor, in the County of Halifax. 40 Ferryman, Ship Harbor.

- \$100 Ferryman, LaHave.** Fifty dollars each to Joseph Pernette and Charles Pernette, for keeping up the ferry over La Have River.
- 40 do. Sable River.** Forty dollars to Cornelius Craig, to enable him to keep up a ferry across the Narrows at the entrance of Sable River, in the County of Shelburne.
- 80 do. Cape Sable Island.** Eighty dollars to such persons as shall keep up a ferry across the Narrows of the Passage between Cape Sable Island and the Main, in the County of Shelburne.
- 40 do. Jordan River.** Twenty dollars each to the two Ferrymen on each side of Jordan River, in the County of Shelburne.
- 24 do. Tusket.** Twelve dollars each to the two Ferrymen at Tusket, in the County of Yarmouth.
- 20 do. Pear Point Island.** Twenty dollars in aid of the ferry from the mainland to Pear Point Island, in the County of Yarmouth.
- 60 do. Petite Passage, and 40 do. Grand Passage.** Thirty dollars each to the two Ferrymen, one on each side of Petite Passage, and twenty dollars each to the two Ferrymen at the Grand Passage, in the County of Digby.
- 20 do. Bear River.** Twenty dollars to the Ferryman at Bear River.
- 30 do. Hantsport.** Thirty dollars in aid of a ferry between Hantsport and Kempt, in the County of Hants.
- 80 do. Douglas.** Eighty dollars to aid the inhabitants of Douglas, at the mouth of the Shubenacadie, in supporting a ferry between Londonderry and that place, under the regulation of the Sessions for the County of Hants, to be paid on the certificate of three Justices of the Peace residing in Douglas, that such regulations have been duly carried out.
- 80 do. Shubenacadie.** Forty dollars each to the two licensed Ferrymen at the mouth of the Shubenacadie, for the transportation of horses and carriages across that River; to be paid upon the certificate of three Justices of the Counties of Colchester and Hants, that such ferry has been duly attended.
- 40 Ferry Wallace Harbor.** Forty dollars in aid of the ferry across Wallace Harbor, in the County of Cumberland.
- 20 Ferry. Pugwash Harbor.** Twenty dollars in aid of the ferry across Pugwash Harbor, in the County of Cumberland.
- 60 Ferry. Amherst and Minudie.** Sixty dollars to aid in maintaining a ferry between Amherst and Minudie, in the County of Cumberland.
- 30 Ferry Pictou.** Thirty dollars to aid in maintaining a ferry across the harbor of Pictou.
- 40 Ferry. Liscomb Harbor.** Twenty dollars each to such two persons, one on each side of Liscombe Harbor, in the County of Guysborough, as shall maintain a ferry across that harbor.
- 40 Ferryman. Port Mulgrave.** Forty dollars to the Ferryman at Port Mulgrave, to aid in maintaining a ferry between that place and Ship Harbor, in the County of Inverness, under the regulation of the Sessions for the County of Guysborough, and to be paid on their certificate.
- 30 Ferry. Liscomb Harbor.** Thirty dollars to aid in maintaining the ferry over Lis-

comb Harbor opposite the highway at Clay Head, in the County of Guysborough.

Forty dollars to Alexander McGuire, or such other person as shall run a ferry boat or scow between Carter's Landing on the Western side of the Strait of Canso, and Alexander McPherson's on the Eastern side thereof, under the regulation of the Sessions for the County of Guysborough, and to be paid on their certificate.

\$40 Ferry, Strait of Canso.

Forty dollars to Josiah Embree, for services rendered in 1858, in maintaining a ferry between Ship Harbor and Port Mulgrave, in the County of Gupsborough.

40 services from Josiah Embree.

Twenty dollars to each of the two Ferrymen at St. Mary's River, Guysborough.

40 Ferrymen, St. Mary's River

Forty dollars to Alexander McPherson, to enable him to run a ferry boat or scow between his landing on the Eastern side of the Strait of Canso, and John Carter's, on the Western side thereof, under the regulation of the Sessions of the County of Richmond, and to be paid on their certificate.

40 Ferry, Strait of Canso.

Sixty dollars each to the two licensed ferrymen at the mouth of Grandique River, in the County of Richmond.

120 Ferrymen, Grandique Riv.

Eighty dollars to the Ferryman at Little Bras d'Or, in the County of Cape Breton.

80 Ferrymen, Little Bras d'Or

Ten dollars each to the two Ferrymen at Sydney River, in the County of Cape Breton.

20 Ferrymen, Sydney River.

Twenty dollars to the Ferryman at the entrance of Mire River, in the County of Cape Breton.

20 Ferrymen, Mire River.

Twenty dollars to the ferry between North Bar and the town of Sydney, Cape Breton.

20 Ferry, Sydney.

Sixteen dollars to each of the two Ferrymen at the Grand Narrows, in the County of Cape Breton.

\$32 Ferryman, Grand Narrows.

Forty dollars to Duncan McPhee, to enable him to maintain a ferry between Low Point and the Sydney Mines, at the mouth of Spanish River, in the County of Cape Breton.

40 Ferry, Low Point, Sydney Mines.

Twenty dollars to John Young, of Lingan, in the County of Cape Breton, to enable him to keep a ferry across the passage between Lingan and Bridgeport.

20 Ferry Lingan

Sixty dollars each to the two Ferrymen at Big Harbor, Bras d'Or Lake, in the County of Victoria.

120 Ferrymen, Big Harbor.

Thirty dollars in aid of the ferry at the entrance of Southern Bay, Ingonishe, County of Victoria.

30 Ferry, Southern Bay.

Eighty dollars to the Ferryman at the entrance of the Great Bras d'Or, in the County of Victoria.

80 Ferryman, Great Bras d'Or

Ten dollars to A. Ross, Ferryman at Little Narrows, between the Counties of Inverness and Victoria.

10 Ferryman, Little Narrows.

Thirty dollars to the Ferryman at St. Ann's Harbor, in the County of Victoria.

30 Ferryman, St. Anne's Harbor.

Twenty dollars in aid of the ferry from Washabuck to Baddeck, in the County of Victoria.

20 Ferry, Washabuck.

One hundred and sixty dollars to aid the inhabitants of

160 Ferry, Sydy

Cape Breton in supporting a ferry between McMillan's Point in Cape Breton, and Auld's Cove, in the County of Sydney, under the regulations of the supervisors of the main post road and of the Sessions of the County of Inverness.

\$40 Ferryman,
Ship Harbor.

Forty dollars to the Ferryman at Ship Harbor, to aid in maintaining a ferry between Ship Harbor and Port Mulgrave, in the County of Guysborough, under the regulation of the Sessions of the County of Inverness, and to be paid on their certificate.

20 Ferryman,
Maguerite.

Twenty dollars to the Ferryman at Maguerite River, in the County of Inverness.

80 Ferry, Port
L'Herbert.

Forty dollars each to such two persons as shall respectively keep up a ferry at the mouth of Port L'Herbert, for the transportation of horses and cattle across that river.

Sum for extra
waiters.

Such sum, to be paid on the certificate of the Board of Revenue, as may be sufficient to pay at the rate of one dollar and a-half per day to such persons as shall be employed by the Receiver-General as extra Waiters for the port of Halifax during the present year; one dollar per day to such extra Waiters when unemployed, and at the rate of one dollar per day to temporary Waiters.

\$1200 Gaugers.

Twelve hundred dollars to such persons as the Governor shall appoint to discharge the duties heretofore performed by the Guager, Weigher, and Proof Officer for the Port of Halifax.

Sum for Seizing
Officers.

A sum, not to exceed one thousand six hundred dollars, at the disposal of the Governor, to be appropriated in paying Seizing Officers in various parts of this Province, for more effectually protecting the Revenue; no officer to receive more than sixty dollars.

\$6,560 Peniten-
tiary.

Six thousand five hundred and sixty dollars, to defray the expenses of the Provincial Penitentiary, for the present year.

\$8,000 Comrs.
Poors Asylum.

Eight thousand dollars to the Commissioners of the Poor in Halifax, for the support of transient paupers for the present year.

\$599.08 Tran-
sient Paupers.

Five hundred and nin ty-nine dollars and eight cents, to defray the several sums following, pursuant to the report of the Relief Committee :

Overseers of first section, Township of Pictou :

Michael Harrigan,	\$18.00
Neil Morrison,	20.00
Thomas Murphy,	41.40
Dennis Collins,	5.00
George Holton,	17.00
Nancy White,	48.00
Doctor Kirkwood,	44.20
	<hr/> \$193.60

Overseers of Annapolis Township :	
Edward McBride,	13.50
Overseers of Clements :	
Ann Conley,	41.60
Overseers of Wilmot :	
James McDonald,	12.00
Overseers of Liverpool Township :	
Eliza Anderson, insane transient pauper,	109.50
Patrick Carey,	22.95
	<hr/> 132.45
Overseers Newport Township :	
Dr. Dennison, half his account for attending Indians,	43.33
Overseers of Barrington :	
Mary Ann Flinn,	28.00
Overseers of Yarmouth :	
Amos White,	49.75
Board of Health, Yarmouth :	
John Peterson,	14.85
Overseers of Antigonish :	
John McDonald,	30.00
N. S. Fulmore, for attending sick pauper,	40.00

Forty-eight dollars and fifty cents to John Slayter, Health Officer for the port of Halifax, pursuant to the report of the Relief Committee. \$48.50 Health Officer.

One hundred dollars to Philip Gallienne and George Easterbrook, for their services in rescuing the crew of the schooner Gold Hunter, lost at sea, pursuant to the report of the Relief Committee. 100 Philip Gallienne and Geo. Easterbrooke.

Twenty-four dollars to John Peck and others, for services rendered in rescuing crew of the schooner Forest, wrecked at Little Bras d'Or, pursuant to the report of the Relief Committee. 24 John Peck and others.

Twenty-one dollars to Charles E. McAlpine, Coroner of Louisburg, for expense of inquest on Denniston Kerr, pursuant to the report of the Relief Committee. 21 Charles E. McAlpine.

Eight dollars and seventy-five cents to Adam Roy, Controller of Customs, Maitland, to reimburse him for passage of shipwrecked seamen, pursuant to the report of the Relief Committee. 8.75 Controller Customs, Maitland.

Eighty dollars to William Goodwin and George W. Smith, resident upon Mud Islands, County of Yarmouth, to enable them to render assistance to shipwrecked mariners, to be paid 80 Wm. Goodwin and George W. Smith.

on the certificate of the sessions of that County, that the duty has been properly performed.

\$2000 Deaf and Dumb Institution.

Two thousand dollars to aid in supporting the institution for the Deaf and Dumb for the present year.

37.40 John Davison, Light Dues

Thirty-seven dollars and forty cents to John Davison, being a return of half the amount of light dues paid by him, pursuant to the report of the Committee on Trade.

113.75 Bauld & Gibson — drawback.

One hundred and thirteen dollars seventy-five cents to Messrs. Bauld and Gibson, being a return of duties paid on Tobacco exported, pursuant to the report of the Committee on Trade.

252 E. Billing & Co., Colin Robinson & John Creelman.

Two hundred and fifty-two dollars to the following persons, to replace Province notes destroyed by fire, pursuant to the report of the Committee on Trade, in the proportions following, namely :

E. Billing & Co.,	\$172.00
Colin Robinson,	72.00
John Creelman,	8.00

60 John Nelson, half-way House St. Mary's.

Sixty dollars to John Nelson, to enable him to maintain a half-way house between Musquodoboit and St. Mary's, in the County of Guysborough.

60 John Merry, do. Liverpool.

Sixty dollars to John Merry, to enable him to keep a half-way house between Liverpool and Nictaux.

60 Valentine Munro, do. Annapolis.

Sixty dollars to Valentine Munro, to enable him to maintain a half-way house between Liverpool and Annapolis.

200 An Downsdrew Museum, for Museum.

Two hundred dollars to Andrew Downs, to aid in establishing a Museum and Acquarium, pursuant to the report of the committee on his petition.

Grant to King's College continued.

The allowance now made to Collegiate and Academical institutions, including King's College, Windsor, is continued under existing regulations for the present year.

100 Music Teacher.

One hundred dollars to provide for a teacher of music for the Normal School, pursuant to the report of the Committee on Education.

106.95 over-expenditure Normal School.

One hundred and six dollars and ninety-five cents, to repay an over-expenditure on the contingent expenses of the Normal School, pursuant to the report of the Committee on Education.

60 Commissioners do.

Sixty dollars to repay the Commissioners of the Normal School, the expense of additional furniture, pursuant to the report of Committee on Education.

Sum for Insurance on do.

Such sum, at the disposal of the Governor, as shall be sufficient to pay the premium of insurance on the Normal and Model Schools for the present year.

200 Infant School.

Two hundred dollars to the Ladies, Managers of the Infant School at Halifax, in aid of that institution, pursuant to the report of the Committee on Education.

Forty dollars to the Trustees of the Colored School, on the Campbell Road, to aid in completing the School House, pursuant to the report of the Committee on Education. \$40 Colored School, Campbell Road.

One hundred and twenty dollars to the Trustees of the African School in Halifax, in aid of that institution, pursuant to the report of the Committee on Education. 120 African School, Halifax.

The following sums to aid in maintaining the following breakwaters and piers, pursuant to the report of the Committee on Navigation Securities; to be paid on a compliance with the usual conditions annexed to grants of that nature, viz.:

To aid the breakwater at Griffin's Cove, Digby,	\$80.00
Cape Cove, Digby,	80.00
Pleasant Cove, Digby,	200.00
Porter's Point, Cornwallis,	200.00
Green Cove, Yarmouth,	80.00
Cranberry Head Cove, Yarmouth,	80.00
Boat Harbor, Darling's Lake, Yarmouth,	80.00
To pay expenditure on Margaree River Breakwater, 1859,	84.08

Sixty dollars, grant of 1859, to aid in securing Arisaig Pier, to be paid without reference to usual restrictions, pursuant to report of Committee on Navigation Securities. 60 Arisaig Pier.

The following sums to aid in placing buoys in the localities hereinafter mentioned, pursuant to the report of the Committee on Navigation Securities: Sum for Buoys.

Harbor of Sydney, Cape Breton,	\$40.00
Cape Negro, Shelburne,	80.00
Tusket River, Yarmouth,	100.00

One hundred dollars, at the disposal of the Governor, to defray certain expenses connected with the Record Commission, during the present year, pursuant to the report of the committee on that subject. 100 Record Commission.

Nine thousand one hundred and forty-four dollars and eighty cents, at the disposal of the Governor, to pay the following advances made from the Provincial Treasury during the year 1859: 9144.80 Advances.

J. and W. Compton, on account of contract for printing,	\$1,780.00
Thomas B. Aiken, on account of Record Commission, Financial Secretary, for relief of distressed families, County of Guysborough,	1,457.43
James R. Smith; services as assistant Counsel on application for mandamus by Mr. Justice Halliburton, (pension),	466.15
J. W. Johnston and Son, attendance investigating cause of explosion of City Powder Magazine,	60.00
Rev. James Kennedy, on account of supplies furnished distressed Indians, Queen's County,	40.00
	24.00

Eliza Cann, board and lodging seamen of bark "Peace," burnt near Sydney, C. B.,	\$29.50
Commissioner of Indian affairs, on account of expen- diture of 1858,	293.15
John Esson and Co., for relief of distressed families, County of Halifax,	674.50
W. J. Veith, conveying wrecked seamen to Sydney, C. B.,	20.00
S. Cunard and Co., conveying Michael Desmond, shipwrecked seamen, to St. John's, N. F.,	16.00
James Keating, wrecked seaman of bark "Ester Francis," to enable him to proceed to England,	10.00
H. C. D. Twining, on account of revising the Statutes,	120.00
M. I. Wilkins, " " "	200.00
W. A. Henry, " " "	200.00
James R. Smith, " " "	200.00
Alpin Grant, on account of public printing,	1,000.00
Charles H. Shiel, A. C. G., ammunition furnished the Volunteer Artillery from 18th September, 1857, to 28th September, 1858,	120.55
James R. Smith, collecting, arranging, and superin- tending publication of Election Laws,	\$80.00
Richard McCulloch, conveying distressed Seamen from Boston to Halifax,	3.00
William H. Pye, conveying distressed seaman from Bal- timore to Halifax,	3.50
H. B. Paulin, subsistence of eight distressed British Seamen,	21.50
H. B. Paulin, " Robert Reid,	9.25
James Crawford, N. S. Seaman,	6.00
Four N. S. Seamen and Master of Schr. Princess,	12.00
And Clothing eight distressed British seamen,	104.40
Two distressed British seamen,	3.50
To provide clothing for A. Hawie,	13.05
Boarding three wrecked N. S. seamen,	8.40
Subsistence of N. S. seamen from New York to Halifax,	1.75
To pay for conveying three distressed N. S. seamen, from Barbadoes to Lunenburg,	24.75
James Newport, boarding thirteen passengers, of wrecked Steamer "Indian,"	9.50
A. & W. McKinley, books furnished inspector of Mines,	36.70
Henry Yeomans, premium of Insurance on Militia Arms to Yarmouth per Steamer "Eastern State,"	76.00
Groves & Lynass, marking 150 stand of Militia Arms and accoutrements,	203.12
J. W. Johnston & Son, services as Counsel in application by Mr. Justice Halibuton for Mandamus,	100.00
Thomas B. Aikin, expenses on books forwarded from Canada & United States to Pro. Library,	23.65

T. B. Aiken, to pay for books for Provincial Library,	\$68.00
Jacob S. Ingraham, expenses procuring information for Assembly, 31st March, 1859,	8.80
King & Brothers, conveying 194 pkgs. Militia Arms from St. John to Halifax,	658.00
F. W. Fishwick, conveying Militia Arms from Richmond Depot to Ordnance Stores,	101.98
Alpin Grant, publishing extra copies debates of Assembly, Session 1859,	80.00
Donald McLearn, writing in preparation of index to Revised Statutes,	50.00
A. C. G. Palmer, for 300 Great Coats, issued to the Commissioner of Indian affairs,	187.50
Archibald Scott, investigating books of Savings Bank, making statement of accounts and report of same,	539.17

Such sum, to be at the disposal of the Governor, as shall be sufficient to defray the balance due the Board of Works. Sum Board Works.

Eighty dollars to William and Ann Fitchett, pursuant to the report of the Committee on Road Damages. \$80 Wm. and Ann Fitchett.

Four hundred dollars to Edward and Wm. Young, owners of the wrecked schooner "Lutea," to recompense them for the loss they sustained in saving life and property from the steamer "Indian," pursuant to the report of a committee. 400 Edward and Wm. Young.

Eight hundred dollars to John Canty, to reimburse him for a sawmill destroyed by fire, pursuant to the report of the Committee on Railways. 800 John Canty.

Eight thousand and seventy-four dollars and ninety-five cents, to defray the amount still due for public printing, pursuant to the report of the committee on that subject : 8,074.95 Public Printing.

The Queen's Printer,	\$3,152.46
William A. Penny,	1,999.02
Messrs. J. & W. Compton,	3,375.00
Alpin Grant,	129.37
Thomas Annand,	135.75
H. W. Blackadar,	122.00
William Cunnabell,	62.90
Messrs. A. & W. MacKinlay,	10.23
Wesleyan Office,	72.60
S. J. M. Allen,	115.12
Casket Office,	92.00
J. Barnes & Co.,	59.00
Dodge & Gidney,	4.65
Compton & Bowden,	21.00
A. Lawson,	41.00
J. & W. Compton,	36.60
Christian Messenger Office,	101.50
Richard Huntington,	44.00
Church Record,	2.50

J. Bowes & Son,	\$43.25
Ritchie & Bulger,	19.62
J. P. Ward,	58.00
George E. Morton,	29.50
William Cunnabell,	7.00
S. H. Holmes,	41.88
E. M. McDonald,	71.50
Ritchie & Bulger,	7.50

\$2200 Reporting
Debates, &c.

Two thousand two hundred dollars, at the disposal of the Governor, to defray the expense of reporting and publishing the debates and proceedings of the House of Assembly, pursuant to the report of the committee on that subject.

50 J. and W.
Compton.

Fifty dollars to Messrs. J. & W. Compton, to recompense them for loss sustained in connection with their contract, pursuant to the report of the committee on public printing.

2160 Agricultural
Societies.

Two thousand one hundred and sixty dollars, at the disposal of the Governor, to be applied at the rate of one hundred and twenty dollars for each County, in aid of Agricultural Societies, pursuant to the report of the Committee on Agriculture.

217.40 Dr. For-
rester.

Two hundred dollars to the Reverend Doctor Forrester, for services to be performed by him, in pursuance of the report of the Committee on Agriculture, and seventeen dollars and forty cents, to reimburse him for postages and circular, pursuant to the report of the same committee.

32.60 A. and W.
MacKinlay.

Thirty-two dollars and sixty cents to Messrs. A. & W. MacKinlay, to defray their account for Stationery furnished to the Commissioners for consolidating the Laws.

328 Perkins,
Bacon & Co.

Three hundred and twenty-eight dollars, at the disposal of the Governor, to defray the amount of Messrs. Perkins, Bacon & Co.'s account for engraving Provincial Treasury Notes.

400 Welsford
and Parker Mo-
nument.

Four hundred dollars to the committee for the erection of the Welsford and Parker Monument, to be paid on the monument being completely finished, in accordance with the plan now in progress.

Expenses of
Post Office.

Such sum, at the disposal of the Governor, as shall be sufficient to defray the expenses of the Post Office department for the present year, and to carry out the services recommended in the report of the committee on the Post Office.

1504.56 A. & W.
MacKinlay.

One thousand five hundred and four dollars and fifty-six cents to A. & W. MacKinlay, in full of their account for Stationery, books, and binding Laws and Journals, for the House of Assembly for the last year.

3954.67 Expen-
ses Lg. Council.

Three thousand nine hundred and fifty-four dollars and sixty-seven cents, to defray the contingent expenses of the Legislative Council during the present session.

1337.63 Expen-
ses H. of A.

One thousand three hundred and thirty-seven dollars and sixty-three cents, to defray the contingent expenses of the

House of Assembly, pursuant to the report of the committee on contingencies.

One pound per day to each member of the House of Assembly, for his attendance during the present session, with the usual travelling charges.

Pay of Members.

One pound per day to each member of the Legislative Council, for his attendance during the present Session, with the usual travelling charges.

Leg. Councilor's pay.

2. The right to apply for any undrawn monies for breakwaters and other services, approved of by the Legislature, under the several grants therefor, shall be limited to a period of two years from the passing of the appropriation acts in which such grants were respectively contained; and where such period has already expired, or shall hereafter expire, without such monies having been drawn, the same shall revert to the treasury.

Regulations respecting Breakwaters, &c.

3. The owners or agents of all steamboats and packet boats, and all ferrymen or owners of ferry boats shall, before receiving any grants from the public revenues of this Province, have performed a full year's service for which such grant is claimed, and shall have made a return to the Government of the number of passengers, quantity of merchandize, cattle, horses, and other animals transported by their conveyances, the amount received for such service, and the number of times they have been obliged to cross and recross their respective routes or ferries by the regulations of the Sessions or otherwise during the year, which return shall be certified to the satisfaction of the Governor. All persons receiving grants of money from the revenues of this Province for ferries, shall be obliged to convey Her Majesty's mails, and, before receiving their grants, shall procure and transmit to the Financial Secretary a certificate of the Sessions for the County, or if such ferry be in operation between two Counties, a certificate of the Sessions of both of such Counties, that the service has been performed under their regulations and to their satisfaction, and that suitable boats have been provided therefor.

Regulations as to Steamboats, &c.

4. No sums hereinbefore granted for aid to any breakwater, wharf, or pier, shall be drawn from the Treasury, until it shall appear to the satisfaction of the Governor in Council that the parties interested in, or applying for aid to any such work, have subscribed and expended thereon since the passing of the grant, at least three times the amount so granted in addition to such grant, so that the whole amount expended on such work shall amount to four times the sum so granted, unless otherwise herein provided, and that the site thereof has been conveyed for the use of the public.

Restrictions respecting grants for breakwaters

5. If any of the Bridges on the Main Post Roads of this Province shall be unexpectedly destroyed or obstructed by any unforeseen accident or obstacle, it shall be lawful for the

Casualty vote for roads and bridges.

Governor to order a Commissioner to rebuild or repair such bridge or to remove such obstructions; and it shall be lawful further for the Governor to draw warrants in favor of such Commissioner, provided the sum so to be drawn shall not exceed for the year four thousand dollars; and the respective sums so drawn shall be charged at the next session of the Assembly, as against the several Counties in which the same shall be respectively expended.

Undrawn road monies.

6. The following sums, granted for the service of the Roads and Bridges in the Counties hereinafter mentioned in previous years, and remaining undrawn, shall be added to the sums granted for the road and bridge service for those Counties respectively, for the present year, and appropriated in the Road Scales :

County of Annapolis,	\$262.38
Cape Breton,	138.80
Colchester,	503.54
Cumberland,	139.91
Digby,	220.05
Guysborough,	33.32
Halifax,	37.30
Hants,	214.18
Inverness,	483.20
Kings,	108.33
Lunenburg,	46.55
Pictou,	40.45
Queens,	137.66
Richmond,	233.62
Shelburne,	72.80
Sydney,	161.82
Victoria,	13.73
Yarmouth,	4.40

Ordinary Road Service.

The sum of One hundred thousand dollars, granted for the Road and Bridge Service for the present year, shall be applied as follows:

County of Halifax,	\$6,956
Pictou,	7,200
Inverness,	6,600
Hants,	5,592
Lunenburg,	6,000
Colchester,	5,440
Cumberland,	5,840
Cape Breton,	5,684
Kings,	5,400
Annapolis,	5,200
Yarmouth,	4,880
Shelburne,	4,880
Digby,	4,880

Sydney,	\$4,880
Richmond,	4,880
Victoria,	4,880
Guysborough,	4,880
Queens,	4,728
	—\$98,800

On the Main Post Road from Guysborough to Port Mulgrave,	\$300
On the Main Post Road from Mahone Bay to Liverpool, through Bridgewater and Mills Village,	300
On the line of road from Plaister Cove, in the County of Inverness, to Baddeck, in the County of Victoria, via Whycocomagh — Three hundred dollars thereof to be expended in the County of Victoria, and three hundred dollars in the County of Inverness,	600

LOCAL ACTS.

CHAPTER 42.

An Act relating to the ensuing July Term at Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Term abolished, and proceedings continued.

Be it enacted by the Governor, Council, and Assembly, as follows:

Term abolished
and proceed-
ings continued.

1. The July Term of the Supreme Court at Halifax is abolished for the present year; and all matters and proceedings pending, or to be had at such July Term, are hereby respectively continued until the December Term of such Court.

CHAPTER 43.

An Act respecting Assessments in the City of Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Council may assess £8,000. May be assessed £,2000 additional.
2. Objects to be provided for by assessment.
3. May include sum necessary for the support of poor.
4. Ward Assessors—their duty. Penalty for neglect, &c.
5. In case of incapacity, Council may appoint substitute.
6. City Assessor—election — eligibility. Penalty for neglect, &c.
7. In case of vacancy.
8. To be sworn.
9. Salary.
10. Duties.
11. Assessment—how rated. May be made in autumn.
12. Real estate, how valued.
13. Landlord to give statement when required. Penalty. Tenants for a year to be assessed.
14. Partners, how assessed.
15. Owner of stock in the city not assessable for it.
16. Property of estates of minors, &c., how assessed.
17. Personal property—definition of.
18. Life Assurance Companies, how assessed.
19. Benefit Building Societies, how assessed. N. S. Permanent Benefit Building Society and Savings Fund—return of.
20. Joint Stock Companies, how rated.
21. Returns, &c., of Joint Stock Companies, when and how made, &c.
22. Exemptions.
23. Personal Property under £50 not assessable.
24. Excise Officers to furnish list of warehoused goods. Penalty.

SECTION.

25. Form of Assessment Book—Proceedings of Assessor, &c.
26. Notice—form of, &c. Affidavit, form of, &c.,—by agent. In case of absence, Counsel may grant further time—Amount to be that which existed on day of assessment.
27. Affidavit, &c., for companies, &c., form of.
- 28.
29. Affidavit—before whom sworn, where left, &c.
30. Assessor must accept statement, &c.
31. Valuation, when to be complete, &c. Valuation Books.
32. Assessment Book, how made up, &c.
33. To be approved by Council and deposited with Treasurer—his proceeding thereon—form of notice, &c.
34. Proceeding in case of non-payment—form of warrant. Expenses, how taxed.
35. Proceeding if not collected under warrant. Treasurer's certificate to be evidence of rate being due.
36. Proceeding against absent persons.
37. In case of insolvency, Treasurer may compromise.
38. Proceeding in case person dies between valuation and payment.
39. Estates in charge of Executors, &c., rates how collected, &c.
40. Mode of notifying non-residents.
41. Notice to one of joint owners sufficient, if property sufficiently designated.
42. Excess, error, &c., not to vitiate rate—Court may reduce amount, not Council.
43. Assessor need not reside in Ward, if place of business there, and been resident in city one year.
44. Cap 30 Acts 1857, repealed.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. The City Council shall have power to assess on the inhabitants, and on the property within the city, annually, such sum of money, not exceeding Eight Thousand Pounds, as may be necessary to defray the expenses which they are by law authorised to incur on behalf of the city; and such amount may be increased in any year by permission of the Governor in Council, to the extent of Two Thousand Pounds additional: Provided such increase be requested by a vote, in which at least twelve members of the City Council concur.

Council may assess £8,000.

May be increased £2,000 additional.

2. The objects which may be provided for by assessment, include the salaries and compensations legally granted to the officers and other persons employed in the business of the city; expenses of police; of lighting the streets; of a night watch; of a supply of water; expenses of fire department; maintenance of the city hospital and city prison; repairs of city property; the making, repair, and improvement of the streets and of the sewers and drains, bridges and roads; and all other expenses required in the due execution of the different powers and trusts vested by law in the City Corporation, its Council or Officers.

Objects to be provided for by assessment.

3. On request of the Commissioners of the Poor Asylum for Halifax, specifying the sum they deem necessary to be paid by the city for the support of the poor of the city in the Poor Asylum, and in the Provincial Hospital for the Insane for the year ensuing, the City Council shall be authorised to include in the foregoing general assessment the sum so specified.

May include sum necessary for the support of poor.

4. The Ward Assessors annually elected by the several wards of the city, shall, when required by the City Assessor, assist him within their respective wards, attending to such duty within the hours of ten A. M. and six P. M., to make a fair and impartial assessment; and in case any Ward Assessor, so selected, shall neglect or refuse to perform any of the duties of his office, he shall forfeit to the city for every offence a penalty of Ten Pounds.

Ward Assessors—their duty.

Penalty for neglect, &c.

5. If any Ward Assessor shall be absent, or shall become, from illness, incapacitated for the performance of his duties, the City Council shall be at liberty to appoint in his place some duly qualified citizen of the ward, who shall be liable to the same penalty of Ten Pounds for neglect or refusal to perform any of the duties of his office.

In case of incapacity, Council may appoint substitute.

6. The City Council shall, annually, elect by open vote one suitable person, not being a member of the City Council, to be City Assessor, and no person shall be considered ineligible to such office on account of his having already served therein; and any City Assessor who shall be guilty of neglect of duty,

City Assessor—election—eligibility.

Penalty for neglect, &c.

shall pay a fine of not less than Forty Shillings, nor more than Ten Pounds, for every such offence.

In case of vacancy.

7. Whenever a vacancy shall occur in the office of any City Assessor, who has not served out his full time, such vacancy may be supplied by the City Council, and the person elected to fill such extraordinary vacancy shall occupy the office and discharge the several duties thereof for the term then unexpired of the person whose place he shall supply.

To be sworn.

8. Every City Assessor, on acceptance of office, shall make oath in writing before the Mayor, or some Alderman, to perform the duties of his office, and to make a fair and impartial assessment on the city.

Salary.

9. There shall be payable, out of the city funds, to the City Assessor, so long as he shall remain in office, such annual salary as the City Council may appoint, and to each Ward Assessor such compensation as the City Council may, from time to time, direct.

Duties.

10. The City Assessor, associating himself with the Ward Assessor for every respective ward, taking the wards in such order of rotation as the City Assessor shall think fit, shall, upon the order of the City Council, proceed forthwith to make an assessment upon the respective wards for all sums of money legally authorised and directed to be assessed upon the city for city purposes and rates, for poor rates, and for the proportion of county rates chargeable on the city and its inhabitants.

Assessment—
how rated.

11. The assessment shall be rated on the occupants of real estate, being yearly tenants, and in all other cases on the owners of property, by an equal pound rate upon the value of the real and personal estate within the city, whether such real or personal estate shall be possessed, occupied, or owned by individuals, or by any joint stock company or corporation, and whether owned by parties resident or absent, according to the best knowledge and discretion of the City and Ward Assessors, subject to the exemptions hereinafter specified. The City Council may direct the assessment to be made in the autumn of any year for the ensuing year.

May be made in
autumn.

Real estate how
valued.

12. The Assessors shall value real estate at ten fold of the amount of rent it produces; or if vacant or occupied by the owner at the amount the Assessors deem it to be annually worth.

Landlord to
give statement
when required.

13. The Assessors, or any of them, may require the owners of any real estate in the city to give a written statement, shewing the tenancy thereof, name of tenant or tenants, and amount of rent, and whether yearly or otherwise, within five days after request, under penalty of Forty Shillings for failure to make such return. All tenants holding real estate for one year, or any longer period, shall be assessed, whether the rent be payable quarterly, monthly, or otherwise.

Penalty.

Tenants for a
year, to be
assessed.

14. Partners in business shall be assessed under the name of the firm for partnership property in the same way as individuals. Notice to either partner, or to the agent of the firm, shall be valid.

Partners, how assessed.

15. The owner or holder of stock in any incorporated or joint stock company doing business within the city, taxed on its capital, shall not be assessed as an individual for such stock.

Owner of stock in the city not assessable for it

16. The estate of deceased persons under control of their executors, administrators, or trustees, the separate property of married women, and the property of minors, and other property under the control of agents and trustees, shall be rated in the name of the principal party or parties ostensibly exercising control over them, but under such description as will keep the rating separate and distinct from any assessment on such parties in respect of property held in their own right.

Property of estates minors, &c. how assessed.

17. Under the term "personal estate," shall be included all household furniture, monies, goods, chattels, wares, and merchandize, kept in public or private premises, or in the Queen's or other public warehouses; all ships and vessels, or shares in ships and vessels owned by persons residing or having offices or doing business within the city, (whether such ships or vessels be at home or abroad at the time of assessment); also all public stocks, except Provincial and City debentures of the said City of Halifax. There shall also be included under the term personal estate, stocks in public or private banking companies, water, gas, fire, marine, or life insurance companies or associations, or other joint stock companies or corporations, whether public or private, doing business within the city; and all monies belonging to the inhabitants of the city invested in public or private securities within this city; and also all incomes arising from any office, profession, trade, or employment, (Clergymen excepted), or any provincial, city, or other public salary, or from any fixed annual salary for services to any company or private person or persons, provided no such income shall be assessable unless it amount to £150 currency per annum. The income of citizens arising from funds or investments out of the city, and whether in or out of the Province, is also assessable as personally. All bullion and coin of gold or silver, all Province notes and notes of solvent banks in the Province or elsewhere, which maybe in the possession and the property of any citizen, or in the custody of a bank or other party, or monies deposited on deposit receipt, shall be considered as his monies, and be assessed accordingly.

Personal property—definition of.

18. Life Insurance Companies established in the city, or having any branch office or agent therein, shall pay assessment upon the amount of premiums actually received or secured within the city during the current year, deducting

Life Assurance Companies, how assessed.

agency and office expenses incurred within the city, deducting also any losses incurred on lives insured in the city.

B. B. Societies,
how assessed.

19. Every Benefit Building Society established in this city under an Act of the Province passed 31st March, 1849, the Nova Scotia Permanent Benefit Building Society, and all similar companies and societies, wherein the sums paid in by shareholders or contributors is lent out on mortgage, doing business or having an office in the city, shall be assessed. The treasurer of the Nova Scotia Permanent Benefit Building Society and Savings Fund, shall, on the first day of June in each year, make a return, under oath, to the City Clerk, of the name and address as registered in the books of the Society, of each depositor of £50 and upwards therein, together with the amount of his deposit; and such deposit shall be subject to city assessment, to be collected by the city in the present and future years from the depositor; but borrowers from the Society shall not be assessed on their borrowed shares.

N. S. Permanent Benefit
Building Society and Savings
Fund—return of.

Joint Stock
Companies, how
rated.

20. Every joint stock company doing business in the city shall be rated as if holding £100 of property for every £6 nett annual income or profit derived from its business done within the city, Life Insurance Companies excepted.

Returns, &c. of
Joint Stock
Companies,
when and how
made, &c.

21. In the case of every joint stock company or agency, the president, secretary, manager, cashier, treasurer, or, in case of a branch office, the resident agent shall annually, on or before the first day of March, make an affidavit in writing before the Mayor and Alderman or a Justice of the Peace for the County of Halifax, a precise statement of the actual net income of the company or corporation, derived from their business done within the city during the year ending on the 31st day of December preceding, or such other date within the year ending on said First day of March, as shall be the usual period of any such company for closing and balancing their accounts. The party making this affidavit shall file it immediately with the City Clerk, and the Assessors shall fix the rate accordingly; on default of this statement being duly filed, the Assessors may rate the company's income according to the best information they can otherwise obtain, and the company or corporation shall, in addition to the rate, pay to the city a penalty of £50 for the neglect or omission of their officers or agents in not furnishing the statement of their profits by affidavit.

When an assessment is ordered to be made in the autumn, the joint stock companies may be taxed on their returns to the 31st of December previous.

Exemptions.

22. All property, real or personal, belonging to Her Majesty, to the province, the county or city; all personal property of military persons residing in government buildings or barracks, or of officers or men of the navy residing in government buildings; every building erected and used as a college,

incorporated academy, or other seminary of learning; every building for public worship, temperance hall, school house, court house and jail, and the site and appurtenances of each, and their furniture; every poor house, alms house, orphan house, asylum for deaf and dumb, house of industry, house of refuge, and the real and personal estate of the same; the real and personal estate of every public library, and all stocks owned by the city or province, or by literary or charitable institutions, and all provincial and city of Halifax debentures, shall be wholly exempt from assessment. This section is not to exempt yearly and other tenants holding under lease from the city, nor are the dwelling houses or lodgings occupied by clergymen, by whomsoever they may be owned, to be exempt from assessment.

23. No person shall be assessed for his personal estate unless its value amounts to fifty pounds.

Personal property under £50 not assessable.

24. The officers of the Excise Department, and Provincial Revenue Officers, shall be bound, on request of the City Assessor, from time to time, to furnish him with lists of the goods in the Queen's Warehouses, and the names of the owners, under penalty of Fifty Pounds for refusal or neglect to furnish the same within ten days after the request.

Excise Officers to furnish list of warehoused goods.

Penalty.

25. The Assessor, before proceeding to the assessment of the respective wards, shall be provided by the city with a sufficient number of blanks, to form valuation books, ruled and headed throughout in the following form :

Form of Assessment Book.

Ward No.	Names.	Value of Real Estate as tenant or landlord.	Value of Personal Property.	Income.	Total amt on which assessmt. is to be levied

The Assessors shall enter the name of each person, company, or corporation, to be assessed separately in order, in the first or left hand column, the value of real estate stated in currency in the next column, of a personal property in the third column; income in the fourth, and the sum total on which the assessment is to be levied in the last column, opposite to each name.

Proceedings of Assessor, &c.

26. As soon as the whole amount of real and personal property and income on which any person, company, or corporation is to be assessed within any ward of the city is determined, the City Assessor shall serve or cause to be served, a notice of such valuation upon the person assessed or his agent,

Notice—form of, &c.

or on the company or corporation, their officer, clerk, or agent. This notice shall be in the following form in print or ink :

Ward No.	Names.	Value of Real Estate as tenant or owner.	Value of personal property.	Income.	Total amount on which assessment is to be levied.

I hereby give you notice that the Assessors, to the best of their judgment, have made the above valuation of your real and personal estate and income within Ward No. —, of the City of Halifax, on which assessment for the current year is to be levied. If you wish to object thereto, you are hereby notified to furnish me at my office in the City Court House, within fourteen days from this date, with a written statement, under oath, according to the form herewith served upon you.

To Mr.

, City Assessor.

Dated at Halifax,

day of

18

These notices are to bear date on the days which they are respectively served.

Affidavit—form
of, &c.

After service of the notice, fourteen days shall be allowed to the parties to be rated, or their agents, to furnish the City Assessor with a written statement, under oath, of the real and personal estate, and income, in the following form :

*Statement of Real and Personal Property and Income of
within Ward No. of the City of Halifax, liable to assess-
ment :*

£ s. d.

1. Real Estate, viz : in possession of Subscriber, not rented to yearly tenants, estimated at ten times the yearly rent or value,
2. Household furniture and moveable property in dwelling and premises occupied by Subscriber,
3. Goods, wares, and Merchandise, within the ward,
4. Monies in possession or in bank, &c.
5. Ships or vessels or shares and interest therein, whether at home or abroad,
6. Monies invested on mortgage or other Security whatever within the city,

7. Income from profession, office, salary, &c., taxable, or from investments out of the city, whether in or out of the province,

Total amount £

[Signature of party rated.]

In making this statement each item, or class of property, shall be separately valued, and the amount admitted under each of the seven classes of assessable property shall be separately stated, and the Assessor shall not be bound to adopt such statement where each is not expressly valued.

(The return of income of monies and that of ships and vessels, or shares therein, shall, in every case, be made by the party rated in the affidavit or return by him or them, made in the ward in which such person shall reside), such return or statement shall be verified in every instance by an affidavit in the form following :

City of Halifax, SS.

of the City of Halifax,

maketh oath and saith, that the above statement is in all respects just and true, and that the sum of _____ pounds is the full value, to the best of deponent's judgment and belief, of the real and personal estate and income for which the said deponent was liable to be taxed on the day of the assessment thereof, within Ward No. _____

Sworn to this
before me.

day of

A. D. 18

The affidavit is to be signed by the party sworn, and when made by an agent, the form is to be altered accordingly. By agent.

When such statement cannot be made within fourteen days, from the absence or sickness of the party rated, a further time may be allowed therefor by the City Council; and every person to be assessed shall, in stating his real and personal estate and income liable to assessment, give the amount of such real and personal property and income as it existed on the day the same was assessed. In case of absence. Council may grant further time.

27. The form of the statement and affidavit in the cases of all public and private banks, water and gas companies, insurance companies and agencies, marine, life or fire, and all other joint stock companies and bodies corporate, shall be as follows: Amount to be that which existed on day of assessment.

Affidavit, &c. for Companies, &c. form of.

Statement of the real and personal property of _____, doing business within the City of Halifax, liable to assessment—

Real Estate, value,	£
Personal Estate, viz.,	
{ Furniture of office, goods and chattels, Net profits or income derived from the business done within the city during the year ending 31st December last, (or day of)	
Or, in case of Life Insurance Companies,	
Net amount of premiums received } at Halifax during the current year, }	£
Total, £	

28. Such returns in the cases of companies, banks, societies, or corporations, shall be verified by affidavit in the following form, viz.,

Halifax City, S.S.

of the City of Halifax,

maketh oath and saith, that the above statement is in all respects just and true, and that, to the best of this deponent's information and belief, the sum of pounds is the full value of the real and personal estate and income, net interest, premiums or receipts of said company, liable to assessment under the law within the Ward No. , in the City of Halifax.

Sworn to this day of A. D. 18
 before me,

This affidavit is to be signed by the party sworn.

29. These statements may be sworn before the Mayor, or before one of the Aldermen, or any Justice of the Peace for County of Halifax, and must be delivered to the City Assessor, or be left for him at any time, on a week day, between the hours of ten o'clock, A. M., and four o'clock, P. M., at the Office or place mentioned in the Notices.

30. Whenever a person, company, or corporation, to be assessed, shall deliver a sworn statement, in the form required by this law, the Assessors shall accept and adopt the valuation sworn to.

31. The City Assessor shall complete the valuation annually, within Seventy days from the date of the order of the Council to commence the valuation; and having duly delivered the Notices of valuation above directed, and the fourteen days allowed for the personal affidavits having expired,—shall then make return of the Books of the valuation to the office of City Clerk, one for each Ward, clearly and correctly made up in writing and signed by him and by the Ward Assessors acting for the Ward, or by any two of them.

32. The valuation books having been first seen and approved of by the City Council, shall be taken back by the City

Affidavit—before whom sworn, where left, &c.

Assessor must accept statement.

Valuation—when to be complete, &c.

Valuation Books.

Assessment Book, how made up, &c.

Assessor, who shall then proceed without delay to make up one general book of Assessment for the City, in which there shall be distinctly shown the amount of the rate upon each individual or Company, in such form as the City Council may direct; and the Assessment book being so made up and signed by the City Assessor, shall be returned to the office of City Clerk.

33. As soon as the Assessment book shall be accepted and approved of by the City Council, it shall be deposited with the City Treasurer, who shall cause each person or Company rated, or their Agents, to be served with a notice, in the following form:

To be approved by Council, and deposited with Treasurer—his proceeding thereon.

Halifax

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You are hereby notified that you are rated and Assessed for the Current year, 18 to pay the sum of pounds shillings and pence, for City, County and Poor Rates, Unless the amount be paid within thirty days, ten per cent, will be added thereto, besides all charges and costs of collection.

Form of notice, &c.

To

City Treasurer.

34. If any person or company rated and assessed shall not pay the amount within thirty days after service of notice, the City Treasurer shall without delay issue a warrant of distress to collect it, in the form following:

Proceeding in case of non-payment.

City of Halifax

To the City Constables or any of them.

Whereas is indebted to the City of Halifax in the sum of for rates for the Year 18, and has omitted to pay the same after full notice so to do, you shall forthwith distrain the goods and chattels of the said, for the said sum, and ten per cent. additional; and if, within seven days after distress made, the amount of the rate, with ten per cent., and any necessary charges be not paid you, you shall sell the goods and chattels so distrained upon to satisfy the same.

Form of Warrant.

Halifax

18

City Treasurer.

In case of any dispute, the Mayor and any Alderman may tax and limit the expenses to be allowed in a summary manner.

Expenses, how taxed.

35. If the money assessed be not collected and paid over to the City Treasurer under the warrant of distress, he shall, without delay, sue for the amount inclusive of the ten per cent. or, for so much as is not collected, as in case of debt.

Proceeding if not collected under Warrant.

Treasurer's
Certificate to be
evidence of rate
being due.

The action to be in the name of the City. The Treasurer's certificate in writing shall be presumptive evidence of the rate being due and unpaid, and shall be sufficient to entitle the City to a judgment, without, further proof, unless a good and just defence can be made thereto.

Proceeding
against absent
persons.

36. Any person absent from the province, and any company whose effects are not to be found, or are insufficient to levy upon by way of distress, may be proceeded against for rates due to the City according to the provision of the absent debtor laws.

In case of In-
solvency, Treas-
urer may com-
promise.

37. In case either an individual or a firm, from whom or which assessment or taxes are due to the City, shall have made a general assignment of assets to creditors, or otherwise is unable to pay debts in full, and in case of the insolvent estate of a person deceased, it shall be lawful for the Treasurer of this City to join in behalf of the City in any such assignment, arrangement, or compromise, and to secure and accept any such dividend or part payment in his discretion as may appear for the interest of the City in his opinion, and in case of doubt he may require the approbation of the Mayor thereto.

Proceeding in
case person
dies between
valuation and
payment.

38. Whenever any Citizen whose property has been valued by the Assessors under this law, shall die before the taxes and assessments of that year have been fixed, adjusted, and paid, by him or her, his or her executors and administrators shall have the same powers, rights, and liabilities therein as he or she might have had if living, and the proper notices under these heads shall be served on them, and they may make affidavit to reduce such assessment if they think proper—and if there be no executor or administrator immediately ready to receive such notices, the publication thereof in any city newspaper shall be sufficient, and any such assessment or tax, whether due by a citizen before his or her death, or assessed or adjusted subsequently, may be recovered as a debt may, by suit, at the suit of the city against his or her executors or administrators.

Estates in
charge of Ex-
ecutors, &c.,
rates how col-
lected, &c.

39. While any estate real or personal of any deceased party within the City, shall remain in charge of executors, administrators, guardians, or trustees, the assessments annually thereon shall be made by a written or printed notice served on any one of such guardians, executors, administrators, or trustees, in place of the notices required by law in case of citizens living who may be assessed—and it shall be the duty of the City Assessor to have these notices served, and taxes and assessments due on such estates shall and may, if not duly paid, be sued for as a debt may in the name of the City; against, as defendants, the executors, administrators, guardians, or trustees of such estate, and if any one of them be made defendant, no objection shall be allowed for the omission of the others.

40. In case of any non-resident party assessed for property, real or personal, within the City, a notice shall be published in one of the City Newspapers; and if the party lives within the province, the City Assessor shall send notices by mail, such notice shall be equivalent to personal service.

Mode of notifying non-residents.

41. Whenever any property, real or personal, shall belong to more than one individual, whether the same be owned by co-partners, tenants in common, or held by executors, administrators, trustees, devisees, or co-heirs, the different notices and proceedings of valuation and assessment thereof under this Act shall be valid if such notices shall be actually served on, or come to the hands of any one of the parties who own or have charge thereof, notwithstanding any errors, omissions, or mistakes, in the name or names of the party or parties to be rated for the same, provided that the property itself intended to be rated be sufficiently designated or pointed out in such notices to enable the parties to ascertain the object of such rate.

Notice to one of joint owners sufficient, if property sufficiently designated.

42. In case of any excess, error, or other objection, made by any party or parties to the assessment for the City made on him or them, the Court, before which the same is investigated, shall not in any case annul and set aside such whole rate, but, if he, she, or they, can fully establish that the rate is excessive, the Court may reduce the amount of his or her Assessment to what it ought to be in justice, and shall give judgment in favor of the City for the amount so reduced. But such power shall in no case be exercised by the City Council.

Excess, error, &c., not to vitiate rate.

Court may reduce amount,

43. It shall not be necessary that a Ward Assessor of said City reside in the ward for which he is elected, provided he has an office, shop, warehouse, or place of business within the ward, and has been resident for one year previous within the City.

not Council.

Assessor need not reside in Ward, if place of business there, and been resident in city one year.

44. The Act passed on the first day of May, Anno Domini One Thousand Eight Hundred and Fifty Seven, Chapter 30, entitled An Act to alter and amend the Act concerning the City of Halifax is hereby repealed.

Cap. 30, Acts 1857, repealed.

CHAPTER 44.

An Act respecting Ancient Lights in the City of Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Height of building not to be restricted by right of ancient lights.

SECTION:

2. Rights in existence for twenty years, not affected.

3. Duration of Act.

Be it enacted by the Governor, Council, and Assembly, as follows:

Height of buildings not to be restricted by right of ancient lights.

Rights in existence for twenty years not affected.

Duration of act.

1. Within the boundaries of the City of Halifax, no person or corporate body shall be restricted or prevented from building to any height he or they may judge necessary, by any right acquired or pretended by any adjacent proprietors by reason of any lights, windows, or openings for air or light in premises near to or bounding on such intended building.

2. No right of ancient lights attached to windows, which have been in existence for twenty years prior to the passage of this Act, shall be destroyed or diminished thereby.

3. This Act shall continue in force for two years, and from thence to the end of the then next session of the General Assembly.

CHAPTER 45.

An Act to authorize the appointment of Extra Constables in the City of Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Mayor may appoint Extra Constables.
2. Duration of appointment.
3. To be sworn in. In case of re-appointment, oath not necessary.

SECTION.

5. List to be published.
6. Each one to be furnished with badge of office. Their powers, duties, &c.

Be it enacted by the Governor, Council, and Assembly, as follows:

Mayor may appoint Extra Constables.

1. The Mayor of the City of Halifax may, from time to time, appoint such number of Extra Constables as he may deem necessary.

Duration of appointment.

2. The appointment of every such Extra Constable shall terminate on the last day of the year in which he was appointed.

To be sworn in.

3. Each Extra Constable, when first appointed, shall be sworn before the Mayor or an Alderman to the faithful discharge of his duties, while he shall continue to be an Extra Constable. In case of his subsequent renewal or re-appointment, no re-swearing shall be required.

In case of re-appointment, oath not necessary.

May be compensated.

4. If Extra Constables are called out for special duty involving loss of time, but in no other case, the City Council may compensate them.

List to be published.

5. The appointment of Extra Constables shall be published, and an annual list of their names and residences shall be inserted in one or more city newspapers.

Each one to be furnished with badge of office.

6. Every Extra Constable shall be furnished by the city with a badge, baton, or emblem of office.

Their powers, duties, &c.

The powers of Extra Constable shall be,

First. In case of an actual breach of the peace occurring in their presence, to interfere to preserve order, and, if neces-

sary, to arrest wrong-doers and take them to the Station House.

Second. If any persons are found by them in the act of injuring or destroying any trees planted in the streets, squares, on the parade, on the common, or in any public or open place, or in front of any house or building, which have been growing or placed there for ornament, or shade, or other purpose, to arrest such trespassers if they are unknown persons, and detain them in custody a reasonable time in the Station House or elsewhere, in order to ascertain their names and residences, and if the parties caught so trespassing are known persons, to report the fact to the police at once, without such arrest.

Third. If any persons are discovered defacing or injuring the exterior of any house, building, or fence, or the shutters or other appendages thereof, or in writing any obscene or profane words on any wall, fence, or building, the Extra Constables or the Constables shall exercise the same power as herein given in case of injury to trees.

Fourth. The Extra Constables shall have power, on the request of the Mayor, any Alderman, or the City Marshall, to serve any summons or to execute any warrant or other process emanating from the Police Court, Mayor's Court, or otherwise, which a City Constable has authority to do.

Fifth. The Extra Constables shall also be empowered to assist the Police Constables or Special Constables in any of their duties.

Sixth. In case of larceny or alleged larceny, the Extra Constables shall have power to act in prevention and otherwise, and in case of violent removal of goods, or violence as to property in houses or the possession thereof, to assist in keeping the peace.

Seventh. At all Churches, Meeting Houses, and at all exhibitions, theatres, and at all public meetings and meetings of societies and bodies of men, they shall act in preserving the peace, arrest of disturbers of peace, and keeping the entrances and streets clear of disturbance.

CHAPTER 46.

An Act to alter and amend the Act to provide for the erection of a Court House in Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Commissioners may issue debentures for amount borrowed.
2. On approval of Governor in Council, may borrow \$5,000.

SECTION.

3. Repayment, interest, &c.

Be it enacted by the Governor, Council, and Assembly, as follows:

Commissioners may issue debentures for amount borrowed.

1. The Commissioners may from time to time issue Debentures for Four hundred dollars each, at such rate of interest, not exceeding Six per cent. as may be agreed upon, for all sums of money borrowed, or to be borrowed, under Chapter 13 of the Acts of 1858, and under this Act; which Debentures shall be made redeemable as in such Chapter, and hereinafter is provided.

On approval of Governor in Council, may borrow £6,000.

2. The Commissioners may borrow, on the credit of the County of Halifax, such further sum, not exceeding Six thousand dollars, as shall be sufficient to complete and furnish the Court House according to their Estimate; having first obtained the approval of the Governor in Council that the whole or part of the sum is required for such purposes.

Repayment, interest, &c.

3. The amount to be borrowed under the preceding section shall be a County charge, and shall be added to the amount previously authorized; and the whole shall be repaid in fifteen years by equal annual instalments, with interest, at a rate not exceeding six per cent. until the whole sum borrowed shall have been repaid; the first payment of principal and interest to be ordered at the next Sessions for the County of Halifax, held after the passing of this Act, and thereafter assessed; it being understood that in the event of a division of the County of Halifax, or in the event of a Court House being hereafter required for the Eastern division of that County, one half of the cost of such Court House shall be assessed on the western division of the County.

CHAPTER 47.

An Act to enable the City of Halifax to borrow funds and to erect buildings therewith near the Market Slip.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Portion of Market Slip property on which city may erect buildings.
2. City may borrow £2,000 for building.
3. Loan to be advertized.
4. Certificates, form of, &c. How transferable.

SECTION.

5. Repayment.
6. Application of rents and profits.
7. At end of five years, may pay off loan.
8. City property bound for re-payment.
9. Council may let lot on building lease.

Be it enacted by the Governor, Council, and Assembly, as follows:

Portion of Market Slip property on which city may erect buildings.

1. The City of Halifax is authorized to erect buildings of brick or stone on the Market Slip property, upon the space or portion thereof bounded and described as follows: Beginning at a point eighty feet four inches eastwardly from the N. W. corner of the Beamish property, called the Market Wharf, upon the division line agreed on between that property and the Market Slip grant, and extending towards the end of the

sea-wall recently erected, say ninety-six feet from East to West, and extending in width from North to South over a width not to exceed thirty-two feet in any point.

2. The City of Halifax shall have power to borrow, on the credit of the city, a sum of money not to exceed, in the whole, two thousand pounds, at a rate of interest not exceeding six per cent. per annum, clear interest, over and above all taxes and rates whatsoever, to be expended by the City Council or under their directions in putting up and completing such buildings.

City may borrow £2,000 for building.

3. Tenders for this loan, in sums of not less than one hundred pounds each, shall be advertized for in two or more of the newspapers published in the city, for one month, and the tender expressing the lowest rate of interest, shall be preferred.

Loan to be advertized.

4. The tender shall receive for every one hundred pounds so lent, a certificate under the City Seal, signed by the Mayor and countersigned by the City Clerk, drawn in favor of such lender, his or her endorsers and assigns, specifying the terms of loan and rate of interest, such interest to be payable half-yearly. These certificates shall be transferable by an endorsement of the holder's signature, in the same manner as promissory notes.

Certificate—form of, &c.

How transferable.

5. The principal monies of such loan shall be repaid to the lenders or holders within twenty years from the date of the loan.

Repayment.

6. Until the loan shall be fully paid off, with interest, all rents and profits received from the buildings so to be erected, shall form a distinct and separate fund, in the hands of the City Treasurer, and shall be applied exclusively in the reducing and repayment of loan with interest, such rents and profits to be first applied to payment of interest due, necessary repairs, and insurance, and the residue to be a sinking fund to pay off the principal of the loan.

Application of rents & profits.

7. At the end of five years the City shall have power to pay off the loan, or any part thereof, and, after that, may do so at any time as respects the same, or any part thereof, on six months' previous notice.

At end of five years may pay off loan.

8. The funds, property, and revenue of the city, shall be bound, also, for payment of loan and interest.

City property bound for repayment.

9. In case the City Council shall not deem it expedient to erect a building on the lot, it shall be lawful for them to let the lot on a building lease, for a period not exceeding fifteen years.

Council may let lot on building lease.

CHAPTER 48.

An Act respecting Drains and Sewers in the City of Halifax.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Council may repair and complete drains, &c., and make by-laws regarding same.
2. Expenses of altering and repairing drains, &c., how paid.

SECTION.

3. No one to connect with public drain unless he has contributed to expense of building it. Penalty.

Be it enacted by the Governor, Council, and Assembly, as follows:

Council may repair and complete drains, &c. and to make by-laws regarding same.

1. The City Council shall have power to repair and improve drains and sewers, to lay out, excavate, and complete new drains and sewers, and to make bye laws and regulations for protecting and keeping free all drains, sewers, and water courses within the City of Halifax.

Expenses of altering and repairing drains, &c., how paid.

2. Whenever it shall appear necessary to the City Council to dig, open, build, alter, or repair, any drain, or sewers, for public advantage, and the major part of the owners of land adjacent thereto shall apply for the same, in writing, to be done, the expenses attendant on such work shall be borne, one half by the funds raised from the street taxes, or, in case of their deficiency, by the general funds raised in the City by Assessment or otherwise, and the other half shall be borne and paid by the owners of the real estate which is benefitted by such drain or sewer, confining such charge to such pieces of land and tenements as front upon the street or lane through which such sewer or drain passes, and which are benefitted thereby, and the quota of each person so liable to contribute shall be settled by three citizens not interested therein, to be named by the City Council, who shall enquire into the same, and by written award determine the sum each party liable shall contribute, and the amount may be recovered as a debt due to the City.

No one to connect with public drain unless he has contributed to expense of building it.

3. No person shall open a drain or sewer to connect with any public drain or sewer, unless he shall have contributed a just proportion to the expense of building, to the satisfaction of the City Council as to the amount so contributed, under penalty of Twenty-five pounds for so opening such communication.

CHAPTER 49.

An Act to provide for Appraising certain Road damages in the County of Sydney.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Damages of T. Decost and F. Levandiere, from removal of buildings, may be appraised under Cap. 61 Rev. Stat.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. The damages sustained by Tousaint Decost, and Fidel Levandiere, for the removal of their buildings from a new line of post road, in the County of Sydney, not included in the appraisalment made of damages on that line, may be appraised under the provisions of Chapter 61 of the Revised Statutes, "Of laying out certain great roads."

Damages of T. Decost and F. Levandiere, from removal of buildings, may be appraised under Cap. 61 Rev. Stat.

CHAPTER 50.

An Act to provide for opening a road from Sheet Harbor to Musquodoboit.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Members for Halifax empowered to borrow \$2,000.

SECTION.

2. Repayment.
3. How expended.

Be it enacted by the Governor, Council, and Assembly, as follows :

1. The Members for the County of Halifax may borrow on the pledge of the road monies of the County and the security of this Act, a sum not to exceed Two thousand dollars, to be applied in opening the road from Sheet Harbor to Upper Musquodoboit, in that County.

Members for Halifax empowered to borrow \$2,000.

2. Such loan shall be repaid by annual instalments of one third of the sum borrowed, with interest, at a rate not exceeding six per cent., out of the road grants for 1861, 1862, and 1863, until the whole sum borrowed shall have been repaid.

Repayment.

3. The monies borrowed under this Act shall be expended by Commissioners to be appointed by the Governor in Council.

How expended.

CHAPTER 51.

An Act to authorize the completion of a line of road in the County of Richmond.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Commissioner may open and work new road between Black River and West Bay, under Cap. 61, Rev. Stat.

Be it enacted by the Governor, Council, and Assembly, as follows :

Commissioner
may open and
work new road
between Black
River and West
Bay, under Cap.
61 Rev. Stat.

1. Any commissioner hereafter authorized to lay out any monies on any part of the improved line of the main post road between Black River and William McKenzie's, West Bay, in the County of Richmond, shall have power to open and work the same under the provisions of Chapter 61 of the Revised Statutes, and such provisions shall apply to such improved line instead of to the old line running between those limits.

CHAPTER 52.

An Act for the building of certain Bridges and the improvement of certain Roads in the County of Pictou.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Members may borrow \$3,000. Repayment.

SECTION.

2. How expended.
3. Cap 59 Act '59 repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

Members may
borrow \$3,000.

1. The members for the County of Pictou may borrow on the pledge of the road monies of the County, and the security of this Act, a sum not to exceed three thousand dollars, to repair or build bridges over River John, in the Western District of that County, and to improve the road leading to St. Mary's, and the road from Churchville to New Glasgow; such sum to be repaid in equal yearly instalments of one thousand dollars, with interest, or according to the amount borrowed, out of the road grants for the years 1861, 1862, and 1863; the amount to be paid by each of the districts as follows, viz., two thousand four hundred dollars by the Western District, and six hundred dollars by the Eastern District, or in similar proportion, according to the amount expended within the same.

Repayment.

How expended.

2. The monies borrowed under this Act shall be expended by Commissioners to be appointed by the Governor in Council.

Cap. 59, Act '59,
repealed.

3. Chapter 59 of the Acts of 1859, is hereby repealed.

CHAPTER 53.

An Act relating to the Sessions for the County of Inverness.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Proceedings in January last, confirmed.
2. General Sessions, when held.

SECTION.

3. Inconsistent parts of Cap. 44 Sec. 2, repealed.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The proceedings of the Grand Jury and Sessions for the County of Inverness, in January last, are confirmed.

Proceedings in January last, confirmed.
General Sessions when held

2. There shall hereafter be only one General Sessions of the Peace for such County in each year, to be held on the first Tuesday of October, and the Grand Jury shall attend thereat.

Inconsistent parts of Cap. 44 Sec. 2, repealed.

3. So much of Section 2 of Chapter 44 of the Revised Statutes as is inconsistent with this Act is repealed.

CHAPTER 54.

An Act relating to Port Hawkesbury in the County of Inverness.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Ship Harbor to be called Port Hawkesbury.

SECTION.

2. Governor in Council may appoint Commissioners to sell part of Common in building lots.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Ship Harbor, on the Eastern side of the Strait of Canso, in the County of Inverness, shall hereafter be called and named Port Hawkesbury.

Ship Harbor to be called Port Hawkesbury.

2. The Governor in Council may appoint three Commissioners for the purpose of laying off a portion of the Common in the rear of the Townplot of Hawkesbury into building lots, and selling the same at such time, and in such manner as the Governor in Council may direct.

Governor in Council may appoint Commissioners to sell part of Common in building lots.

3. Nothing in this Act shall affect private rights other than as is herein expressed.

Private rights not affected.

CHAPTER 55.

An Act to establish the Bounds of certain Electoral Districts in the County of Inverness.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Line between numbers five and twelve.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The line between Polling Districts number five and number twelve, in the County of Inverness, is hereby established as follows: To commence at James Smith's, at Skye Glen, thence running southerly to John McAuley's, at Brigan, thence to Widow McKenzie's, thence to cross roads at the Old School House, thence along the road towards Blue's Mill to John McIsaac's, thence to Hector McLean's, thence southerly to meet the line of Polling District number fourteen, on the south-east of James Campbell's and Beaton's; and all the persons above named shall be included in Polling District number five.

Line between Nos. 5 and 12.

CHAPTER 56.

An Act to provide for improving certain Roads in the County of Guysborough.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Members empowered to borrow \$1,200.
2. Repayment.

SECTION.

3. How expended.

Be it enacted by the Governor, Council, and Assembly, as follows:

Members em-
powered to bor-
row \$1,200.

1. The Members for the County of Guysborough may borrow, on the pledge of the road monies of the County, and the security of this Act, a sum not to exceed Twelve hundred dollars, for repairing the Great Eastern Road, and opening a portion of the Post Road from Steep Creek to Pirate Cove, in that county.

Repayment.

2. Such loan shall be repaid by annual instalments of one third of the sum borrowed, with interest, at a rate not exceeding six per cent., out of the road monies for 1861, 1862, and 1863, until the whole sum borrowed shall have been repaid.

How expended.

3. The monies borrowed under this Act shall be expended by Commissioners to be appointed by the Governor in Council.

CHAPTER 57.

An Act for improving the Main Post Road in the County of Cape Breton.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Members empowered to borrow £200.
2. Repayment.

SECTION.

3. How expended.

Be it enacted by the Governor, Council, and Assembly, as follows:

Members em-
powered to bor-
row £200.

1. The members for the County of Cape Breton may borrow, on the pledge of the road monies of the County, and the security of this Act, a sum not to exceed two hundred pounds, to improve the main post road in that County.

Repayment.

2. Such loan shall be repaid by equal annual instalments of one-half of the sum borrowed, with interest, at a rate not exceeding six per cent., out of the road grants for 1861 and 1862, until the whole sum borrowed shall have been repaid.

How expended.

3. The monies borrowed under this Act shall be expended by Commissioners, to be appointed by the Governor in Council.

CHAPTER 58.

An Act to authorize the sale of a School Lot at Tusket.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Trustees of School Lot in District No. 10, may convey it to Sessions.

SECTION.

2. Sessions may assess for amount of purchase money.
3. Application of proceeds.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. James Bingay, Archibald Jeffery, and William Hatfield, the present Trustees of a School Lot in district number ten, in Tusket Village, are hereby authorized to convey the school lot now held by them under deed from John V. N. Hatfield, to the Sessions of the Township of Argyle, for the use of that Township, as a public road, on being paid therefor the amount settled upon by the Committee appointed on that behalf by Sessions as the fair and reasonable value thereof.

Trustees of School Lot in District No. 10, may convey it to Sessions.

2. The Sessions of the Township of Argyle are authorized to assess that Township for the amount so settled upon, and that amount shall be added to the assessment for the year 1861, and when collected shall be paid to the Trustees above named.

Sessions may assess for amount of purchase money.

3. The Trustees shall apply the sum so paid to them for such School Lot towards the purchase of a site for the erection of a School House in some convenient locality in district number ten, in Tusket.

Application of proceeds.

CHAPTER 59.

An Act for naming Port Acadie, in the County of Digby.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Church Point named Port Acadie.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Church Point, in the County of Digby, shall hereafter be called and named Port Acadie.

Church Point named Port Acadie.

CHAPTER 60.

An Act relating to Bartlett's River Road, in the County of Digby.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Sessions may put gate across, and make regulations. Penalty for breach of regulations.

Be it enacted by the Governor, Council, and Assembly, as follows:

Sessions may put gate across and make regulations.

Penalty for breach of regulations.

1. The Sessions of the County of Digby may, if they see fit, direct a gate to be placed across Bartlett's River Road, in the Township of Clare, under such regulations for placing and keeping thereof as they may impose; and persons guilty of a breach of such regulations shall, for every offence, forfeit not less than five, nor more than forty shillings.

CHAPTER 61.

An Act for improving the Road from Maitland to Shubenacadie Station.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

SECTION.

1. Members of Hants empowered to borrow £300.
2. Repayment.

3. How expended.
4. Sums previously borrowed to be first paid.

Be it enacted by the Governor, Council, and Assembly, as follows:

Members of Hants empowered to borrow £300.

Repayment.

How expended.

Sums previously borrowed to be first paid.

1. The members of the County of Hants may borrow, on the pledge of the road monies of that County and the security of this Act, a sum not to exceed Three hundred pounds, to alter and improve the road from Maitland to the Railway Station at Shubenacadie.

2. Such loan shall be repaid by annual instalments of one-third of the sum borrowed, with interest, at a rate not exceeding six per cent. out of the road grants for 1861, 1862 and 1863, until the whole sum borrowed shall have been repaid.

3. The monies borrowed under this Act shall be expended by Commissioners, to be appointed by the Governor in Council.

4. No part of the road monies of the County of Hants shall be applied to the payment of the sum borrowed under this Act, till all sums previously borrowed on the credit of the said road monies shall have been paid, unless the same shall be done with the consent of the persons to whom such previously borrowed monies shall be due.

CHAPTER 62.

An Act relating to certain Electoral Districts in the County of Victoria.

(Passed the 12th day of May. A. D. 1860.)

SECTION.

SECTION.

1. Present Numbers One and Two to be divided into three—their names and divisions.
2. Number One.

3. Number Two.
4. Number Ten.
5. Inconsistent parts of Cap. 17, Acts of 1852, repealed.

Be it enacted by the Governor, Council, and Assembly as follows:

1. The present Electoral Districts, number one and number two, in the County of Victoria, shall be divided into three Electoral Districts, to be called districts number one, number two, and number ten.

Present Nos. 1 and two to be divided into three. Names and boundaries.

2. District number one shall include all that portion of the present District, number one, not included within the limits of number ten, hereinafter described; and the polling place shall be at or near Michael McNeill's, on the north side of the Grand Narrows.

Number One.

3. District number two shall include all that portion of the present district, number two, not included within the limits of number ten, hereinafter described; and the polling place shall be at or near Kenneth McLeod's, Middle River, as now by law established.

Number Two.

4. District number ten shall be included within the following limits, that is to say: commencing at the county line on the south side of the Little Narrows, thence down to the Bras d'Or Lake, following the windings of the shore to the mouth of the Wassabuck River, thence up that river, midchannel to its source; thence in a direction to include all the settlers on the grant, and those occupying the lots at the rear of the late Squire McAskill's,—again commencing from the county line on the north side of Little Narrows, following the windings of the shore to the ship-yard, to include all the settlers on the front range of lots from the ship-yard to John McNaughton's, and to include all the settlers on the front and rear range of lots from John McNaughton's to the county line; and the polling place shall be at or near John McNaughton's.

Number Ten.

5. So much of Chapter 17 of the Acts of 1852 as is inconsistent with this act is repealed.

Inconsistent parts Cap. 17 Acts 1852, repealed.

CHAPTER 63.

An Act relating to the Assessment Rolls for the County of Victoria.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Rolls confirmed.

Be it enacted by the Governor, Council, and Assembly as follows :

Rolls confirmed

1. The Assessment Rolls for the County of Victoria for the present year are hereby confirmed and made legal, notwithstanding that the same may not be filed in the office of the Clerk of the Peace within the time limited by chapter 44 of the Revised Statutes, "Of County Assessments."

CHAPTER 64.

An Act relating to the Burial Ground at Amherst.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Trustees—appointment, name of, &c.—&c.—removal of—duties, &c.—expenses—how paid.
2. Authority of Trustees.

SECTION.

3. Ground to be free to all denominations.
4. Title to land, comprising Burial Ground, not affected.

Preamble.

Whereas there is in the township of Amherst a piece of upland, commonly called the Amherst burying ground, and the same has for a long time been occupied as such. And, whereas, there are no persons properly authorized to take charge of such burial ground, and in consequence thereof it is not properly fenced and enclosed, and the graves and tombstones are trampled upon and injured by cattle running at large over them; and it is desirable that Trustees should be appointed to take charge thereof.

Be it enacted by the Governor, Council, and Assembly as follows:

Trustees—appointment, name of, &c., &c.

1. The Justices at any general sessions of the peace held in and for the County of Cumberland, may nominate and appoint, during pleasure, three fit and proper persons, inhabitants of the said county, to be Trustees for the Burial Ground aforesaid, whose name of office shall be "The Trustees of the Amherst Burial Ground;" and upon the death, removal, or refusal to act of any one more of the said Trustees, from time to time, at any such general sessions so held as aforesaid to nominate and appoint some fit and proper person, being an inhabitant of the said county, to supply every such vacancy and such appointment to renew whenever necessary, so that the said Trustees may always continue to be

three in number, and also to remove any one or more of the said Trustees as to the Justices may seem fit and proper, and his or their place to supply in manner aforesaid, which said Trustees are hereby authorized and empowered to take charge and possession of the said burial ground, and to fence and enclose the same; and to take such other measures as they may think proper for the protection thereof,—and the expenses connected with the care and fencing of the said burial ground shall be a charge against the Township of Amherst, and shall be added to the proportion of the county assessment for that township, which shall be added to the sum payable by the said township from year to year.

Removal of.

Duties, &c.

Expenses—how paid.

2. The said Trustees in their name of office shall have full power and authority to sue and be sued, implead and be impleaded, and to commence sue and prosecute, or cause to be commenced, sued, and prosecuted, any action or actions, suit or suits at law, or in equity for any trespass or damage committed or done in or upon the said burial ground, or any part thereof, or the appurtenances thereunto belonging, by any person or persons whomsoever.

Authority of Trustees.

3. The said burial ground shall be open and free for the interment of the dead of all classes and denominations of persons, and according to such rites and ceremonies as the friends of the deceased may think proper, subject to the direction of the said Trustees.

Ground to be free to all denominations.

4. Nothing in this act shall affect, or be construed to affect the rights or title of any person or persons whomsoever, to the land comprising in the said burial ground, or any part thereof.

Title to land, comprising Burial Ground, not affected.

CHAPTER 65.

An Act to amend the Act to alter certain Electoral Districts in the County of Cape Breton.

(Passed the 23rd day of April, A. D 1860.)

SECTION.

SECTION.

1. Polling place, No. 9.

2. Polling place, No. 14.

Be it enacted by the Governor, Council, and Assembly as follows:

1. Hereafter the polling place for Electoral District, number nine, shall be at some convenient place at or near Rory McSween's, Beaver Cove, in that district.

Polling place, No. 9.

2. Hereafter the polling place for Electoral District number fourteen, shall be at some convenient place in the neighbourhood of Christmas Island, in that district.

Polling place, No. 14.

CHAPTER 66.

An Act to extend to the Town of Amherst the provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards.

(Passed the 23rd day of April, A. D. 1860.)

SECTION 1.—Cap. 99 Rev. Stat. extended to Amherst.

Be it enacted by the Governor, Council, and Assembly as follows:

1. The provisions of Chapter 99 of the Revised Statutes, "Of Fires and Firewards," shall extend to the Town of Amherst.

Cap. 99 Rev.
Stat. extended
to Amherst.

PRIVATE ACTS.



CHAPTER 67.

An Act to Incorporate the Chebucto Marine Railway Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Real Estate.
3. Capital Stock—shares. May increase capital.

SECTION.

4. When to go into operation.
5. Liability of shareholders.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Albert Pilsbury, Benjamin Wier, John T. Wyld, Levi Hart, John Esson, Robert Boak, Junior, John Tayler, William M. Harrington, John M. Watson, Peter McPhee, Peter Ross, Edward Albro, Joseph Wier, and such other persons as are, or shall hereafter become shareholders in the company hereby incorporated, are created a body corporate, by the name of "The Chebucto Marine Railway Company," for the purpose of erecting and employing patent slips, or other marine railways in the county of Halifax, for facilitating the repairs of vessels. Incorporation.
2. The company may hold real estate, not exceeding in value, forty thousand dollars. Real Estate.
3. The capital stock of the company shall be thirty thousand dollars, to be divided into shares of two hundred and fifty dollars each; but whenever it shall become necessary the company may at any general meeting, by a Bye-law, to be sanctioned by the Governor in Council, increase the capital stock of the company, to a sum not exceeding fifty thousand dollars. Capital Stock—shares.
May increase capital.
4. The company may go into operation as soon as seventy shares shall have been subscribed, and ten thousand dollars actually paid in on account thereof. When to go into operation.
5. No shareholder shall be liable for the debts of the company, in his person or separate estate, to a greater amount in the whole than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account thereof, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of shareholders.

CHAPTER 68.

An Act to Incorporate the Halifax Volunteer Band Committee.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Incorporation.

Be it therefore enacted by the Governor, Council and Assembly, as follows:

Incorporation.

1. William Chearnly, Robert B. Sinclair, Thomas E. Kenny, Samuel R. Caldwell, Robert G. Halliburton, and such other persons as now are or hereafter shall become members of the society hereby incorporated, are created a body corporate, by the name of "The Halifax Volunteer Band Committee."

CHAPTER 69.

An act to incorporate the Halifax Ice Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

- 1. Incorporation.
- 2. Real Estate.
- 3. Managem't. Bye-Laws to be recorded.
- 4. Capital Stock—shares.

SECTION.

- 5. Names of members, number of shares, and certificates of transfer, to be registered.

Be it enacted by the Governor, Council, and Assembly, as follows:

Incorporation.

1. Samuel Churchman, Samuel W. Taylor, Caleb R. Smith, Charles B. Campbell, Henry S. Paul, Charles S. Lover, John Wight, John S. Roberts, Charles Allison, and such other persons as shall become proprietors of shares in the corporation hereby established, their successors and assigns, are hereby constituted a body corporate by the name of "The Halifax Ice Company."

Real Estate.

2. The company shall not hold, at any one time real estate of grater value than one hundred thousand dollars.

Management.

3. The property and business of the company shall be under the management of a President, and such other officers as may be directed by the Bye-laws, but such By-laws shall not be of any effect until recorded in the Registry of Deeds for the County of Halifax.

Bye-laws to be recorded.

Capital Stock—shares.

4. The capital shall be limited to the sum of two hundred thousand dollars, to be divided into shares of one thousand dollars each.

Names of members, number of shares, and certificates of transfer, to be registered.

5. The names of all the members of the corporation, and the number of shares owned by them, respectively, shall be registered in the office of the Registrar of Deeds, at Halifax, and no transfer of any share in the company shall be effectu-

al until the certificate shall be registered in the same office, for the purpose of making public the names of the persons composing the Corporation.

CHAPTER 70.

An Act to amend the Act to Incorporate the Halifax Fire Insurance Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Amount Company may insure, increased.

SECTION.

2. Members liable for sum insured beyond amount authorized.
3. Real Estate.

Whereas the Halifax Fire Insurance Company has gone into operation, under the provisions of the Act hereby amended, with a subscribed capital of fifty thousand pounds, of which twenty-five thousand pounds have been invested and secured agreeably to section 3 of such act.

Preamble.

And, whereas, additional capital has been subscribed, but not to the full amount authorized by such act; and the company are desirous of being authorized to effect assurances, *pro rata* according to the capital subscribed and invested.

Be it therefore enacted by the Governor, Council, and Assembly, as follows:

1. In addition to the sum which the company under Chapter 91 of the Acts of 1859 are authorized to insure on a subscribed capital of fifty thousand pounds, of which twenty-five thousand pounds have been invested in securities, as provided by that act, they shall be entitled to effect insurance to the extent of twelve thousand pounds for every two thousand pounds of additional capital subscribed, of which one thousand pounds shall be secured and invested as provided by such act, so as the whole amount of capital subscribed, and monies secured and invested, shall not exceed the limit prescribed by section 3 of such act.

Amount Company may insure, increased.

2. The members of the company shall be liable for any sum insured beyond the amount hereby authorized, in the same manner as provided by section 4 of the act hereby amended, in case of their making insurance beyond the sums thereby authorized.

Members liable for sum insured beyond amount authorized.

3. The company may purchase, take, and hold real estate, not exceeding in value two thousand pounds, and may mortgage, sell, lease, or otherwise dispose of the same as they may think proper.

Real Estate.

CHAPTER 71.

An Act to incorporate the Halifax Yacht Club.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Real Estate.

SECTION.

3. May collect arrears.

Be it enacted by the Governor, Council, and Assembly, as follows :

Incorporation.

George A. V. Paw, James B. Knowlan, Charles Cogswell, John R. Wallace, James Pryor, and such other persons as now are or shall from time to time become members of the club hereby established, according to the rules and bye-laws thereof, are hereby created a body corporate, by the name of "The Halifax Yacht Club."

Real Estate.

2. The corporation may take, hold and enjoy real estate to the value of one thousand pounds, and may mortgage, sell, lease, or otherwise dispose of the same as may be deemed expedient.

May collect arrears.

3. The corporation may collect all arrears due to them under the present bye-laws of the club.

CHAPTER 72.

An Act to alter the act to incorporate the Nova Scotia Electric Telegraph Company, and the Act in amendment thereof.

(Passed the 23rd day of April, A. D. 1860.)

SECTION.

1. Capital increased.
2. Executive Committee, powers, &c.

SECTION.

3. May make leases.

Be it enacted by the Governor, Council, and Assembly, as follows :

Capital increased.

1. The capital stock of the company shall be, and is hereby increased to one hundred and twenty thousand dollars.

Executive Committee, powers, &c.

2. The Executive Committee, after the expiration of the term of office of the present Executive Committee, shall consist of five members, to be elected by the directors from among themselves, of whom three only shall be resident in the City of Halifax, and three shall be a quorum, who shall have power to make all needful regulations for the working and superintendence of the lines, the collection and payment of monies, and the general management of the affairs of the company.

May make leases, &c.

3. The Executive Committee may, from time to time, make leases to any persons or body corporate, of the lines

4. The Company shall come into operation when the Bye-Laws shall have been approved by the Governor in Council, and such Bye-Laws when so approved shall have the force of law, and when the same shall be altered or amended, such alteration or amendment shall have no force or effect until approved by the Governor in Council.

Bye-Laws, &c.
to be approved

5. The Bye-Laws of the Company shall, when approved by the Governor in Council, be recorded in the Registry of Deeds for the County of Pictou.

And recorded

CHAPTER 76.

An Act to incorporate the Associated Alumni of Acadia College.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Incorporation. Proviso. Not to hold property of more value than £10,000.

Whereas a number of persons have associated themselves under the name of the Associated Alumni of Acadia College, for the advancement of education, and have raised, by private contributions, sums of money, which they are desirous to expend in aid of the funds of the said College, and of the Academies in Wolfville and Fredericton, and for the furtherance of the object they have in view, are desirous of obtaining an Act of Incorporation for enabling them to hold property and manage their affairs with greater ease and convenience.

Preamble.

Be it therefore enacted by the Governor, Council, and Assembly, as follows :

1. Doctor Henry Shaw, Doctor Daniel McNeil Parker, James W. Johnston, Junior; James Mosse, William Eaton, and Ebenezer Rand, and all and every such other person or persons as now are members of, or in the said society, and their successors, shall be, and are hereby appointed a body politic and corporate, in deed and in name, by the name of "The Associated Alumni of Acadia College," and by that name shall have succession and a common seal, and by that name shall sue and be sued, implead and be impleaded at law and in equity, and in all courts and places; and be able and capable, in law, to have, hold, purchase, get, receive, take, possess, and enjoy lands, tenements, hereditaments, and rents, in fee simple or otherwise; and also goods and chattels, and all other things, real, personal, and mixed; and also to give grant, sell, let, assign, or convey the same, or any part thereof, and to do and execute all other things in and about the same, as shall or may be thought necessary and proper, and also shall have, from time to time, and at all times, full power, authority, and license to constitute, make, and establish such constitution, bye-laws, rules, and ordinances as may be

Incorporation.

Proviso.

Not to hold property of more value than £10,000.

thought necessary for the rule and good management of the said society,—the choosing of officers proper for the management of its affairs, and declaring the extent, duration, and authority of the offices and officers of the society, and their mode of appointment, and generally for promoting the object of the society, provided such constitution, bye-laws, rules, and ordinances be not contrary or repugnant to the laws and statutes of this province, or those in force within the same, or to the laws and statutes of Acadia College, Horton, respectively, at the time such constitution, bye-laws, rules, and ordinances may be constituted and established, and provided also, that the said society shall not hold at any time lands, tenements, or hereditaments, goods, chattels, property, or effects of greater value than ten thousand pounds.

CHAPTER 77.

An Act to incorporate the Mountain Cemetery Company of Yarmouth.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Capital Stock—shares. Stock, certificate of.
3. Real Estate.
4. Exempt from all taxes.
5. Land &c. not liable for debts. Land set apart for burial ground. Application of funds.
6. No roads to be opened through land without consent.
7. May borrow \$2,000.
8. Funds to be first applied to pay debts. Liability of shareholders not limited.
9. Penalty, &c., for injuries to trees, monuments, &c.
10. Annual meeting, &c. Trustees, &c. Officers, appointment of.

SECTION.

11. Superintendent—appointment of, duties. salary.
12. Report and Account to be rendered at annual meeting.
13. Bye-Laws.
14. Persons owning lots, to be members.
15. Votes. No voting by proxy.
16. Trustees may remove offensive plant or monument.
17. Shares and lots transferable. Transfers to be registered.
18. In case of vacancy among Trustees before meeting.
19. Office-bearers, qualification of.
20. Lots, how disposed of, &c.
21. Proprietor may fence, build vaults, &c.
22. Meeting of Trustees.

Be it enacted by the Governor, Council, and Assembly as follows:

Incorporation.

1. Joseph B. Bond, J. K. Ryerson, G. S. Brown, G. Ryerson, J. W. H. Rowley, Jas. C. Farish, G. J. Farish, W. Rogers, L. E. Baker, R. M. Kelley, Robert Brown, W. E. Heustis, Samuel Flint, Dennis Crosby, John Baxter, J. A. Flint, W. H. Townsend and their successors and assigns are hereby declared to be a body Corporate, by the name of the Yarmouth "Mountain Cemetery Company" and by that name shall have the general powers and privileges legally incident to a Corporation.

Capital Stock—shares.

2 The Capital Stock of the Corporation shall be Eight Thousand Dollars, to be divided into two thousand shares of four dollars each; and to be paid in such sums, and at such

and property of the company, in whole or in part, for a term of years, with such provisions as they may deem for the interest of the company, subject to the several clauses of the Act of Incorporation.

CHAPTER 73.

An Act to Incorporate Fuller Lodge No. 5, of the Independent Order of Odd Fellows.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Real Estate.

SECTION.

3. Property vested in Corporation not liable for debts of members.
4. Private rights not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. David Trueman, William Fraser, James Mitchell and all others who now are or shall become members of the Lodge hereby incorporated, according to the rules and bye-laws thereof are created a body corporate, by the name of "Fuller Lodge No. 5," for the purpose of holding the property and managing the affairs of the Lodge.

Incorporation.

2. The Corporation shall not hold Real Estate to a greater value than four thousand dollars.

Real Estate.

3. The property belonging to Fuller Lodge and all debts due thereto shall vest in the Lodge as hereby incorporated, and no person now or hereafter to become a member of such Lodge shall have power to assign any interest which he may have in the funds or property of the Lodge, but the same shall remain at all times under the control of the Lodge, and liable for the debts and engagements thereof, and shall not be subject to the private debts of any of its members.

Property vested in corporation.

Not liable for debts of members.

4. Nothing herein contained shall affect private rights other than as herein mentioned.

Private rights not affected.

CHAPTER 74.

An Act to Incorporate the Trustees of Chedabucto Division of the Order of the Sons of Temperance.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Property vested in Trustees, their powers, &c.

SECTION.

3. May lease, sell, or mortgage.
4. Private rights not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Lewis W. DesBarres, Joseph Hart, Herbert B. Cunningham, and their successors in office to be elected according

Incorporation

to the rules of the Division, are hereby created a body corporate by the name of "The Trustees of Chedabucto Division Number 93, of the Order of the Sons of Temperance" located in Guysborough.

Property vested in Trustees, their powers, &c.

2. All the Real and Personal Estate in which the Division is now, or may at any future time be interested is hereby vested in the Trustees; for the use and benefit of the Division; and the Trustees shall have power by a vote of two-thirds of the members present at any regular meeting of the Division after fourteen days notice of the same, to purchase, take and hold real and personal Estate for such use, not to exceed in value one thousand pounds.

May lease, sell, or mortgage.

3. The Trustees shall have power upon a vote of two-thirds of the members present at any regular meeting of the Division, after fourteen days notice of the same, to raise funds by mortgage, lease, loan or otherwise, for the use of the Division, and also to sell any part of the property held by them for such use.

Private rights not affected.

4. Nothing herein contained shall be construed to affect private rights other than is herein expressed.

CHAPTER 75.

An Act to Incorporate the Salt Springs Savings Bank.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Capital—shares. Real Estate.
3. Management.

SECTION.

4. Bye-Laws, &c., to be approved
5. And recorded.

Be it enacted by the Governor, Council and Assembly, as follows:

Incorporation.

1. John McKay, John Brown, Duncan Campbell, Angus Davis, William Munro, John Graham, Kenneth McKenzie, Hugh McDonald, Hector McKenzie, John McDonald, Hugh Cameron, James Reid, Alexander Crockett, and such other persons as shall, from time to time, become shareholders in the Company hereby established, their successors and assigns, are created a body corporate, by the name of "The Salt Springs Savings Bank."

Capital, shares.

2. The capital stock of the Company shall be limited to sixteen thousand dollars, in shares of four dollars each, to be paid by the shareholders as the Bye-Laws shall direct, and the Company may hold Real Estate to the value of four thousand dollars.

Real Estate.

Management.

3. The affairs of the Company shall be managed by a President and five Directors, and such other officers as shall be designated by the Bye-Laws.

times as the Trustees of the Corporation shall from time to time appoint. And every shareholder in the Corporation shall be entitled to a certificate under the seal of the Corporation and signed by the President and Secretary certifying his property in the shares expressed in the certificate.

Stock—certificate of.

3 The Corporation may hold land in the Township of Yarmouth not exceeding one hundred acres; and may sell such land in lots to be used exclusively for a Cemetery forever.

Real Estate.

4 The Corporation as well as the individual members thereof, shall be exempt from all rates or taxes for any purpose whatever, on account either of the lands or funds held by them in the Corporation.

Exempt from all taxes.

5. The lands or funds of the Corporation shall not be liable to be taken or sold on execution, either for the debts of the Corporation or for the debts of the individual members thereof. The lands shall be and are hereby dedicated and set apart for the burial of the dead forever, and for no other purpose. And the funds held by the Corporation, after paying the necessary expenses of management, shall be used for no other purpose but to fence, ornament or increase its extent.

Land not liable for debts.

Land &c., set apart for burial ground.

Application of funds.

6. It shall not be lawful for the Sessions, or any other authority, to open any roads through the lands of the Corporation, unless the written consent of the Corporation, by a vote at an annual meeting be first obtained.

No roads to be opened through land by Sessions without consent.

7. The Directors may upon a vote of the Corporation borrow money not exceeding two thousand eight hundred dollars on bond or loan certificates for purchasing, fencing, laying out and improving the site of the Cemetery.

May borrow \$2,800.

8. The debts of the Corporation shall be paid from the funds of the Corporation before any other appropriation of funds be made for any purpose whatsoever, but nothing herein shall be held to limit the liability of the shareholders for the debts of the Corporation after the funds thereof shall have been first applied for that purpose.

Funds to be first applied to pay debts.

Liability of shareholders not limited.

9. Any person who shall wilfully destroy or injure any fence, monument, tree or other plant, whether there naturally or the work of Art, or shall there play at any game or sport, or shall commit any nuisance, or shall carry into the Cemetery or have in his possession, while there, any fire-arm or ammunition, shall be punished by a fine of not less than four dollars nor more than twenty dollars, or be committed to the common gaol for the space of not more than thirty days, according to the nature of the offence; and such offender shall also be subject to an action of trespass for damages.

Penalty &c., for injury to trees, monuments, &c

10. There shall be an annual meeting of the members of the Corporation on the third Tuesday of January of every year, at which ten Trustees shall be chosen by ballot, who, out of their own body, shall appoint a President and Vice-President, and shall appoint a Treasurer and Secretary, all of

Annual meeting, &c.

Trustees and officers, appointment of.

whom shall perform the duties of their offices gratuitously except the Secretary, who shall be entitled to receive such remuneration for his services as shall be agreed on with the Trustees.

Superintendent
—appointment
of, duties,
salary.

11. The Trustees shall also employ, during pleasure, a Superintendant and make him out of the funds of the Corporation such allowance as may seem to the Trustees right. The Superintendant shall dig all graves, and receive from the persons making the application such fees as shall be provided in the "Bye-Laws."

Report and ac-
count to be ren-
dered at annual
meeting.

12. At the Annual Meeting the Trustees shall make a written report of their doings to the thirty-first of December of each year, with an account of receipts and expenses, showing the financial state of the Corporation.

Bye-laws.

13. The Corporation may, at any regular meeting, make any regulations or "Bye-Laws" for the better government and conducting of the affairs of the Corporation, provided they do not conflict with this constitution.

Persons owning
lots to be mem-
bers.

14. Any person owning a lot of one hundred square feet, shall be a member of the Corporation, and shall have a voice and vote in all its decisions.

Votes, no voting
by proxy.

15. No member shall have more than one vote, and there shall be no voting by proxy.

Trustees may
remove offen-
sive plant or
monument.

16. It shall be in the power of the Trustees to remove, or order to be removed, any noxious or offensive plant or any indecent or offensive monument, with or without notice to the parties offending.

Shares and lots
transferable.

17. The shares of the Corporation, as well as the lots held by any proprietor, shall be assignable and transferrable, according to such rules or regulations as may be made for that purpose, but no assignment or transfer shall be valid, unless the same shall be registered in a book kept by the Secretary for that purpose.

Transfer to be
registered.

18. In case of any vacancy amongst the Trustees, before the annual meeting, then the remaining Trustees may and shall fill up the vacancy from among the Proprietors.

In case of va-
cancy among
Trustees before
meeting.

Office bearers,
qualification of.

19. No person shall be an Office bearer in the Corporation unless he be a proprietor of at least one hundred square feet.

Lots how dispo-
sed of, &c.

20. On this Act going into operation, and the lots of the Cemetery having been surveyed and a plan of the same drawn, a choice of lots shall be offered at Auction, at an upset price of four dollars, each lot of two hundred square feet, and lesser or greater in proportion. And after the first sale of lots, the Trustees may from time to time fix the value of the lots remaining unsold.

Proprietor may
fence, build
vaults, &c.

21. The proprietor of a lot may fence in the same, so that the fence do not extend beyond the bounds of his own lot; he may also build vaults, erect monuments, and cultivate trees,

plants or flowers under such regulations as the Corporation shall make.

22. The Trustees shall meet as often as they think necessary; extra meetings of the Trustees may be called by the Secretary at the order of the President or any three Trustees. Five Trustees shall form a quorum.

Meetings of
Trustees.

CHAPTER 78.

An Act to Incorporate the Union Hall Company of Cornwallis.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.

Be it enacted by the Governor, Council and Assembly, as follows:

1. Henry Porter, Simon N. Porter, R. D. West, J. W. Rosia, Jacob N. Wheaton, Daniel M. Ilsley, and such other persons as are, or from time to time shall become shareholders in the Company hereby established, their successors and assigns, are created a body corporate by the name of "The Union Hall Company," for the purpose of erecting a Hall for public purposes at the North Mountain, Cornwallis, in King's County.

Incorporation

2. The capital stock of the Company shall be four thousand dollars, to be divided into shares of eight dollars each, and the Company may purchase and hold Real Estate not exceeding in value four thousand dollars.

Capital Stock,
Shares, Real
Estate.

CHAPTER 79.

An Act to Incorporate the Victoria Coal Mining Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation. Powers, &c.
2. Capital share. May increase capital.
3. First meeting where held. Proceedings at. President, Directors—their eligibility.
4. Meeting when and where held. Proceedings at, &c. Special meetings.

SECTION.

5. Real Estate.
6. Liability of Shareholders.
7. Call when and how made, collected, &c.
8. When to go into operation.
9. Office where kept. Service of Notices.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Thomas Allan, James Harris, William Patrick, James J. Fellows, and all other persons who are or shall, from time to time, become shareholders in the Company hereby established, their successors and assigns, are created a body corporate by the name of "The Victoria Coal Mining

Incorporation.

Powers, &c.

Company," and may purchase, acquire, hold, possess and enjoy mines, quarries, lands, tenements, and hereditaments, vessels, goods, chattels, and things in action, and may sell, lease, assign, mortgage, convey, and dispose of the same as they may think proper, and may explore, open, and work any mines, veins, or deposits of coal and oils, and export the same, and may make and construct and operate railways, tramways, or plank roads, necessary for the purposes of their operations, and may construct piers, docks, and buildings, and may engage in and prosecute any lawful business or calling within the scope and in the furtherance of the objects contemplated by this Act.

Capital Shares.

2. The capital or joint stock of the Company shall be one hundred and fifty thousand dollars, in shares of one hundred dollars each, which shall be deemed and held to be personal property, and transmissible and assignable as such; and the corporation shall have power to increase their capital stock to two hundred thousand dollars, by the issue of new shares, or to assess such increase upon the original shares.

May increase capital.

First meeting where held—

3. The first meeting of the Company shall be held at the office of the mines at River Hebert, in the County of Cumberland, at such time as the corporation shall determine, of which public notice shall be given in one or more of the newspapers published in this Province; at which, or any subsequent, or adjourned meeting, all parties who shall have become shareholders or subscribed for shares in the Company, may attend in person or by proxy, and proceed to elect a President and Board of Directors, of not less than three, nor more than five. No person shall be eligible to be President or Director of the Company, who shall not be possessed bona fide, in his own right, of at least eight shares.

Proceedings at

President, Directors—their eligibility.

Meeting when and where held

4. The meetings of the shareholders of the Company shall be held at such place within this Province, and the annual meeting shall be held at such time as the Directors shall appoint in each and every year, at which meeting the Board of Directors shall exhibit a full statement and report of the affairs of the Company; and the meeting shall thereupon proceed to examine and audit the accounts, elect a President and Board of Directors for the ensuing year, amend or annul any bye-law, and make any new bye-law, and transact all other necessary business; and a special meeting may be called by any shareholder, of which meeting and the object thereof at least, thirty days notice shall be given immediately previous to such meeting in the Royal Gazette; and at all meetings shareholders may vote in person or by proxy.

—Proceedings at, &c.

Special meeting.

Real Estate.

5. The Company may hold Real Estate to the value of one hundred thousand dollars.

Liability of Shareholders.

6. No member of the Corporation shall be liable in his person or separate Estate for the debts of the Company in a

greater in the whole than double the amount of the amount stock subscribed for or owned by him; nor shall any member be made personally liable for any debt of the Corporation until after an execution sued out against the Company shall have been returned unsatisfied.

7. No call or assessment shall be made except such call or assessment shall be approved of by a majority of votes at a meeting, the time, place and object of which shall have been published in the Royal Gazette for at least thirty days previous to the holding thereof; and after such call or assessment shall have been made, the President shall cause a notice to be put in the Royal Gazette, and also in some other newspaper published in this province, stating the amount per share of such call or assessment, and requiring the shareholders to pay the same within thirty days after the publication of such notice; and until such shares shall be fully paid up, the holders thereof may be sued for the amount of the call or assessment due in respect of the shares held by them with interest, as for a debt due the Corporation, or the Directors may at their option declare the shares forfeited, and sell the same at public auction, giving thirty days notice of such sale.

8. This Act shall not go into operation until fifteen per cent. of the capital stock shall have been actually paid up.

9. The Company shall keep an office at the River Hebert, in the County of Cumberland, and an agent there for the transaction of business connected with the Corporation; service upon whom of all process, notices or other documents shall be deemed a sufficient service upon the Corporation.

Call—when and how made, collected, &c.

When to go into operation.

Office—Where kept—Service of Notice.

CHAPTER 80.

An Act to amend the Act to Incorporate the Bank of Yarmouth, Nova Scotia.

SECTION—Time limited for payment of capital, extended.

(Passed the 12th day of May, A. D. 1860.)

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Instead of the time limited for the payment of the capital stock by the third section of the Act 22 Victoria, chapter 90, hereby amended, twenty-five per cent. of the amount which shall be subscribed, shall be paid within twelve months after the whole capital shall have been subscribed; and a further instalment of twelve and a half per cent. within eighteen months thereafter; and a further instalment of twelve and a half per cent. within two years thereafter; and the remaining instalments shall be paid as provided in such third section; but the said Act shall not go into operation until twelve thousand five hundred pounds shall have been actually paid in on account of the capital stock.

Time limited for payment of capital, extended.

CHAPTER 81.

An Act to Incorporate the Digby Slate Quarry Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Capital, shares, Real Estate.

SECTION.

3. Liability of members.
4. Bye-Laws to be recorded. When to go into operation.

Be it enacted by the Governor, Council, and Assembly, as follows :

Incorporation.

1. Bazalien Brown, William H. Mills, Hubert Syda, and such other persons as are, or shall become shareholders in the corporation hereby established, their successors and assigns, are created a body corporate, by the name of "The Digby Slate Quarry Company," for quarrying and manufacturing slate in the County of Digby.

Capital, shares,
Real Estate.

2. The capital stock of the company shall be one hundred thousand dollars, to be divided into shares of one hundred dollars each; and the company may hold real estate, not exceeding in value twenty thousand dollars, and may construct all necessary wharves and erections for carrying out the purposes contemplated by this Act.

Liability of
members.

3. No member of the company shall be liable, in his person or separate estate, for a greater amount in the whole than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Bye-Laws to be
recorded.When to go into
operation.

4. The bye-laws and list of Shareholders shall be recorded in the Registry of Deeds for the County of Digby; and this Act shall not go into operation until fifteen per cent. of the capital stock shall have been actually paid up.

CHAPTER 82.

An Act to Incorporate the New Annan Bellgift Cemetery Company.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Incorporation.
2. Land vested in Company.

SECTION.

3. Management. Funds how raised, &c.

Preamble.

Whereas a certain lot of land, situate at New Annan, in the County of Colchester, was, in the year 1827, conveyed to the inhabitants of that settlement for the purpose of being used as a burial ground, and has since been occupied and ap-

plied to that object; and for want of authorized persons to take charge of such burial ground, the same has not been properly enclosed or improved.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. James Munro, Christopher Carruthers, Gaven Bell, Robert L. Byers, and such other persons as now are, or shall become proprietors in the burial ground, their successors and assigns, are hereby created a body corporate, by the name of "The New Annan Bellgift Cemetery Company." Incorporation.

2. The land mentioned in the above recited conveyance to the inhabitants of New Annan, and which has been claimed, possessed and occupied by them as a burial ground, under the same, is hereby vested in the company, saving to all persons interested therein, their present legal rights. Land vested in company.

3. The company may appoint proper officers to manage their affairs and may make all necessary rules and regulations for the protection and care of the burial ground; and may assess the proprietors rateably for all such sums as may be required for ornamenting, repairing and keeping in order the same; and such assessments shall be recovered by the person appointed by the Corporation, to receive the same as a private debt. Management.
Funds, how raised, &c.

CHAPTER 83.

An Act to authorize the Roman Catholic Episcopal Corporation of Arichat to sell certain lands.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

SECTION.

1. Corporation empowered to sell.

2. Other rights not affected.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Roman Catholic Episcopal Corporation of Arichat may, by deed signed by the Bishop of Arichat, his Vicar-General, and another Roman Catholic clergyman within the diocese, or in the absence or other incapacity of the Vicar-General, by the Bishop and two Roman Catholic clergymen within the diocese, grant, sell and convey in fee simple at the discretion of the Corporation, that certain lot of land conveyed by John Yorston and James Yorston to the Corporation, situate in the town of Pictou, abutted and bounded as follows, that is to say: beginning at the South-West corner of a lot of land belonging to Mayhew T. Smith, thence running East eighty-eight feet along Mayhew T. Smith's South line, thence South ninety feet to the North side of St. Andrews street, thence West along such street eighty-eight feet to land belonging to John Maxwell, thence North eighty-nine Corporation empowered to sell.

feet to the place of beginning, together with all buildings, improvements, premises and appurtenances thereto belonging.

Other rights not affected.

2. This Act shall not be construed to transfer, or affect any right or interest which any person other than the Corporation now hath, in or to such lot of land and premises.

CHAPTER 84.

An Act to amend the Act to facilitate the division and management of property by certain Presbyterian Churches and Congregations in Cornwallis.

(Passed the 12th day of May, A. D. 1860.)

SECTION.

1. Trustees of Cornwallis Free Presbyterian Church, south of Canard River, incorporated. Trustees, how chosen.

SECTION.

2. Division of lands, in case either congregation should cease to exist.

Be it enacted by the Governor, Council, and Assembly, as follows:

Trustees of Cornwallis Free Presbyterian Church, south of Canard River, incorporated.

1. The Trustees of the Cornwallis Free Presbyterian Church South of Canard River, including Kentville, Belcher street, Church street, and their vicinities, are hereby constituted a body corporate, by the name of "The Trustees of the Cornwallis Free Presbyterian Church, South of Canard River," in which Corporation all property, Real and Personal, and all hereditaments now belonging to such congregation, or to which the congregation may hereafter be entitled, shall vest for the benefit of the congregation; such Trustees to be chosen under the directions of the Acts VI. Victoria Chapter 43, and VII. Victoria Chapter 2, and the new church at Kentville to be managed under the rules and directions in those Acts contained, relating to the old church at Cornwallis.

Trustees—how chosen.

2. In case either of the other two congregations shall cease to exist, then the lands allotted to it shall be equally divided between the two remaining congregations, and shall vest in their Trustees or Deacons Court; and in case there shall be but one congregation, that shall enjoy the whole and all the Dyke Lands shall vest in the Deacons Court or Trustees above mentioned, as the case may be.

Division of lands in case either congregation should cease to exist.

CHAPTER 85.

An Act to revive and continue an Act to enable Henry Bessemer to obtain Letters Patent.

(Passed the 12th day of May, A. D. 1860.)

SECTION—Act continued for two years.

Be it enacted by the Governor, Council, and Assembly, as follows:

Act continued for two years.

The Act passed in the twentieth year of Her Majesty's Reign, to enable Henry Bessemer to obtain Letters Patent is

hereby revived, and shall be continued in force for two years, and from thence to the end of the then next Session of the General Assembly.

CHAPTER 86.

An Act to enable the Trustees of the Old Baptist Meeting House at Amherst to sell the same.

(Passed the 23rd day of April, A. D. 1860.)

SECTION.

1. Trustees empowered to sell.

SECTION.

2. Application of proceeds.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. The Trustees of the old Baptist Meeting House at Amherst, or a majority of them, are hereby authorized to sell such Meeting House at Public Auction; due notice of such intended sale having been given at least ten days previously.

Trustees empowered to sell.

2. After deducting from the proceeds arising from such sale the expenses attending the same, the Trustees shall pay the balance to the owners of the pews in proportion to the value of such pews.

Application of proceeds.

CHAPTER 87.

An Act to naturalize certain Aliens.

(Passed the 12th day of May, A. D. 1860.)

SECTION.—Dean Hughes, Osceola Kingsley, William H. Livingstone, Edmund Henry Franchville, Zebra Crocker, Luther Leadbetter, Henry Stiefelhagen, Julius Hoof, W. E. McRoberts, naturalized.

Be it enacted by the Governor, Council, and Assembly, as follows:

1. Dean Hughes, and Osceola Kingsley, of Maitland, in the County of Hants, Mariners; William H. Livingston, of Cornwallis, in Kings County, School teacher; Edmund Henry, Franchville, of Guysborough, in the County of Guysborough, Esquire; Zebra Crocker, Doctor of Medicine, and Luther Leadbetter, Farmer, both of Brookfield, in Queen's County; Henry Stiefelhagen, of Kings College, Windsor, professor of languages; Julius Hoof, of Upper Stewiacke, in the County of Colchester, Cabinet Maker, and William Edward McRoberts, of Londonderry, in that County, Physician, as soon as they shall respectively take and subscribe the Oath of Allegiance to Her Majesty Queen Victoria and her successors, in manner prescribed by Chapter 32 of the Revised Statutes, shall, within this Province, become naturalized subjects of Her Majesty, entitled to all the rights of such subjects as fully as the same can be conferred under, or by virtue of the Act of the Imperial Parliament, passed in the tenth and eleventh years of Her Majesty's Reign, entitled, "An Act for the naturalization of Aliens."

Dean Hughes.

Osceola Kingsley.

Wm. H. Livingstone.

E. H. Franchville.

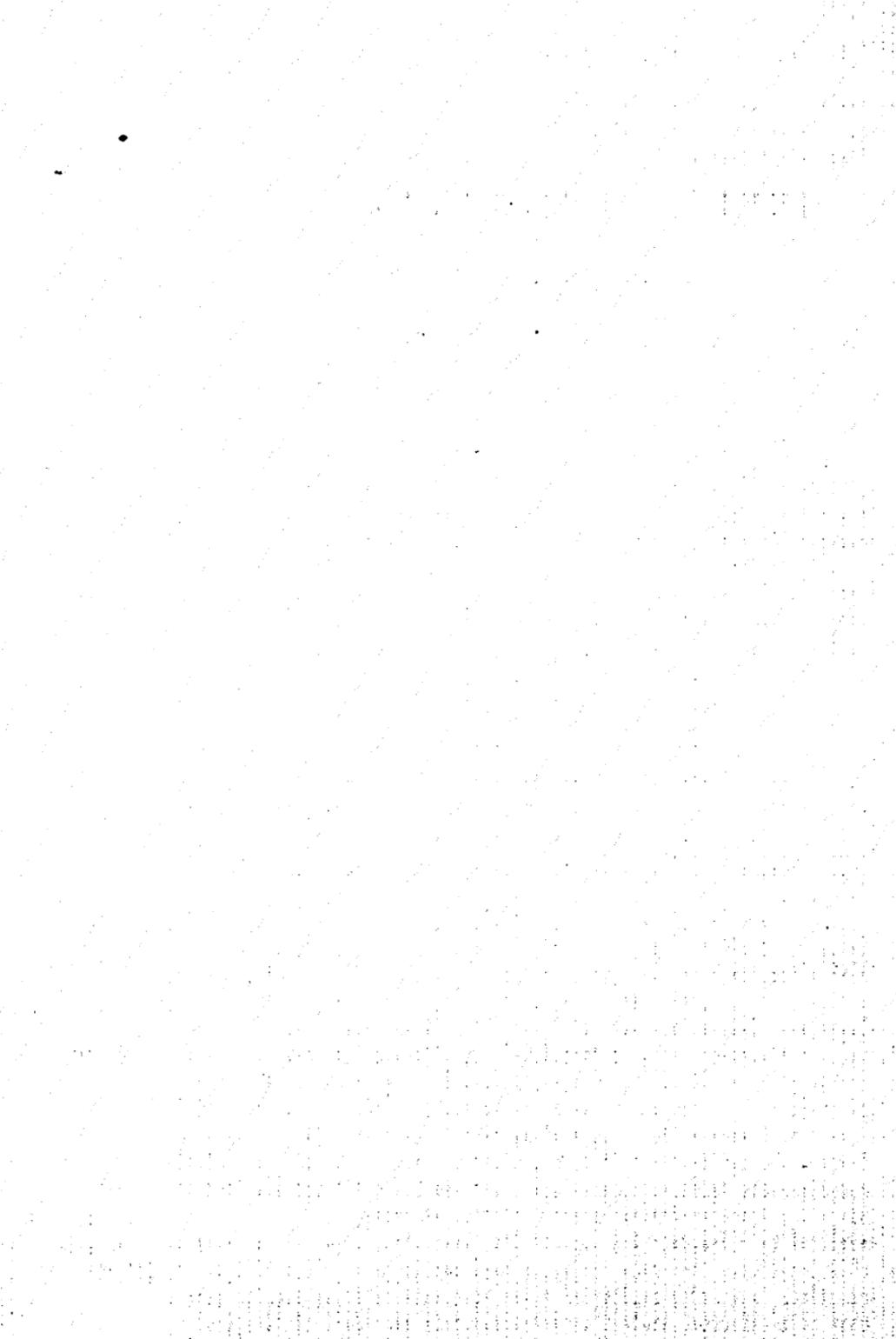
Zebra Crocker.

Luther Leadbetter.

Henry Stiefelhagen.

Julius Hoof and

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ERRATA.

Page 33—Section 4—2d line—between the words “lands” and “jointly” insert the words “upon any trust.”

Page 34—Section 10—9th line—instead of the word “Council” insert the word “Court.”