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ACTS

OF

THE GENERAL ASSEMBLY

OF THE

PROVINCE OF NOVA-SCOTIA.

1847.

HALIFAX:
PRINTED BY JOHN H. CROSSKILL,
PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.



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OF

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OF THE

PROVINCE OF NOVA-SCOTIA.

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AT the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday, the Twenty-first day of January, 1847, in the Tenth 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 Fifth Session of the Eighteenth General Assembly convened in the said Province.*

* In the time of SIR JOHN HARVEY, Lieutenant-Governor; Simon Bradstreet Robie, President of the Legislative Council; William Young, Speaker of the Assembly; Sir Rupert D. George, Bart., Provincial Secretary; and John Whidden, Clerk of Assembly.

CAP. I.

An Act to improve the Law relating to the Election of Representatives to serve in the General Assembly.

(Passed the 17th day of March, 1847.)

WHEREAS, it would tend to promote the purity of Election, and to the diminution of expense, if the Poll at all contested Elections for Members of Assembly were taken in one day :

I. Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That the Counties and the Townships that return Members to serve in General Assembly in this Province, shall be divided into so many Electoral Districts as may be requisite for the purpose of polling, in one day, all the Electors; and that a place shall be appointed in each of such Districts, at or near which the Poll may be conveniently held; and that at all future Elections, after the establishment of such Districts and Places as herein provided, the Poll, when a Poll shall be required, shall be taken in the said Districts, at or near the said Places so to be appointed, instead of the Places now by Law established, for holding Elections, and taking the Poll thereat.

II. And be it enacted, That in the following Counties the Electoral Districts and Polling Places shall be as hereinafter described, that is to say :

In the County of King's County there shall be ten Electoral Districts, whereof five shall be in the Township of Cornwallis, four shall be in the Township of Horton, and one shall be in the Township of Aylesford; and which Districts, and the Polling places thereof, shall be known and described as follows, that is to say : Five Electoral Districts of and for the Township of Cornwallis, and of and for that part of the County of King's County, so far as relates to the said Township of Cornwallis, which shall be respectively as follows, that is to say : District Number One to be bounded on the South by Habitant River; on the West by a Road running from Sheffield's Mill Dam, on said River Northerly passing David Woods', up the old Mountain Road, passing Daniel Fraser's; thence to Black Hole,

Preamble.

Electoral Districts & Polling Places to be appointed.

Electoral Districts and Polling Places.

County of King's County—Ten Districts—five in Cornwallis, four in Horton, one in Aylesford.

Cornwallis—Number One.

Number Two.

Hole, on the Bay of Fundy ; and on the North and East by the Bay of Fundy and Basin of Mines, whereof the Polling place shall be near the House of Worship at Wickwire corner. District Number Two to be bounded on the North by District Number One, on the Habitant River ; on the West by the Road running from Sheffield's Mill Dam, on the said River, Southerly, past Stephen Harris' house and the Baptist House of Worship, over the middle Dike, by William H. Chipman's and Thomas Mee's, to the old Cornwallis Bridge, near Kentville ; on the South by the Cornwallis River, and on the East by the Basin of Mines, of which the Polling place shall be at Jawbone, so called, near Hamilton's corner. District

Number Three.

Number Three to be bounded on the East by Districts Number One and Two, and the Township Line, and on the West by the Road running from Huntington's Point, on the Bay Shore Southerly passing Gideon Ilsley's, Robert Foot's, the Baptist House of Worship in Bill Town, Abner Pearson's, crossing the River to the Annapolis Road, thence on the West line of David Davidson's Farm, South to the Township Line ; on the South by the Township Line, and on the North by the Bay of Fundy, whereof the Polling place shall be at the Town-

Number Four.

house. District Number Four to be bounded on the East by District Number Three ; on the West by the Road running from the Black Rock at the Bay of Fundy Southerly to the Four Roads, thence Easterly past Mahar's Saw Mill, thence taking the New Road Southerly to James Cox's, thence to Asael Webster's, thence to Enoch Condon's Farm, thence South to the Town Line ; on the South by the Township Line, and on the North by the Bay of Fundy, whereof the

Number Five.

Polling place shall be near Joseph Dunham's corner. District Number Five to be bounded on the East by District Number Four ; on the North by the Bay of Fundy, and on the South and West by the Township Line, whereof the Polling place shall be near the Baptist House of Worship, in Pleasant Valley. Also, Four Electoral Districts of and for the Township of Horton, and of and for the County of King's County, so far as relates to the said Township of Horton, which shall respectively be as follows, that is to say : District Number Six to be bounded Eastwardly by the East side line of Thomas Hancock's Farm, until it strikes the Main Post Road ; thence Westwardly to the first Road leading towards Gaspereaux, and by the West side of the said Road until it comes to the Bridge known as the Scovil Bridge, over the Gaspereaux River ; thence Westwardly by the North side of the Gaspereaux River, until it comes to what is known as Little River, and thence running South to the Falmouth Line, including all the Lands and Premises in the Township of Horton, lying West of the said described Lines, the Polling place whereof shall be at the Court House in Kentville. District

Horton—
Number Six.

Number Seven.

Number Seven to be bounded Westwardly by the last mentioned line of District Number Six, to the Gaspereaux River ; thence running by the South side of that River to Fitch's Bridge, and from Fitch's Bridge to be bounded by the West side of the Telegraph or old Windsor Road to Falmouth Line, the Polling place whereof shall be at or near James J. Davison's corner. District

Number Eight.

Number Eight to be bounded Westwardly by the first described line of District Number Six to the Gaspereaux River ; thence by the North side of that River to the Road near Fitch's Bridge ; thence by the West side of that Road, past the Presbyterian Meeting House, to James N. Crane's ; thence by the West side of the New Road leading to Long Island, across the Grand Prairie Dike, to Long Island Creek ; thence by that Creek Eastwardly to a line parallel to the Eastern extremity of the Upland at Long Island, the Polling place whereof shall be at some convenient

Number Nine.

place in the neighborhood of Wolfville. District Number Nine to include all the Lands and Premises in the Township of Horton, East of the Eastern boundaries of Districts Numbers Seven and Eight, the Polling place whereof shall be at or near the School-house adjoining the premises of Joseph Crane, Esquire. Also, one other Electoral District of and for the County of King's County, which shall

be as follows: District Number Ten to comprise the whole Township of Aylesford, the Polling place whereof shall be near the Episcopal Church.

In the County of Hants there shall be eleven Electoral Districts, whereof two shall be in the Township of Windsor, two shall be in the Township of Newport, one shall be in the Township of Falmouth, and six shall be in the remaining part of the County; and which Districts, and the Polling places thereof, shall be known and described as follows, that is to say: Two Electoral Districts of and for the Township of Windsor, and of and for the County of Hants, so far as relates to the said Township of Windsor, which shall respectively be as follows, that is to say: Number One to begin at the centre of the Main Road from Windsor to Chester, as the same is at present travelled, where the said Road intersects the Line of the Township of Falmouth, which runs South-east, thence by and through the centre of the said Road along the same to the Main Road from Halifax to Windsor, at or near Isaac DeWolf's corner, so called, thence on the course of a Line to be run due North, by the compass, to the River St. Croix, thence by the said River St. Croix to the River Avon, thence up the said River Avon and by the other Boundaries of the Township of Windsor, which are common to the Townships of Falmouth and Windsor, to the place of beginning—of which said Electoral District last mentioned the Polling place shall be at the County Court House in Windsor. Also, Number Two to comprise the remainder of the Township of Windsor, not included in Number One, and of which said Electoral District, Number Two, the Polling place shall be at or near William Edwards', at the St. Croix River.—Also, two Electoral Districts of and for the Township of Newport, and of and for the County of Hants, so far as relates to the said Township of Newport, which shall respectively be as follows, that is to say: Number Three being all that portion of the Township of Newport which lies on the South side of the River Hebert, of which said Electoral District, Number Three, the Polling place shall be at or near the Presbyterian Meeting House. Also, Number Four to comprise the remainder of the said Township of Newport not included in Number Three, and of which Electoral District, Number Four, the Polling place shall be at or near the old Baptist Meeting House, in the Scotch Village. Also, one Electoral District of and for the Township of Falmouth, and of and for the County of Hants, so far as relates to the Township of Falmouth, which shall be as follows, that is to say: Number Five to comprise the whole of the Township of Falmouth, whereof the Polling place shall be at or near John Armstrong's Tavern. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say: Number Six to comprise the Township of Kempt, whereof the Polling place shall be at or near Cambridge Farm. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say: Number Seven to comprise all that portion of the Township of Rawdon which lies on the North side of the main stream of the River Hebert, whereof the Polling place shall be at or near Rawdon Church. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say: Number Eight to comprise all the remainder of the Township of Rawdon which is not included in Number Seven, and to comprise also the whole of the Township of Uniacke, and of which said Electoral District, Number Eight, the Polling place shall be at or near the house of John Aker. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say: Number Nine to comprise that part of the Township of Douglas which is now included in that sub-division of the Township of Douglas, in reference to assessment for support of the Poor, in which the mouth of the Noel Road, near John McBride's is, and whereof the Polling place shall be at or near the mouth of the said Road. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say: Number Ten to comprise that part of the Township of Douglas which is now included in the

Aylesford—
Number Ten.

County of Hants—
Eleven Districts—
two in Windsor,
two in Newport,
one in Falmouth,
six in the remain-
ing part of the
County.

Windsor—
Number One.

Number Two.

Newport—
Number Three.

Number Four.

Falmouth—
Number Five.

Other County Dis-
tricts—
Number Six.

Number Seven.

Number Eight.

Number Nine.

Number Ten.

the

the said sub-division thereof, for support of the Poor as aforesaid, which is commonly called the Nine Mile River District, in relation to such sub-division, and whereof the Polling place shall be at or near the Nine Mile River Meeting House. Also, one other Electoral District of and for the County of Hants, which shall be as follows, that is to say : Number Eleven to comprise the remainder of the said Township of Douglas which is not included in the foregoing Electoral Divisions Numbers Nine and Ten, and of which said Electoral District, Number Eleven, the Polling place shall be at or near the Village of Maitland.

Number Eleven.

County of Shelburne
—Eight Districts
—four in Shelburne, four in Barrington.

Shelburne—
Number One.

Number Two.

Number Three.

Number Four.

Barrington—
Number Five.

Number Six

Number Seven.

Number Eight.

In the County of Shelburne there shall be eight Electoral Districts, whereof four shall be in the Township of Shelburne, and four in the Township of Barrington, and which Districts, and the Polling places thereof, shall be known as follows, that is to say : For the Township of Shelburne, and for that part of the County of Shelburne, within the said Township, Districts Number One, Two, Three, and Four, described as follows, that is to say : District Number One to commence at the East side of Clyde River, three miles above the bridge on the Post Road, including all the Electors residing down the East side of said River, and at Cape Negro, Black Point, Red Head, Round Bay, Carleton Village, Gunning Cove, and up to the Church at Dedrick's Hill ; and thence from said Church East to the Harbor of Shelburne, and whereof the Polling place shall be at or near the residence of Benjamin Perry, at North-east Harbor. District Number Two to commence at the Church at Dedrick's Hill, and run East from said Church to the Harbor of Shelburne, and to include all the Electors residing from that Line Northward to the Northern extremity of the Upper Clyde Settlement, and the Middle District of the Township of Shelburne, including all the Electors residing on the East side of Jordan River, as far down as Augden's Bridge ; and also to include the Electors residing on Hamilton's Hill, on the Post Road, and the Polling place whereof shall be at the Court-House in Shelburne. District Number Three to commence at Augden's Bridge, and to include all the Electors residing Southward and Eastward of said Bridge to Wall's Brook, at the head of Ragged Island Bay ; and also, to include Blue Island, and whereof the Polling place shall be at some convenient place at Locke's Island. District Number Four to commence at Wall's Brook, and to embrace all the remaining Electors in the Eastern District of the Township of Shelburne, and whereof the Polling place shall be at some convenient place at Lewis' Head. For the Township of Barrington, and for that part of the County of Shelburne within the said Township of Barrington, Districts Number Five, Six, Seven, and Eight, described as follows, that is to say : District Number Five to commence at the Brook near Joseph Atwood's, and to include all the Electors on the Main Land residing to the Westward and Northward of said Brook, and Southward of the Yarmouth County Line, and to include the following Islands, namely : John's Island, the Mutton Islands, Sheg Harbor Island, and Stoddart's Island, and the Polling place whereof shall be at or near the residence of Levi Nickerson, Senior. District Number Six to include the Islands of Cape Sable, and the Polling place whereof shall be at or near the School-house, near John McGray's, on Cape Sable Island. District Number Seven to be bounded on the West by the Brook near Joseph Atwood's, and to include all the Electors residing on the Main Land between said Brook and the Western side of the River emptying into the head of Barrington Harbor, including Oak Park and Sheroe's Island, and Ministerial Island (so called) ; and also, all the Electors residing on the Eastern side of Barrington Harbor, and between said River and John Lamrock's, inclusive, and whereof the Polling place shall be at the Town House at the Head of Barrington. District Number Eight to commence at John Lamrock's, excluding said Lamrock, and to include all the Inhabitants at East Point, Port LaTour, Blanck, Cape Negro Island, and all the Electors resident on the West side of Cape Negro Harbor and Clyde River, and whereof

whereof the Polling place shall be at Upper Port LaTour, at some convenient place between McDougal's Bridge and Edward Smith's.

In the County of Colchester there shall be thirteen Electoral Districts, whereof two shall be in the Township of Truro, two shall be in the Township of Onslow, two shall be in the Township of Londonderry, and seven in the remaining parts of the County, and which Districts, and the Polling places thereof, shall be known as follows, that is to say : District Number One for the Township of Truro, and for that part of the County of Colchester, within the said Township, and also for that part of the said County not included in the said Township, known by the name of Greenfield, comprising all that part of the said Township East of a certain Road commencing near Jessie Gourley's, and running Southerly until it strikes the Town Line, and also comprising said Greenfield, the Polling place whereof shall be at the Court House in Truro. District Number Two for the Township of Truro, and for that part of the County of Colchester within the said Township, to consist of the remainder of the said Township not included in District Number One, the Polling place whereof shall be at or near George Yewill's. District Number Three for the County of Colchester, comprising all that part of said County lying West of John Putnam's, on the North side of the Stewiacke River, running North to the Truro Township Line and John Smith's, on the South side of the same, running South to the Halifax County Line, the Polling place whereof shall be at or near William Holdsworth's. District Number Four for the County of Colchester, to comprise all the remainder of Stewiacke, and all that portion of the County running South to the Halifax County Line, and East to the Pictou County Line, whereof the Polling place shall be at or near the Meeting House in Upper Stewiacke. District Number Five for the Township of Onslow, and County of Colchester, and for Kemptown, not in the said Township, to comprise all that part of the Township of Onslow to the East of the old Tatamagouche Road, near McCurdy's Brook, and including Kemptown, which is not in the Township of Onslow, whereof the Polling place shall be at or near the North River Meeting House. District Number Six for the Township of Onslow, and County of Colchester, to comprise all the remainder of Onslow Township not included in Number Five, whereof the Polling place shall be at or near Ebenezer F. Munro's. District Number Seven for the County of Colchester, comprising the Boundaries of the Township of Earl Town, whereof the Polling place shall be at or near the Widow Ross'. District Number Eight for the County of Colchester, to be comprised within the Boundaries of the Township of New Annan, whereof the Polling place shall be at or near the Meeting House. District Number Nine for the County of Colchester, to comprise all that part of Tatamagouche lying East of Waugh's River, so called, the Polling place whereof shall be at or near David Murdoch's. District Number Ten for the County of Colchester, to comprise all that portion of Tatamagouche lying on the West side of Waugh's River, whereof the Polling place shall be at or near the Grammar School House. District Number Eleven for the Township of Londonderry, and County of Colchester, whereof a part is not to be included in said Township, comprising the Eastern part of the Township of Londonderry lying East of the West Line of the Little Dyke Lands, running the same course to the Cumberland Line; and such further part of the County of Colchester not within the said Township, lying North thereof, whereof the Polling place shall be at or near John Morrison's. District Number Twelve for the Township of Londonderry, and County of Colchester, whereof a part is not to be included in said Township, comprising the remaining part of the Township of Londonderry, and such further part of the County of Colchester not within the said Township, lying North thereof, whereof the Polling place shall be at some convenient place at or near the Portapique River. District number Thirteen for the County of Colchester, comprising Economy and Five Islands, and all other

County of Colchester—Thirteen Districts—two in Truro, two in Onslow, two in Londonderry, seven in the remaining parts of the County.

Truro—
Number One.

Number Two.

Number Three.

Number Four.

Onslow—
Number Five.

Number Six.

Number Seven.

Number Eight.

Number Nine.

Number Ten.

Londonderry—
Number Eleven.

Number Twelve.

Number Thirteen.

places not included in any of the foregoing Divisions, whereof the Polling place shall be at or near William Moore's.

County of Yarmouth
— Eight Districts
— four in Town-
ship of Yarmouth,
and four in Town-
ship of Argyle.
Yarmouth—
Number One.

In the County of Yarmouth there shall be eight Electoral Districts, whereof four shall be in the Township of Yarmouth, and four in the Township of Argyle, and which Districts, and the Polling places thereof, shall be known as follows, that is to say : for the Township of Yarmouth, and for that part of the County of Yarmouth within the said Township, Districts Number One, Two, Three, and Four, described as follows : District Number One to commence on the Yarmouth Line, at the mouth of Beaver River ; thence Easterly on that Line to Salmon River ; thence down Salmon River to second division Lot Number One Hundred and Twenty-eight ; thence Westerly, on the North Line of that Lot, until it comes within a mile of the Base Line or Road on the rear thereof ; thence South-west, parallel with the Base Line, until it comes in range of the South Line of first division Lot Number One, on the East side of Doctor's Lake ; thence across Doctor's Lake to the North Line of Lot Number Seventy-seven ; thence Westerly along that Line, and the Lines of Lots Number Seventy-two, Sixty-six, and Sixty-seven, to Ultey's Lake ; and thence by the Southern Line of Lot Number One Hundred and Thirty-six to the Sea Shore ; and thence Northerly by the Sea Shore to the place of beginning, the Polling place whereof shall be at or near Nathan Rose's, at Chegogin River. District Number Two to be bounded on the North by District Number One ; and on the West by the Sea Shore, to include Sunday Point ; and thence to commence on the South Line of the old Farm of Edward Crosby, deceased ; thence Easterly along that Line, and on the range thereof, to the new Road from Caleb Cook's to the Road from Starr's to Vickary's ; thence by the New Road aforesaid to the Road from Starr's to Vickary's ; and thence Easterly by that Road half a mile ; thence on a straight line Northerly to the South-east angle of District Number One ; and thence by District Number One to the Sea Shore, the Polling place whereof shall be at the Court House in the Town of Yarmouth. District Number Three to be bounded as follows : To commence on the South Line of the old Farm of Edward Crosby, deceased, and to be bounded by District Number Two until it comes to the South-east angle of District Number One ; thence Easterly on a straight line to the North-west angle of Burnett's Grant ; thence Southerly, by the Township of Argyle, to the head of Little River ; and thence by Little River and the Sea Shore in such manner as to include all the Islands belonging to the Township of Yarmouth, not included within the other Districts, until it comes to the place of beginning, the Polling place whereof shall be at or near the School House on the East end of the Road from Starr's to Vickary's, near the head of Chebogue Harbor. District Number Four to include and comprehend the remaining part of the Township of Yarmouth, the Polling place whereof shall be at or near Joseph Raymond's, at Carleton. For the Township of Argyle, and for that part of the County of Yarmouth within the said Township, Districts Number Five, Six, Seven, and Eight, described as follows, that is to say : District Number Five to include all that part of the Township of Argyle on the West side of Tusket River, excepting the part thereof to the North of William Bullowell's Farm ; and also, to include and comprehend the Seal and Mud Islands, all the Tusket Islands lying to the West of a line to run South by West from the mouth of Tusket River, the Islands in Tusket River as far North as William Bullowell's North line aforesaid, the Polling place whereof shall be at or near Captain Symm's, (formerly the residence of Abner Barrow, deceased,) at Plymouth. District Number Six to include the remaining part of the Township of Argyle lying West of the Tusket River ; thence to be bounded by the Township of Yarmouth to the North-east corner thereof ; to be bounded on the North by the County of Digby ; on the East by the County of Shelburne ; and the remaining part to be bounded as follows : On the West side by the Tusket River, from

Number Two.

Number Three.

Number Four.

Argyle—
Number Five.

Number Six

from a point opposite William Bullowell's North line, to the mouth thereof; thence to be bounded by Lobster Bay to the passage around the North end of 'Now Parison' or Robert's Island; thence down Goose Bay to Joshua Porter's South line; thence Easterly into Eel Lake; thence from Eel Lake to be bounded by the South and East lines of a Grant to the Reverend John Brynton, to the North-east corner thereof; and thence on a straight line to the English Clear Water Lake; thence East along the French Line, so called, to the termination thereof, near the Settlement at the Forks; and thence South-east to the County of Shelburne, the Polling place whereof shall be at the Court House in Tuskett Village. District Number Seven to commence on John Spinney's South line, on Long Island Sound; and thence to run back Easterly the course of that line to the County of Shelburne; thence by the County of Shelburne to District Number Six; thence by District Number Six to the mouth of Tuskett River; thence to include all the Islands as far South as the Southern extremity of Jones' Island; and thence on a straight line to the place of beginning, the Polling place whereof shall be at or near James Frost's, near the old Meeting House. District Number Eight to include the remainder of the Township of Argyle, and the Islands lying off and about Pubnico, not included in other Districts, the Polling place whereof shall be at some convenient place near the Meeting House at the head of Pubnico.

Number Seven.

Number Eight.

III. *And be it enacted*, That all persons who are or may be qualified to vote for the County of Hants, aforesaid, who reside, or may reside in the said County, and in the vicinity of the Townships of Falmouth and Windsor, but not in either of the said Townships, (if any such there be,) shall be required to vote for the said County at the County Court House in Windsor.

Voters near Falmouth and Windsor to vote at Windsor.

IV. *And be it enacted*, That in the undermentioned Counties the Electoral Districts shall be limited as hereinafter mentioned; and where Polling places are herein named, an Electoral District shall be laid off so as to comprise each of such Polling places in the manner which may be most convenient, that is say:

Electoral Districts—

In the County of Annapolis there shall not be more than thirteen, nor fewer than eleven Electoral Districts.

County of Annapolis

In the County of Cumberland there shall not be more than thirteen, nor fewer than ten Electoral Districts.

County of Cumberland.

In the County of Digby there shall be twelve Electoral Districts, whereof three shall be in the Township of Digby, one in the Township of Hillsburgh, two in the Township of Weymouth, four in the Township of Clare, and one on Long Island, and one on Brier Island.

County of Digby.

In the County of Sydney there shall be nine Electoral Districts, whereof two shall be in the Township of Arisaig, two in the Township of Tracadie, two in the Township of Saint Andrew's, and three in the Township of Dorchester.

County of Sydney.

In the County of Queen's County there shall not be more than eight, nor fewer than six Electoral Districts, whereof there shall be in the Township of Liverpool not fewer than three, nor more than four of such Districts.

County of Queen's County.

In the County of Halifax there shall be thirty-one Electoral Districts, whereof each of the six Wards of the City of Halifax shall be one; and of the several Electoral Districts the Polling places respectively shall be appointed and disposed as hereinafter mentioned, that is to say: for the Township of Halifax, and County of Halifax, there shall be a Polling place at some convenient place in each of the six Wards of the City of Halifax, one at the head of the North West Arm, and at Piers' Mill, (so called,) and at Hammond's Plains, and at Charles Drysdale's, and at Ferguson's Cove, and at Portuguese Cove, and at Sambro, and at Upper Prospect, and at Hagget's Cove, and at French Village; and for the remainder of the County of Halifax, in addition to the foregoing, there shall be a Polling place at some convenient place in the Town of Dartmouth, and at or near John Schultz's, Truro Road; and at or near the School House near Carroll's, at Gay's River; and

County of Halifax—
Thirty-one Districts—Six in the City of Halifax.

Polling Places—sixteen for the Township and County.

Fifteen for the remainder of the County.

and at or near the Debating House, Upper Musquodoboit; and at or near the School House in Middle Musquodoboit; and at or near Mrs. Wise's corner, Meagher's Grant; and at or near the head of Sheet Harbor; and at or near Henry Balcomb's, Salmon River; and at or near Belong's, Pope's Harbor; and at or near the Saw Mills, Musquodoboit Harbor; and at or near the School House at Chezetcook; and at or near Mrs. Thomas', in Preston; and at or near the head of Cole Harbor; and at or near Thomas Hamilton's, Windsor Road; and at or near Lauchlan McQuarry's, Caledonia.

County of Lunenburg.

In the County of Lunenburg there shall be nine Electoral Districts, whereof five shall be in the Township of Lunenburg, two in the Township of Chester, and two in the Township of New Dublin.

County of Guysborough.

In the County of Guysborough there shall be ten Electoral Districts, (whereof three shall be in the District of St. Mary's,) and whereof the Polling places shall be at or near the following places: One in the Town of Guysborough; one at or near Angus McKay's, at the Intervale of Guysborough; one at some convenient place in the Township of Manchester; one at the Gut of Canso, in the Township of Milford; one at some convenient place at Crow Harbor; one at Canso, in the Township of Wilmot; and one at Country Harbor. And in the District of St. Mary's; one at Sherbrooke; one at or near Alexander Archibald's, at the Forks of St. Mary's; and one at Marie Joseph.

County of Cape Breton.

In the County of Cape Breton there shall be fourteen Electoral Districts, whereof four shall be in the Township of Sydney, and ten in the rest of the County, and whereof the several Polling places shall be at or near the following places, that is to say: For the Township of Sydney, and County of Cape-Breton—one in the Town of Sydney; one at or near Ball's Bridge, at the head of the North West Arm; one at or near Thomas Burke's, on the North side of Mire Ferry; and one at or near the Sydney Mines; and for the County of Cape-Breton, in addition to the foregoing—one at Main-a-dieu; one at Louisburg; one at Gabarouse; one at or near Duncan Curry's, at the East Bay; one at or near James Campbell's, on the North side of the Great Narrows; one at or near William Jones', Baddeck; one at or near Kenneth McLeod's, Middle River; one at or near John Munro's, St. Ann's; one at some convenient place in the Village of Ingonish; and one at or near Alexander Munro's School House, on the North side of the Island of Boulardrie.

County of Richmond.

In the County of Richmond there shall be ten Electoral Districts, whereof three shall be in the Township of Arichat, and seven in the rest of the County, and whereof the several Polling places shall be at or near the following places, that is to say: For the Township of Arichat, and County of Richmond—one at the Court House in Arichat; one at the head of Arichat Harbour; and one at or near Desire Boudroit's, at Disgouse; and for the County, in addition to the foregoing—one at or near Donald Murray's, Black River; one at or near Mr. DeCarteret's Establishment, River Bourgoise; one at or near Mr. Handley's Establishment, at Little St. Peter's; one at or near Arthur Brymer's, L'Ardoise; one at or near the School House, East side of Grand River; one at or near Duncan Campbell's, at the Red Islands; and one at or near John Proctor's, at the River Inhabitants.

County of Pictou.

In the County of Pictou there shall be twenty-two Electoral Districts, whereof eleven shall be in the Township of Pictou, seven in the Township of Egerton, and four in the Township of Maxwelton; and whereof the several Polling places shall be at or near the following places, that is to say: For the Township of Pictou, and County of Pictou—one in the Town of Pictou; one at Carriboo, at or near Ruddock's Mills; one at Cape John, at or near McDonald's, Glencoe; one at the West side of the River John bridge, near George F. Langille's; one at the West Branch River John, at or near Murdoch McKenzie's; one at Rogers' Hill, at or near Fitzpatrick's Mills; one at Hardwood Hill, at or near John Logan's;

one at Green Hill ; one at Mount Tom, at or near James Reid's ; one at some central and convenient place at Garloch ; and one at some central and convenient place at New Larig. And for the County of Pictou, in addition to the foregoing, as follows, that is to say : In the Township of Egerton—one at the Village of New Glasgow ; one at or about the Albion Mines ; one at Little Harbor ; one at the Village of Hopewell ; one at or near George McLeod's, Middle River ; one at or near the upper Church, East Branch East River ; and one at McLellan's Mountain, near the Church. And in the Township of Maxwelton—one at or near Robert Murray's, Esquire, Merigomish ; one at or near Baillie's Brook ; one at or near the upper Church, on Barney's River ; and one at or near the Church on the Blue Mountains.

In the County of Inverness there shall be thirteen Electoral Districts, whereof the Polling places shall be at or near the following places, that is to say : For the County of Inverness—one at or near Plaister Cove ; one near the Chapel at Judique ; one on the River Inhabitants, near the upper Bridge ; one at the Court House at Port Hood ; one at Mabou, near the new South-east Bridge ; one at Broad Cove Intervale, near the Church ; one at Broad Cove, near the Chapel ; one at Margaree, at or near the mouth of the River ; one at or near Young's Bridge, Margaree ; one about half way between Margaree and Cheticamp Chapel, on the Main Road ; one near the Chapel at Cheticamp ; one at Whycogomah, near the Church ; and one at Lake Ainslie, half way between the end and outlet of the Lake, on the North side thereof.

V. *And be it enacted*, That except in the Counties of King's County, Hants, Shelburne, Yarmouth, and Colchester, wherein the several Electoral Districts and Polling places are hereinbefore fully defined and declared, and except in other Counties, so far as herein specially provided for, the several Districts and Polling places shall, in the first instance, and for the purpose of being submitted to the Court of Sessions, be laid out and defined by the Sheriff in each County, who is hereby authorised and commanded, immediately after this Act shall come into operation, whereof notice shall be given to such Sheriff, by Proclamation, or order of the Governor, and having respect as much as may be to the number, residence, and convenience, of the Voters, to divide his County, and each of the Townships therein, which is represented in the General Assembly, into such and so many Electoral Districts, as that the Districts for the Township Elections shall, as conveniently as may be, serve for, and be also Districts for the County Election, and as will, in the most convenient manner, in the judgment of such Sheriff, permit all the votes for the County and Townships to be polled therein in one and the same day, according to the provisions of this Act ; and the Sheriff shall bound and describe each District in a manner the most easily known, and when necessary shall cause any Boundary thereof to be laid out and defined by actual survey ; and he shall select the most central or otherwise most convenient and suitable place, in his judgment, in each District, for taking the Poll therein ; and the Sheriff shall make a correct return, under his hand, of such Districts, numbered in numerical order, with the Polling place for each District, to the Court of Sessions, as hereinafter mentioned : *Provided*, that the Sheriff shall, in all cases where Polling places are specified in this Act, lay out the Electoral Districts so as to comprise the same, respectively, in the most convenient manner ; and where the number of Electoral Districts shall be in this Act restricted, the Sheriff shall confine himself within the restricted number.

VI. *And be it enacted*, That after this Act shall come into operation the Justices of the Peace in each County, (except in the Counties of King's County, Hants, Shelburne, Yarmouth, and Colchester, which are hereinbefore provided for, and in the District of St. Mary's, in the County of Guysborough, which is hereinafter provided for,) shall meet in Session at the County Court House, attended

by the Grand Jury, on some day, whereof notice shall be given by Proclamation of the Governor, published in the Royal Gazette, and by Hand-bills, affixed by the Sheriff in public places through the County, at which Court the said Electoral Districts and Polling places shall be established, in manner following, that is to say: The Sheriff shall make return to the said Court of the said Districts and Polling places laid out and selected, in manner hereinbefore directed; and the said Court shall forthwith lay the said Return before the Grand Jury, who shall consider and adopt, alter or reject, the same; and shall make presentment of the Districts and Polling places, according to their judgment, to the said Court of Sessions—regard being had to the Polling places herein specified, and the numbers within which the Electoral Districts may in any cases be herein restricted, as aforesaid; and the said Court shall adopt, alter, or reject, the said presentment, or the Sheriff's Return, or combine or modify the same, and shall thereupon establish and define the Electoral Districts and Polling places in such manner as in the judgment of the Justices in Session, or a majority of them, shall be adjudged to be most convenient and proper; or if the said Justices, or a majority of them, shall think it necessary either from delay or failure of the Sheriff's Return, the want of presentment by the Grand Jury, or for any other reason, the said Court may adjourn from time to time; and the said Court may also order such Surveys to be made as it may deem needful; and shall, after such adjournments, and without such Sheriff's Return, in case of failure therein, and without presentment by the Grand Jury, in case of failure therein, establish and define the Electoral Districts and Polling places—regard being had to the Polling places herein specified; and the numbers within which the Electoral Districts may in any cases be herein restricted, as aforesaid; and the judgment of the said Justices, in Session, or a majority of them, shall be final therein; and the said Sheriff's Return, with the presentment of the Grand Jury, and all Surveys and Papers, and the final decision of the Court, with an exact and accurate description of the Districts and Polling places, shall be filed with the Clerk of the Peace, and be accessible to any Freeholder in the County; and all such adjournment, surveys, and final decision, aforesaid, shall be had, made, and concluded, on or before the Fifteenth day of June next; and as soon as may be after such final decision, the said Court shall cause to be made a full and accurate Return and description of the Electoral Districts and Polling places so decided on, to the Governor, who shall cause the same, together with the Districts and Polling places herein provided for the Counties of Hants, Shelburne, and Colchester, to be published in the Royal Gazette, and the said Districts and Polling places shall also be made public by Hand-bills affixed in at least two public places in each of the said Districts by the Sheriff; and the said Districts and Polling places, until altered by Law, shall be, and are declared to be the Electoral Districts and Polling places intended by this Act; and an account of the just charges of the Sheriff of the expense of surveys, and all other expenses incident to the publications and notices aforesaid, and the laying out and returning of such Districts, having been first audited and certified to be correct by the General Sessions of the Peace, shall, by the Custos in each County, be transmitted to the Governor, and having been corrected or modified where deemed necessary, and approved by the Governor, with the advice of the Executive Council, shall be paid by Warrant on the Treasury, and laid before the Legislature at its next Session: *Provided*, that if the Sheriff shall not make the Return herein required, or if the Grand Jury shall not attend at the said Court of Sessions, or at any adjournment thereof, or shall not make the presentment required by this Act, the said Court of Sessions shall proceed to lay off and finally allot and determine the several Electoral Districts and Polling places, in the same manner as if the said Sheriff had made the Return required by this Act, or as if the Grand Jury had attended at the said Court, or had made the Presentment required by this Act.

Court of Sessions to
adopt, alter, or re-
ject Return and
Presentment, &c.,
&c. &c.

Provided

VII. *And be it enacted*, That the three Electoral Districts and Polling places in the District of St. Mary's, in the County of Guysborough, whereof the Polling places are hereinbefore mentioned, shall be laid off and established by the Justices of the Peace of the said District of St. Mary's, in Session, with the aid of the Sheriff of the County, and of the Grand Jury of the District, in the manner herein prescribed in the case of Counties.

Electoral Districts
in St. Mary's.

VIII. *And be it enacted*, That whenever any new Assembly shall be summoned in this Province, or more than one vacancy occur at the same time, in any future Assembly, the several Writs required to be issued on such occasions, shall be transmitted in such manner that the same may be received by the respective Sheriffs throughout the Province, as nearly as may be, at the same time; and that each Sheriff may receive at one and the same time, the several Writs directed to him; and there shall be at least Forty days between the Teste and Return of all Writs for the Election of Members to serve in General Assembly; and every Sheriff shall, immediately on the receipt of every such Writ, endorse on the back thereof the day on which he received the same; and every Writ hereafter to be issued for the Election of a Member to serve in General Assembly, shall, in the body thereof, express the day when the Sheriff shall hold his Court for the commencement of such Election, due allowance being made for the notices required under this or any other Law, in respect of every such Election, and so as every Sheriff may be enabled to give at least ten days' notice of the Election throughout his County; and in cases of General Elections, or where more than one Writ shall be required to be issued at or about the same time the day to be named for holding the Sheriff's Court for commencing the Election, shall be the same day in all the Writs required to be issued in such cases.

Writs for Election
of Members, &c.

IX. *And be it enacted*, That every Sheriff forthwith, after the receipt of any Writ for the Election of Members to serve in the General Assembly, shall cause public notice, in writing, or by printed Hand-bills, to be posted in some of the most public places within each Electoral District in the County and Township for which, respectively, Representatives are to be elected—which notices shall express the certain day when the Sheriff will hold his Court at the County Court House for opening such Election, being the day named in his Writ for that purpose; and also, the time and place at which, in case a Poll shall at such Court be demanded, the Poll will be taken in the said District for the Election of so many and such Representatives as ought to be polled for in such District, under the Writs in the Sheriff's hands; and the Poll shall in all cases be taken in the week next following that wherein the Sheriff's Court for opening the Election shall be appointed to be held, as aforesaid, and on the same day of the week as the day appointed for holding such Court, as aforesaid, and shall be notified accordingly in the said notices.

Notices to be given
by Sheriff.

X. *And be it enacted*, That the Election for a County and the Townships within it, that return Representatives, shall be conducted at the same time; and the Polling for the County, and for such Townships, shall, within such Townships, be held and taken by the same presiding officers and Sheriff's Poll Clerks, and at the same times and Polling places.

County and Town-
ship Election to
be held at same
time.

XI. *And be it enacted*, That on the day so appointed and notified for the holding of the Sheriff's Court for the commencement and conducting of the Election of Members to serve in General Assembly, the Sheriff of the County, either in person, or by his Under-Sheriff, or some sufficient Deputy in that behalf, shall open his said Court at the County Court House, (which, in the County of Yarmouth, shall be the County Court House at Yarmouth,) between the hours of ten and twelve of the clock in the forenoon, and shall proceed to read his Writs, and so much of an Act passed in the second year of Her present Majesty's Reign, entitled, An Act for regulating Elections of Members to serve in General Assembly, as shall be then in force, and shall take and subscribe the following oath:—

Opening of Sheriff's
Court.

“ I,

Oath to be taken by
Sheriff

“ I, A. B. do swear that I have not directly or indirectly received, and will not directly or indirectly receive any sum of money, office, place, or employment, gratuity or reward, or any bond, bill, or note, or any promise of gratuity whatsoever, either by myself or any other person, to my use, benefit, or advantage, for appointing any presiding officer to take the Poll, or for appointing any Poll Clerk, or for making any return at the present Election of Members to serve in Assembly ; and that I will make all such appointments impartially and faithfully, and will, according to my best judgment, in all things to be done by me as Sheriff, act fairly and impartially, and in all things conform to the provisions of the Law, according to the best of my judgment, in the said Elections—So help me God :” which oath may be administered by any Justice of the Peace, or any two Freeholders of the County then present ; and the said Sheriff shall then and there administer to the Poll Clerk, whom he shall have chosen and appointed to assist him in the said Elections, an oath for the faithful and impartial discharge of his duty, and shall in every case continue the said Court open until the hour of four of the clock in the afternoon of the same day ; and on the same day, and as soon after the said hour of four of the clock as the duties then remaining to be performed, as hereinafter mentioned, will permit, shall finally close the said Court, or adjourn the same to another day, as the case may require.

Candidates names to
be entered during
holding of Court
and Sheriff to pro-
claim their names
and administer
oaths, &c. &c.

XII. *And be it enacted*, That the said Sheriff shall, at such Court, receive the names of such persons as shall be there proposed as Candidates by two or more Freeholders of the County or Township, at any time previous to the said hour of four o'clock of the said day—and the names of all such Candidates shall be entered by the said Poll Clerk, under the direction of the Sheriff, in a book to be provided for that purpose ; and no Candidate's name shall be received or entered after the said hour of four of the clock on that day—and at the said hour the Sheriff shall proclaim the names of the several Candidates proposed, as aforesaid, for Representatives, in pursuance of the several Writs, in virtue of which the said Elections are being then and there held ; and shall administer and receive, as hereinafter directed, the Qualification Oaths and Schedules in respect of any of such Candidates, whose qualification may be questioned, and who shall not at such Court have previously qualified in manner hereinafter mentioned ; and in the case of each of the said Elections, in respect of which, previous to the said hour, there shall not be proposed more Candidates than are required to be returned in each case, the Election as regards every such case, shall be forthwith at or after the said hour, as aforesaid, determined, and the Sheriff shall declare the Member or Members so proposed, and who shall have qualified as herein provided, if thereto required, to be duly elected, and shall make return of his Writ in such case accordingly ; and in the case of such Elections, for which opposing Candidates shall have been proposed previous to the said hour of four o'clock, who shall have qualified in case of having been required to do so, as directed by this Act, and wherein a Poll has been demanded, the Sheriff shall then and there, and without any delay, grant such Poll, and make Proclamation of the time and place at which the Poll for such Elections shall be taken in the several Districts, of the County and Townships respectively, as the case may be, conformably with the notice thereof, hereinbefore required to be conditionally given, as aforesaid, and with the provisions of this Act ; and shall thereupon adjourn the Court as regards the Elections, in which a Poll shall be demanded, to some day within five days next after the day notified for taking the Poll in the several Districts, as aforesaid.

Candidate to give in
Schedule of Qua-
lification, &c.

XIII. *And be it enacted*, That if at any Court for opening any Election, as aforesaid, any Elector shall question the qualification of any Candidate proposed, as aforesaid, such Candidate, if present, shall, before the said Court, as regards such Election, shall be determined or adjourned, deliver a Schedule to the Sheriff containing the particulars of his qualification, according to Law, and at the foot thereof shall subscribe and take the following Oath :

“ I,

“ I, A. B. do swear that I am, by Law, qualified to be elected for the (here insert the County or Township for which the Election is to be held); and that the foregoing Schedule doth contain a full, true, and particular account, to the best of my knowledge and belief, of the Property, in respect whereof I claim a right to be elected, and of my title thereto—and that the same hath not been conveyed or granted to me fraudulently, on purpose to qualify me to be elected for said (Township or County, as the case may be)—so help me God.”

Candidates Oath.

And if any Candidate, whose qualification shall be questioned, shall not be present, a Schedule and Deposition, in writing, in the form hereinbefore prescribed, shall be then and there produced to the Sheriff or presiding Officer, signed by such Candidate, and by him duly sworn to before one of the Justices of the Supreme Court, or a Justice of the Peace in this Province; or otherwise a Schedule signed by an Agent either appointed by such Candidate, or by any number of the Electors, of the qualification of such Candidate; and also, a Deposition signed by the said Agent, and made before one of the Justices of the Supreme Court, or a Justice of the Peace, in this Province, or before the Sheriff of the County, holding such Election, in the form following:

In absence of Candidate Schedule of qualification sworn to by him or his Agent to be given to Sheriff

“ I, A. B. do swear that C. D. a Candidate for the (here insert the County or Township) at the present (or approaching) Election, is, to the best of my knowledge and belief, qualified to be elected for said (County or Township), and that the foregoing Schedule doth contain a full, true, and particular account, to the best of my knowledge and belief, of Property in respect whereof the said C. D. hath a right to be elected, and of his title thereto—and that the same hath not been conveyed or granted to him fraudulently, on purpose to qualify him to be elected for said (Township or County), to the best of my knowledge and belief—so help me God.”

Agents Oath.

And the Justices of the Supreme Court, and Justices of the Peace in the Province, and such Sheriffs, are hereby empowered to administer all such Oaths; and if the qualification of any Candidate, questioned as aforesaid, shall not, before the close or adjournment, as herein directed, of the Court, for opening such Election, be specified and verified as herein before provided and required, any such Candidate shall be incapable to be elected at such Court, or to be returned as aforesaid, nor shall the name of any such Candidate be entered or recorded in the Poll Book as aforesaid, or if so entered the same shall be expunged at or before the close or adjournment of such Court as aforesaid.

Administering of Oaths, &c.

XIV. *And be it enacted*, That it shall not be lawful for the presiding Officers at the respective Polling places in any of the Counties of this Province, or for any of the Poll Clerks at such places, to receive or record the name of any person as a Candidate, or to receive or Poll any vote at such Election for any person whatever, unless the name of such Candidate or person shall have been previously entered and recorded in the Sheriff's Poll Book at the Sheriff's Court as herein required, and shall not have been expunged therefrom as aforesaid; and any vote entered on the Poll Book contrary to this provision shall be expunged, and shall not be taken into account by the Sheriff in casting up the votes.

Poll Clerks not to receive votes unless Candidates name entered at Sheriff's Court.

XV. *And be it enacted*, That at every Election of Members to serve in General Assembly, at which a Poll shall have been duly demanded and granted as aforesaid, a Poll shall be opened and held in and for every Electoral District into which the County and Townships may be divided, for which such Poll shall have been demanded, at or near to the place to be appointed for that purpose under the provisions of this Act; and the Polling shall commence in all the Districts of such County and Townships respectively at Eight o'clock in the morning of the day appointed and notified for that purpose—and such Poll shall be kept open until Five o'clock in the afternoon, when it shall finally close.

Place and time of holding Polls.

XVI. *And be it enacted*, That the Sheriffs of the respective Counties shall, prior to the Polling, cause to be erected temporary Booths, or to be procured some

Erection of Polling Booths.

House

House or other Building at or near the respective places appointed for taking the Poll, as to such Sheriffs, respectively, shall from time to time seem necessary and proper, for taking the Poll in the several Districts.

Appointment of Presiding Officer.

XVII. *And be it enacted*, That hereafter at every Election of Members to serve in General Assembly, at which a Poll shall have been duly demanded and granted as aforesaid, the Sheriff shall, by Precept or Warrant, under his hand, appoint and depute a presiding Officer for presiding at, and taking the Poll in, each Electoral District in which the Poll shall be required to be taken, and shall thereby direct such Deputy or presiding Officer, at the time and place appointed and notified as aforesaid, to take the Poll within such District, as well for the County as the Township, if such District lie within or include any part of a Township that returns a Representative, and a Poll shall be required to be taken for both, and to return his proceedings to the Sheriff without delay; and the Sheriff shall also appoint a Poll Clerk for taking down the votes under the presiding Officer in each of such Districts, and the said Clerk shall prepare a Poll Book, and enter therein in separate columns the names of the respective Candidates for representing the County, and the names of the several Candidates for representing the Township, within which such District may lie, in case a Poll shall have been demanded for both Elections, or the names of the Candidates for the County or the Township only, as the case may be, and the necessary information regarding the Candidates, with their names, the Sheriff shall furnish before the opening of the Poll to the said presiding Officer for the District; and such information shall be by them communicated to any Electors of the District who may ask for the same: *Provided*, that nothing herein shall prevent the Sheriff from presiding in person in any one of such Districts.

Appointment of Poll Clerk.

Proviso.

Presiding Officer must be resident in County where Election is held.

Proviso.

XVIII. *And be it enacted*, That no person shall be appointed or act as the presiding Officer for taking any such Poll, unless he shall then be a resident in the County in which the Election is to be held, and shall have been so resident for one year then next preceding: *Provided always*, that the Sheriff shall be responsible for the conduct of the presiding Officers and Poll Clerks, required to be appointed by him under this Act.

Presiding Officer to read Warrant from Sheriff &c. &c.

XIX. *And be it enacted*, That each of the said presiding Officers shall, at the opening of the Poll, read aloud his Warrant from the Sheriff for taking the Poll, and shall declare the names of the Candidates, and whether they stand for the County or Township; and shall also, at some time before or at the opening of the Poll, and before receiving any votes, take and subscribe the following Oath:

Oath to be taken by Presiding Officer.

“ I, A. B. do solemnly swear, that I have not directly or indirectly received any sum of money, office, place, or employment, gratuity or reward, or any Bond, Bill, or Note, or any promise or gratuity whatsoever, either by myself or any other person, to my use, benefit, or advantage, for making any return at the present Election of a Member or Members to serve in the General Assembly; and that I will well and faithfully discharge my duty at the present Election to the best of my knowledge and judgment,* and I will return to the Sheriff a true and faithful account of the votes Polled at the present Court, at which I am appointed to preside;” and the Poll Clerk shall also, at some time before, or at the opening of the Poll, take and subscribe an Oath, in the same form down to the asterisk, with the addition of the words hereafter following: “ and I will faithfully enter and record the votes received at the Polling place, at which I have been appointed to act as Poll Clerk”—which Oaths, respectively, the Sheriff, or any Justice of the Peace for the County where such Election shall be held, or in their absence, any two of the Electors, are hereby authorised and required to administer; and such Oaths, so taken and subscribed, shall be prefixed before or at the time to the Poll Book, and form part thereof.

Appointment of Inspector, Clerk, & Agent or Representative.

XX. *And be it enacted*, That the presiding Officer for taking the Poll in each District shall appoint one Inspector and one Clerk, and also one Agent or Representative,

sentative, to be nominated by or on behalf of each Candidate, who shall require such appointments to be made—and the names of such Inspector, Clerk, and Agent, respectively, when appointed, shall be entered on the Poll Book by the presiding Officer, or his Clerk ; and each Clerk, so appointed, shall take and subscribe the following Oath, which the said presiding Officer is hereby empowered to administer :

“ I, A. B., do swear, that I will take this Poll fairly and impartially, by setting down the names of the Electors, and the place of their abode, and the names of the Candidate or Candidates for whom they shall give their vote ; and also the description they may give of their property and title to vote. So help me God.” Clerks Oath.

XXI. *And be it enacted,* That every Elector, qualified to vote for the County in which he resides, shall vote at every Election for such County in the Electoral District in which he resides, and not elsewhere ; and every Elector, qualified to vote for the Township in which he resides, shall vote at every Election for such Township in the Electoral District in which he resides, and not elsewhere ; and in case of a General Election, or any other occasion on which an Election for such County and Township shall be conducted at the same time, every qualified Elector resident in any such Township, and entitled to vote both for the County and for such Township, shall give his votes for both at one and the same time, and after once polling either or any of such votes, shall not be permitted to offer or to give any of such remaining votes which he may not have polled at such first polling ; and any such remaining votes, if given and entered on the Poll Book, shall be expunged from the Poll Book by the presiding Officer, or, if he shall omit to do so, by the Sheriff, in making up the votes as hereinafter directed ; and the Oath of qualification to be administered to, and taken by, every such resident Elector, when required as herein provided, shall be the first Oath entered in the Schedule of Elector’s Oaths to this Act affixed. Electors for County or Township to vote in District where they reside and to give votes for County and Township at same time.

XXII. *And be it enacted,* That every Elector qualified to vote in some Township lying in the County in which he resides, but in which Township he does not reside, shall vote at the Election for such Township in the Electoral District in which the property lies on which he claims to vote, and not elsewhere ; and the Oath of qualification to be administered to, and taken by, every such non-resident Township Elector in this section mentioned, when required, as herein provided, shall be the second Oath entered in the Schedule of Elector’s Oaths to this Act affixed. Non-resident Township Elector to vote in District where property lies.

XXIII. *And be it enacted,* That every Elector qualified to vote in a County in which he does not reside, shall vote in the Electoral District in which the property lies on which he claims to vote for such County, or for a Township in such County, and not elsewhere ; and the Oath of qualification to be administered to, and taken by, every such County non-resident Elector in this section mentioned when required as herein provided, shall be the third Oath entered in the Schedule of Elector’s Oaths to this Act affixed. Non-resident County Elector to vote in District where property lies.

XXIV. *And be it enacted,* That every vote given in a District wherein the same ought not to have been given shall be struck out of the Poll Book, and not counted for the party in whose favor the same shall be given : *Provided always,* that in cases where the boundary lines between different Districts are doubtful, the District in which the Elector is reputed to reside, or, in case of non-resident Electors, the District in which the property on which they vote is reputed to lie, shall be taken and deemed to be the District in which such Elector resides, or in the case of non-resident Electors, in which such Property lies, for all the purposes of this Act. Votes given in wrong District to be struck out of Poll Book. Proviso.

XXV. *And provided also, and be it enacted,* That the Sheriff, and the presiding Officer, and Sheriff’s Poll Clerk, employed in taking the Poll, and each Candidate, and the Inspector and Clerk and Agent of each Candidate, respectively appointed, by virtue of this Act, may severally Poll all the votes as well for the Sheriff, Presiding Officer, &c, &c. vote in District where employed.
County

County as for the several Townships therein, for which they may respectively be entitled to vote, in the District where they are employed in taking, or assisting in taking, the Poll, although the same shall not be the District in which they reside, or their Property lies, if they shall otherwise be entitled to vote: *Provided*, the name of such Agent shall have been previously entered on the Poll Book as acting in that capacity; and the presiding Officer shall make a Special Return of all votes given under this section for any Township in which the Electoral District, wherein such Officer presides, is not included.

Proviso

Elector when questioned to describe property, title &c.

XXVI. *And be it enacted*, That whenever any Elector shall be questioned by, or on behalf of, any Candidate, such Elector shall truly describe the Property for which he claims to vote, with the annual produce and value he derives therefrom, and his title thereto, and the time of Registry of any Deed under which he may vote, and as well such description and annual value, as such title, shall be taken down in the Poll Book, and shall be conclusive on such Elector; and any Candidate against whom the vote is given, or his substitute, may object to such Elector, and direct his vote to be marked "objected" on the Poll Book, without requiring such Elector to be sworn; or he may mark such vote "objected," and also cause the Elector to be sworn, and to have administered to him the Elector's qualification Oath applicable to such Elector, and the Oath against Fraudulent Conveyances and Bribery, in the Schedule to this Act, or either of them; and the Sheriff or other Officer presiding for taking the Poll is hereby authorized to administer such Oaths.

Quakers and Moravians to make affirmation

XXVII. *And be it enacted*, That any person being a Quaker or Moravian, whenever an Oath is required by this Act, shall be permitted, instead of such Oath, to make his solemn affirmation or declaration.

Vote of Elector refusing to take Oaths &c. to be struck out.

XXVIII. *And be it enacted*, That if any Elector, being thereunto required as aforesaid, shall refuse or neglect to take any of the Oaths in this Act appointed to be taken, or either of them, or to affirm the effect thereof as aforesaid, then the Poll or Vote of such person so neglecting and refusing shall not be taken—and the same is hereby declared to be null and void, and, as such, shall be rejected and disallowed; and if any presiding Officer or Poll Clerk shall neglect or refuse when thereunto requested, as aforesaid, to administer the said Oaths and Affirmations to any Elector in a competent state of mind to take such Oaths or Affirmations, or shall otherwise offend in the premises contrary to the true intent and meaning of this Act, every such presiding Officer or Poll Clerk shall, for every such offence, forfeit the sum of Ten Pounds.

Duties of Presiding Officers, &c.

XXIX. *And be it enacted*, That in taking the Poll it shall be the duty of the presiding Officer to prevent all unnecessary delay, and no person shall be permitted to interrupt the polling by addressing the Freeholders, or by any other means; and for avoiding the needless and factious questioning of voters, every person offering to poll shall immediately state for whom he votes—and, thereupon, the Candidate against whom he votes, or his Inspector or Agent, may require the presiding Officer to put such necessary and pertinent questions as may be proper, for ascertaining the proposed voters right to vote, in any of the particulars in which that right may be impugned; and the presiding Officer shall allow no other questions to be put, nor any other person to put such questions except himself, nor shall he permit the Candidate, or any person on his behalf, unnecessarily to protract the time on pretence of questioning a voter; and the presiding Officer shall promptly put such questions, and the Poll Clerk shall instantly put down in writing the purport of the answers given thereto, and read the same aloud; and the Candidate against whom the vote is offered, his Inspector or Agent shall be at liberty to require all or any of the Oaths in the Schedule prescribed for voters to be administered, whether such questions, or any of them, shall be put to the voter or not; and if any such voter shall not promptly answer such questions, or offer to take, and take the Elec-

tors

tor's Oath suited to such Elector, the presiding Officer shall reject the vote, and shall not allow the same person again to offer his vote at that Election; and if any presiding Officer shall allow any other person to interfere or put any questions to any voter, by which time is taken up, or shall himself put any other questions contrary to the wish of any Candidate, or shall in any manner wilfully protract, or permit to be protracted, the polling at any such Election, he shall be liable to a penalty of Ten Pounds for each offence.

XXX. *And be it enacted,* That if, at any Election, any person shall procure himself to be polled out of the District wherein he ought to be polled, he shall, for every such offence, forfeit the sum of Five Pounds. Penalty for polling out of District.

XXXI. *And be it enacted,* That at any Election, if any person shall procure himself to be polled more than once at the same Election for the same County or Township, or shall vote under a false or fictitious name, or shall personate and vote in the name of any other person, or not being duly qualified to vote and be polled according to Law, shall wilfully and knowingly vote, and cause himself to be polled, every such person so offending in either case aforementioned shall for every such offence, forfeit the sum of Twenty Pounds. Penalty for voting more than once under false name, &c.

XXXII. *And be it enacted,* That the Sheriff at his Courts, and the presiding Officers at the respective Polling places, at every Election, shall be, during the day on which the Election and polling may be held or prosecuted, and they are hereby declared to be, Conservators of the Peace, and severally vested with the same powers for the preservation of the peace, and the apprehension and commitment for trial, or holding to bail, or trying and convicting violators of the Law and good order, as are vested in the Justices of the Peace. And for the purpose of keeping the peace, and preserving good order at any Election, it shall and may be lawful for any such Sheriff, or person presiding as aforesaid, to require the assistance of all Justices of the Peace, Constables, and other persons present at such Elections, to aid and assist him in doing so; and it shall and may be lawful for any such Sheriff, or person presiding as aforesaid, to commit any person for a breach of the peace, violating or threatening any Elector at, or coming to, or returning from, the said Election, or for any other violation of good order, to the custody and charge of any Constable or person on view, for such time as he, in his discretion, shall or may deem expedient, not exceeding twelve hours, or, by a writing under his hand, to commit to prison for the like offence for any period not extending beyond the second day after such day of polling; and at the expiration thereof, to cause such person to be brought before some Justice of the Peace for the County, who shall enquire into the matter, and may fine such offender in a sum not exceeding Forty Shillings and costs, and commit him to the County Gaol until such fine shall be paid; and all persons present at the said Election are enjoined to aid and assist the Officer presiding thereat, and Justices of the Peace, in discharging such duties, under pain of being deemed guilty of a misdemeanor, and liable to punishment therefor; and all Justices of the Peace residing in the District wherein such Election or Polling is held, shall, upon being notified in writing by the Sheriff, or Officer presiding, attend at such Election for the purpose of aiding in preserving peace and order thereat; and such Justices and Sheriff, and Officer presiding, shall and may, when they consider it necessary, appoint and swear in any number of Special Constables to act as Peace Officers, and assist in maintaining peace and order at such Election: *Provided always,* that upon the written application of any Candidate, or the Agent of any Candidate, or of any two or more Electors, any Sheriff, or Officer presiding, shall, and he is hereby required, to swear in such Special Constables as may be requisite and proper. Powers vested in Sheriff and presiding Officers for preservation of Peace, &c.

XXXIII. *And be it enacted,* That in case any presiding Officer appointed to take a Poll shall, before the final termination of the same, die, or be incapable of performing his duty, or shall neglect or refuse to perform the same, it shall be lawful Proviso. In case of death, &c. of presiding Officer Poll Clerk to act in his stead.

ful for his Poll Clerk to act in his stead, and finish the Polling, and make the return in the same manner as though he had been originally appointed the presiding Officer: *Provided always*, that such Poll Clerk, before entering upon his duties as presiding Officer, shall appoint a Poll Clerk, and who, with the said new or acting presiding Officer, previous to entering upon their duties, respectively, shall take and subscribe the Oaths prescribed by Law for presiding Officers and Poll Clerks, and be liable to the same penalties as if originally appointed.

Proviso.

In case of death, &c. of Poll Clerk presiding Officer to appoint another.

XXXIV. *And be it enacted*, That if any Clerk appointed to take any Poll shall, before the termination thereof, die, or be incapable of performing his duty, or shall neglect or refuse to perform the same, it shall be lawful for the presiding Officer to appoint another Poll Clerk to act in his stead—and every Poll Clerk so appointed, shall, before entering on his duties, take and subscribe the Oath by Law prescribed to be taken by the Poll Clerk in manner aforesaid, and shall have the same powers, and be liable to the same penalties, as if originally appointed Poll Clerk.

No Poll to be held on Sunday, Christmas-day, or Good Friday.

XXXV. *And be it enacted*, That no Poll shall be opened or held on Sunday, Christmas-day, or Good Friday; and when the day appointed for any thing to be done under this Act shall fall on Sunday, Christmas-day, or Good Friday, the same shall be done or commenced on the day following, and notice thereof, where notice is required, shall be given accordingly.

Presiding Officer to subscribe Oath in Poll Book.

XXXVI. *And be it enacted*, That every presiding Officer shall, after the close of the Poll for his District, and before making his return to the Precept for taking such Poll, take and subscribe in the Poll Book the following Oath or Affirmation—which Oath or Affirmation any Justice of the Peace for the County, or any two Freeholders of the District, is and are hereby authorised, and, on request, required to administer:

Presiding Officers' Oath.

“ I, A. B., presiding Officer for the District of _____ in the County of _____ do solemnly (swear or affirm, as the case may be,) that to the best of my knowledge and belief this Poll Book was truly and correctly taken under my direction, and contains a true and correct statement of the votes taken at the Poll for the said District, held in pursuance of the Precept of the Sheriff of the said County to me directed, and tested the _____ day of _____ A. D. 18 ____; And any such presiding Officer who shall neglect or delay, before the opening of the Sheriff's Court on the day to which the same was adjourned for receiving the Returns of the Polling as aforesaid, to return the Poll Book to the Sheriff, together with his precept for holding such Poll, or shall alter such Poll Book, shall be liable to an action for damages at the suit of any party aggrieved, and shall also forfeit for each of such offences the sum of Fifty Pounds, and shall also forfeit the further sum of Five Pounds for every day after the said day during which the said Poll Book, proceedings, and return, shall not be returned and made to the Sheriff, as herein required, with costs of suit.

Penalty for neglecting to return, or altering Poll Book, &c.

Regulations relative to return of Poll Books to Sheriff—opening of same by Sheriff—declaration of state of Poll—Proclamation of Members chosen, &c. &c.

XXXVII. *And be it enacted*, That the Poll Clerks employed at the several Polling places, after the close of the Poll, and after the presiding Officer shall have taken the Oath in the last preceding section required, shall respectively enclose and seal their several Poll Books, and shall publicly deliver them, so enclosed and sealed, to the presiding Officer at such Poll, who shall give a receipt for the same, and shall forthwith return the same, so enclosed and sealed, with his Warrant or Precept to the Sheriff of the County, who shall receive and keep all such Poll Books unopened until the re-assembling of the Court at the County Court House in each County, and which, in the County of Yarmouth shall be the Court House at Yarmouth, on the day to which such Court and the proceedings in the said Election shall have been adjourned; and then he, or his under Sheriff or Deputy, shall openly break the seals thereon, and cast up the number of votes as they appear on the said several Poll Books, and shall there openly declare the state of the Poll; and if within one hour thereafter no objection shall be made on the ground of persons

sons having voted out of their proper District, or more than once for the same Election, as herein mentioned, the said Sheriff, or his under Sheriff or Deputy, shall forthwith thereafter make proclamation of the Members chosen, and shall forthwith make return of such persons as have a majority of votes; but if any Candidate, or any three Freeholders, for the County or Township shall, within the said hour make objection that any person has polled more than once either at the same or more than one Polling place at the same Election, or at a Polling place out of the District in which he ought to have polled, and shall for that cause require the Sheriff to investigate the said objection, the Sheriff shall not then make proclamation of the Members chosen at such Election, but shall adjourn to the day next but one thereafter, at Nine o'clock in the forenoon, at the Court House, (which, in the County of Yarmouth, shall be the Court House at Yarmouth,) and then and there proceed to hear evidence to support or rebut the said objections from day to day; and if it shall thereupon clearly appear that any of the voters were polled more than once at the same Election, whether at one Polling place, or more than one Polling place, or were polled at a Polling place out of the District in which the same ought to have been polled, the Sheriff shall strike out such votes from the Poll Book in the same manner as if such votes had not been given or appeared at all upon the Poll Book; and the Sheriff shall forthwith thereafter, in manner herein before directed, make proclamation of the Members chosen, and make return of such persons as have a majority of votes, after expunging such votes as herein required, and the Sheriff shall return, in the case of such investigation, the evidence given therein, with his Writ, to be laid before the House of Assembly: *Provided*, that the decision of the Sheriff in any such case, whether for or against such votes, shall not finally conclude any Candidate or Freeholders dissatisfied therewith, who may petition the House thereon, either with or without the prosecution of a General Scrutiny; and all witnesses to be produced in the case of such investigation, shall be sworn by the Sheriff—and if any witness, so sworn, shall be convicted of wilful falsehood in the testimony by him given on such investigation, he shall be guilty of perjury, and be liable to all the pains and penalties by Law inflicted on persons guilty of the crime of perjury; and if any Sheriff shall falsely and wilfully expunge any such vote from the Poll Book, or if any Sheriff shall wilfully return any person as duly elected, who shall not have the majority of votes on the Poll Book, after expunging votes where votes shall be required to be expunged by virtue of this Act, or shall wilfully be guilty of any breach or violation of this Act, or any of the provisions herein contained, such Sheriff shall forfeit and pay the sum of Two Hundred Pounds, with costs of suit.

Providio.

XXXVIII. *And be it enacted*, That if, at the final declaring of the Election, either when no such investigation shall be demanded, or after any such investigation, any Candidate or his agent shall publicly and openly demand a scrutiny, the Sheriff shall thereupon immediately give notice that on the day next following the day of declaring the Election, he, the Sheriff, will attend at some central and convenient place in the said County or Township, then to be named, and at some certain and appointed hour, to proceed in such scrutiny; and on the day, and at the hour and place so appointed, if the Candidate demanding such scrutiny shall persist in his demand, the Sheriff shall so attend with one Clerk; and each Candidate, or his agent, who shall intend or desire to proceed in and with such scrutiny, shall also attend, and shall then and there name one Freeholder to assist at each such scrutiny; and the scrutiny shall proceed according to the Laws now in force, or which may hereafter be enacted, regarding the same: *Provided*, that when any such objection against voters for having polled more than once, or out of the proper District, shall have been investigated, the same votes may be the subject of such scrutiny on any other ground of objection.

Proceedings on scrutiny before Sheriff.

Sherrif to adjourn Court until Poll Books and Precepts are all returned.

XXXIX. *And be it enacted,* That in all cases where from any one or more of the precepts for taking the Poll in the several Districts in such County or Townships not having been returned to the said Sheriff by the day to which his Court was adjourned, as aforesaid, the Sheriff shall not be prepared to sum up, ascertain, and declare, the state of the general Poll at such Election, the Sheriff, instead of proceeding to examine such of the returns as shall have been made, shall further adjourn the Court and proceedings in such Election to the following day, and so from day to day until the said precepts and Poll Books shall have been all returned: *Provided,* that in proclaiming every such adjournment he shall publicly declare the reason thereof: *And provided also,* that he shall in no case continue such adjournment, if the House of Assembly be in Session, or to so late a day as shall interfere with a due return of his Writ in time for the then next meeting of the Assembly for despatch of business; but in such cases the Sheriff shall proceed to complete the Election, and return his Writ as hereinbefore directed, notwithstanding the deficiency of such returns as aforesaid, and he shall, in the return of his Writ, mention such deficiency.

Proviso

On complaint of de- by Justice of Peace to compel presiding Officer to make returns.

XL. *And be it enacted,* That it shall be lawful for the Sheriff, or any Candidate or Freeholder, whenever any precept or Warrant of a presiding Officer shall not be returned as aforesaid, to make complaint, on Oath, before a Justice of the Peace for the County, of the delay in making such return, who shall summon the said presiding Officer to appear before him to answer such complaint; and if he shall not appear, or shall not shew good cause for such delay, the said Justice shall, by Warrant, commit him to the County Gaol, until he shall make due return of his Precept or Warrant, and his proceedings thereon, agreeably to this Act.

Penalty for taking or procuring others to take Oaths falsely.

XLI. *And be it enacted,* That if any person shall wilfully, falsely, and corruptly, take any of the Oaths or Affirmations appointed and required by any of the provisions of this Act, or of an Act passed in the second year of Her present Majesty's Reign, entitled, An Act for regulating Elections of Members to serve in General Assembly, and be thereof lawfully convicted by indictment or information, or if any person shall corruptly procure or suborn any other person to take the said Oaths or Affirmations, or any of them, and the person so procuring or suborning shall be thereof convicted by indictment or information—every person so offending shall be adjudged guilty of wilful and corrupt perjury, and shall for every such offence incur and suffer such penalties, forfeitures, and disabilities, as persons convicted of wilful and corrupt perjury are or may be liable to.

Prosecution for Penalties by Candidates or others, and application of penalties recover'd.

XLII. *And be it enacted,* That any Candidate against whom any vote shall be wrongfully given or polled, or against whom, or to the prejudice of whose interest, or with intent to prejudice whose interest, any act shall be wrongfully done contrary to this Act, and for which vote or act a penalty or forfeiture is hereby imposed, shall and may, within six months from the committing of the offence, prosecute for the penalty or forfeiture aforesaid; and upon recovery thereof by such Candidate, the amount of such penalty, after deducting all expenses and charges to which he shall have been put, by reason of such prosecution, shall be paid to the Overseers of the Poor for some Township or District in the County wherein the offence was committed, for the use of the Poor therein; and if no such prosecution shall be legally pending, or have been prosecuted to final judgment, then any person whosoever may commence a prosecution for such penalty, at any time after the expiration of six months as aforesaid, and before the expiration of twelve months from the committing of the offence aforesaid; and on the recovery of such penalty on such prosecution last mentioned, one half thereof shall be paid to the use of the person suing for the same, and the other half to the Overseers of the Poor for some Township or District in the said County, for the use of the poor of such Township or District.

Levying of Judgment for penalties in default of

XLIII. *And be it enacted,* That every Judgment recovered for a penalty or forfeiture under this Act, shall be levied with full costs on the Goods and Chattels, Lands,

Lands, or Tenements of the Defendant, and in default of payment by the Defendant may be levied on his Body, and the Defendant shall thereupon be committed to the County Gaol, there to remain until the said Judgment shall be paid, or until he shall have continued in Gaol for a period proportioned to the amount of such penalty, that is to say: one week for every Pound of such penalty: *Provided*, that the imprisonment on any Judgment aforesaid shall, in no case, exceed three months

payment Defdt. to be committed to Gaol.

XLIV. *And be it enacted*, That all penalties and forfeitures imposed by this Act shall be recovered with full costs; and when the said penalty shall not exceed Twenty Pounds, the same shall be recovered in a summary manner before two Justices of the Peace of the County where the offence was committed, from whose Judgment either party may appeal to the Supreme Court in the said County, on giving good security, that is to say: in the case of the Plaintiff or Prosecutor for the payment of the Defendant's costs, and in the case of the Defendant for the payment of the penalty and costs, in the event of Judgment being given against the Appellant; and the Supreme Court shall and may try the same, and give Judgment therein as summary causes are tried and adjudicated; and when the penalty sued for shall exceed Twenty Pounds, the same shall be recoverable by Action of Debt in Her Majesty's Supreme Court of this Province; and that it shall be sufficient for the Plaintiff in any such Action in the said Court to set forth in the Declaration that the Defendant is indebted to him, the said Plaintiff, in the amount of the penalty which shall be sought to be recovered in such Action, and to allege the particular offence for which such Action is brought, and that the Defendant hath therein acted contrary to this Act, without mentioning the Writ for holding such Election, or the return thereof, and that on the trial of any such Action, parol proof of such Election shall be sufficient *prima facie* evidence, without production of the Writ for holding the same.

Recovery of penalties and forfeitures—appeal therefrom, &c.

XLV. *And be it enacted*, That on the return of each Writ for the Election of a Member to serve in General Assembly, there shall be paid to the Sheriff, in all cases, the sum of Thirty Shillings for each Member returned by him as duly elected, to be paid out of the Provincial Treasury, according to the existing Law; and in all cases where there shall be no contest, Ten Shillings from each Candidate; and in all cases where there shall be a contest, and a Poll shall be demanded, the sum of Twenty Shillings from each Candidate, instead of the said sum of Ten Shillings last mentioned. And further, there shall be paid to the Sheriff by the several Candidates in just proportions, to be apportioned and divided among them according to the number of Polling places in which each Candidate is interested, the following sums, that is to say: the sum of Twenty Shillings for providing a Booth or Polling place for each Electoral District, except where the Polling place shall be the Court House, Town House, Lock-up House, or other public building, that can be obtained without charge—the sum of Twenty Shillings for each presiding Officer, to include his Travelling Fees, and the sum of Ten Shillings for each Poll Clerk; and all the said Fees shall be fully paid to the Sheriff on the day of opening his Court as aforesaid; and the name of no Candidate shall be entered on the General Poll Book, or be returned to the presiding Officer, under the provisions of this Act, who shall not have paid the Sheriff the full amount due from him under this Section, or who shall not have been prepared to make and shall have tendered such payment to the Sheriff before the adjournment of the said Court on the said day.

Fees to be paid Sheriff under this Act.

XLVI. *And be it enacted*, That the word "Sheriff" used herein, shall mean Sheriff, Under Sheriff, or Deputy Sheriff, if the sense shall require such construction; the words "presiding Officer" shall mean the Sheriff or other person presiding to take the Poll; "District" shall mean Electoral District where the sense requires such construction; and "Election" the election of a Member or Members to serve in General Assembly of this Province.

Construction of Terms used in this Act.

XLVII. *And be it enacted*, That the second, third, fourth, fifth, sixth, seventh, eighth,

Part of Acts 2d and 9th Vic. repealed.

eight, fifteenth, and sixteenth Sections, and so much of the eighteenth Section as relates to the returning by the Sheriff of the person having a majority of votes, and the twenty-third, twenty-fourth, twenty-fifth, and thirty-eighth Sections of the Act passed in the Second year of the Reign of Her present Majesty, entitled, An Act for regulating Elections of Members to serve in General Assembly; and also, the Act passed in the Ninth year of Her present Majesty's Reign, entitled, An Act to establish the times and places for holding the Polls at Elections of Representatives, shall be, and the same are hereby respectively repealed.

SCHEDULE.—ELECTOR'S OATHS.

Elector's Oaths—
Number One.

1.—Oath to be administered to an Elector claiming to vote for the County and Township in which he resides, or for either of them—and which vote is by this Act required to be polled in the Electoral District in which the Elector resides.

You A. B. do swear that you are by Law qualified to vote for this Election for the County of _____ and for the Township of _____ respectively, (or for one of them, as the case may be,) in right of the property and title which have now been taken down in the Poll Book, and read to you, and that you have not been polled or given a vote for any Candidate at this Election within this District, or any other District, and that the place of your abode is at _____ in the (Township, District, or Settlement, as the case may be) of _____ and is according to the best of your knowledge and belief within this Electoral District. So help you God.

Number Two.

2.—Oath to be administered to an Elector claiming to vote for a Township in which he does not reside, but which is in the County in which he resides—and which vote is required to be given in the Electoral District where his qualification lies.

You A. B. do swear that you are by Law qualified to vote for this Election for the Township of _____ in right of the property and title which have now been taken down in the Poll Book, and read to you, and that according to your best belief the said property lies in this Electoral District, and that you have not been polled or given a vote for any Candidate at this Township Election, either in this District, or any other District, and that the place of your abode is within this County, but is not within the said Township of _____. So help you God.

Number Three.

3.—Oath to be administered to an Elector claiming to vote in any County in which he does not reside, whether at a County or Township Election, or both—and which vote is required to be given in the Electoral District wherein his qualification lies.

You A. B. do swear that you are by Law qualified to vote for this Election for the County of _____ and for the Township of _____ respectively, (or for one of them, as the case may be) in right of the property and title which have now been taken down on the Poll Book, and read to you, and that according to your best knowledge and belief the said property lies in this Electoral District, and that you have not been polled or given a vote for any Candidate at this Election, either in this District, or in any other District in this County, and that the place of your abode is not within this County of _____. So help you God.

Number Four.

4.—Oath against Fraudulent Conveyances and against Bribery, to be administered when required alike to all classes of Voters.

You A. B., do swear that the Property in respect whereof you do claim a right to give your vote at this Election, for the County of _____ and for the Township of _____ or for either of them, (or for the County of _____ or for the Township of _____ as the case may be), hath not been granted or conveyed to

to you fraudulently, on purpose to qualify you to give such vote, and that you have not received or had by yourself, or any person whomsoever in trust for you, or for your use and benefit, directly or indirectly, any sum of money, office, place, employment, gift, or reward, or any promise or security for any money, office, place, employment, or gift, in order to give your vote at this Election, and that you have not before been polled or given a vote for any Candidate at the said Election, and that your place of abode is at So help you God.

CAP. II.

An Act further to improve the Administration of the Law.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That hereafter Sittings for the Trial, by Jury, of Causes brought in the Supreme Court, at Halifax, shall, at the times hereinafter appointed therefor, be held before the Chief Justice and Justices of the Supreme Court, for the time being, or any one or more of them, who shall and may, at such Sittings, try all manner of Issues, Civil or Criminal, joined, or to be joined, in the said Supreme Court, triable by a Jury of the County of Halifax; and all Summary Causes, whether the same shall be determined by the Court, or ordered to be tried by a Jury, shall be heard and tried at such Sittings.

Justices to hold Sittings for Trial by Jury.

II. *And be it enacted*, That the Sheriff of the said County of Halifax, for the time being, shall execute and make return of all Writs and Precepts to him directed, returnable at such Sittings, respectively; and the said Sheriff, and the Coroners, Constables, and all other Officers whatsoever, within the said County of Halifax, for the time being, and all Jurors to be summoned, and all Parties and Witnesses, in Causes, Criminal and Civil, to be heard and tried at such respective Sittings, shall give their attendance at such respective Sittings, and shall be charged and bound in such and the like manner, and upon the like pains and penalties for non-appearance and non-attendance, or for any misdemeanor or default, as they would be at the Terms of the said Supreme Court.

Return of Writs, attendance of Sheriff, Coroners Jurors, &c.

III. *And be it enacted*, That the presiding Judge at such respective Sittings shall have power, on application of either of the Parties in any Cause tried thereat, to give leave to move, or to grant *Rules Nisi*, returnable at the next Term of the Supreme Court, at Halifax, if he shall see sufficient cause so to do, for setting aside Verdicts, arresting Judgments, or reversing any decision given on any Trial at such Sittings; and in all cases where such leave or *Rules Nisi* shall not be granted, the party prevailing shall be entitled, immediately after the close of such respective Sittings, to tax costs, and enter Judgment as of the preceding Term, which may be signed by any Judge of the Supreme Court entered of Record, and Execution issued thereon: *Provided always*, that it shall be lawful for the Judge before whom such Sittings shall be held, in any case where Justice may appear so to require, either upon Summons or not, according to the circumstances of the case, to order the taxation of costs and entry of Judgment, or either, to be stayed until the Supreme Court shall make order in the matter at the next succeeding Term: *and provided also*, that nothing herein contained shall prevent any party from applying for a *Rule Nisi*, on filing a written statement, and giving security according to Law.

Judge at Sittings to grant Rules Nisi, &c, returnable Term following.

Proviso.

IV. *And be it enacted*, That hereafter the Terms of the said Supreme Court, at Halifax, shall commence and be held as follows, that is to say: Easter Term on the first Tuesday of April, Trinity Term on the second Tuesday of July, and Michaelmas

Terms of Supreme Court.

Michaelmas Term on the Third Tuesday of November, in every year; and the said Terms shall continue, respectively, until all the Causes for argument thereat shall have been called: *Provided* that no such Term shall extend beyond Fourteen days.

Sittings after Term.

V. *And be it enacted*, That the Sittings for the Trial of Causes hereinbefore mentioned, shall be held in Halifax at the times following, that is to say: on the third Tuesday of April, the fourth Tuesday of July, and the second Tuesday after the third Tuesday of November, in every year; and the said respective Sittings shall be continued from day to day (Sundays excepted) until all the Causes entered for Trial shall have been called: *Provided*, that none of the said Sittings shall extend beyond Sixteen days.

32d Clause, Act 4th Victoria, repealed.

VI. *And be it enacted*, That the Thirty-second Clause or Section of the Act passed in the Fourth Year of her present Majesty's Reign, entitled, *An Act to improve the Administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein*, shall be, and the same is hereby repealed.

And to prevent unnecessary delay upon Judgments by default, in certain Actions in the Supreme Court, whether at Halifax, or in any other County:

Assessment of Damages.

VII. *Be it enacted*, That hereafter, in all Actions of Assumpsit or Debt in the said Supreme Court, in which a Judgment by default may have been duly marked, or in which interlocutory judgment may have been had, an assessment of damages may be made either by the said Court, or by any Judge thereof, on competent evidence in writing or *viva voce*; and upon such assessment signed by the Prothonotary or Deputy Prothonotary of such Court, or by such Judge, being filed with the Prothonotary or Deputy Prothonotary of such Court, it shall be lawful to cause the costs of such Action to be duly taxed, and final Judgment entered thereon—which Judgment, in case the Court shall not then be sitting, shall be entered as of the Term then next preceding: *Provided always*, that the Plaintiff or Defendant in any such Action, may, upon due application therefor, have such assessment made by a Jury; and that in all cases the Court or the Judge who may be applied to to make such assessment, shall have power to order the same to be made by a Jury, in like manner as is now the Law and practice in cases before the Supreme Court.

Proviso.

Execution may issue for Costs in lieu of Attachment.

VIII. *And be it enacted*, That in all cases of costs, heretofore taxed, or which may hereafter be taxed against any party upon any Rule or Order of the Supreme Court, or of any Judge thereof, it shall and may be lawful for the said Court, or any Judge thereof, in vacation, instead of the expensive process of demand and attachment for non-payment authorised by Law, to direct an Execution at the suit of the party entitled to such costs, to issue, directed to the Sheriff of the County wherein the party against whom such costs are awarded may be, or wherein his Property may be found; and the Sheriff, to whom such Execution shall be directed, shall proceed therein in the same manner as in cases where Execution is issued upon final Judgment entered of Record; and where requisite, any further Executions may be issued and proceeded upon in the same manner.

Judges to make Rules as expedient.

IX. *And be it enacted*, That the Judges of the Supreme Court may from time to time make and establish such rules and orders relating to the matters contained in this Act, and touching the award and return of any Jury Process for Trials, at the sittings of the Supreme Court in Halifax, hereinbefore provided for, (the same not being repugnant to this Act) as to them may seem expedient.

CAP. III.

An Act for applying certain Monies therein mentioned for the service of the Year of Our Lord One Thousand Eight Hundred and Forty-seven, and for other purposes.

(Passed the 31st day of March, 1847.)

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

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That by or out of the 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 sum of Two Hundred Pounds to the Speaker of the House of Assembly, in full for his Salary as Speaker, for the present year. 200l. Speaker of Assembly.

And a further sum of Six Hundred Pounds to the Treasurer of the Province, for his Salary, and as Comptroller and Auditor of Public Accounts, and in lieu of all contingent expenses, for the same year. 600l. Treasurer.

And a further sum of Two Hundred Pounds to the Clerk of the House of Assembly, for his services in the same year. 200l. Clerk of Assembly.

And a further sum of Twenty-five Pounds to the Clerk of the House of Assembly, to be paid by him to the Chaplains who have attended the House of Assembly during the present Session. 25l. Chaplains.

And a further sum of One Hundred Pounds to the Clerk Assistant of the House of Assembly, for his services for the same Session. 100l. Clerk Assistant of Assembly.

And a further sum of Fifty Pounds to George R. Grassie, for his services as Sergeant at Arms to the House of Assembly for the same Session, with Travelling Fees, as paid to Members of Assembly. 50l. Sergeant at Arms.

And a further sum of Thirty Pounds to John Jennings, for his services as Assistant Sergeant at Arms to the House of Assembly for the same Session. 30l. Asst. Sergeant at Arms.

And a further sum of Forty Pounds to the Messenger of the Governor, and the Executive and Legislative Councils, for the present year. 40l. Mess. of Gov.

And a further sum of Thirty Pounds to John Gibbs, for his services as Messenger to the House of Assembly during the present Session. 30l. John Gibbs.

And a further sum of Two Hundred and Fifty Pounds to the Cashier of the Saving's Bank and first Clerk of the Treasury, for his services for the present year. 250l. Cashier of Savings' Bank.

And a further sum of Forty-five Pounds to the Clerk of the Commissioners of the Revenue, for his services for the present year. 45l. Clerk of Rev.

And a further sum of Two Hundred Pounds to the Guager and Weigher for the Collector of Impost and Excise for the District of Halifax, for his services for the present year. 200l. Guager.

And a further sum of One Hundred Pounds to the Proof Officer at Halifax, for his services in that capacity for the present year, and in lieu of all contingent expenses connected therewith. 100l. Proof Officer.

And a further sum to be paid on the certificate of the Board of Revenue at the rate of Seven Shillings and Sixpence per day to such persons as shall be employed during the present year by the Collector of Impost and Excise for the District of Halifax, as Extra Waiters for the Port of Halifax—Five Shillings per day to such Extra Waiters when unemployed, and at the rate of Five Shillings per day to temporary Waiters. Allowance to Extra Waiters.

- 60*l.* Keeper of Assembly. And a further sum of Sixty Pounds to the keeper of the Assembly House, and Council Chamber, and Law Library, for the present year.
- 1350*l.* Transient Poor. And a further sum of One Thousand Three Hundred and Fifty Pounds for the support of the Transient Poor for the present year, to be paid to the Commissioners of the Poor at Halifax.
- 400*l.* Sable Island. And a further sum of Four Hundred Pounds to the Commissioners of Sable Island, for the support of that establishment for the present year.
- 20*l.* E. Crowell. And a further sum of Twenty Pounds to Edmund Crowell, to enable him to keep up his establishment at Seal Island for the relief of Shipwrecked Mariners, for the present year.
- 50*l.* Guysborough Packet. And a further sum of Fifty Pounds to such person as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulation of the General Sessions of the Peace for the County of Guysborough, to be paid upon the certificate of such Sessions that such Packet has been properly kept and run for the present year—provided that the Judges of the Supreme Court shall be taken without charge, (if required,) from Guysborough to Arichat, and from Arichat to Guysborough, on their circuit to Cape-Breton, and that the said Packet shall also carry the Mail between Guysborough and Arichat if required.
- 20*l.* W. Weeks. And a further sum of Twenty Pounds to W. Weeks, or any person who will run a Packet Boat between the Bay of Verte and Prince Edward Island, when it shall be made satisfactorily to appear to the Governor in Council, that such Packet Boat has been run agreeably to such regulations as may be established by the Justices, in their Sessions, for the County of Cumberland.
- 20*l.* Co. of Hants. And a further sum of Twenty Pounds to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat or Scow to run between Londonderry and that place—the said Boat or Scow to be run under the regulations of the General Sessions for the County of Hants—to be paid upon certificate from three Justices of the Peace residing in Douglas, that said Boat has been running at least twice a week for six months, to their satisfaction, under the regulations aforesaid.
- 30*l.* Cape-Breton. And a further sum of Thirty Pounds to aid the Inhabitants of Cape-Breton in supporting a suitable Boat or Scow to run between McMillan's Point, in Cape-Breton, and Auld's Cove, in the County of Sydney—the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.
- 10*l.* each, Licensed Ferrymen, Colchester. And a further sum of Ten Pounds each to the two Licensed Ferrymen at the mouth of the Shubenacadie, in the Counties of Colchester and Hants, for the transportation of Horses and Carriages across that River—the same to be paid on the certificate of the General or Special Sessions of each County, respectively, that such Ferry has been duly attended, and proper Boats procured and used.
- 15*l.* J & C. Pernette. And a further sum of Fifteen Pounds to John Pernette and Charles Pernette, for keeping up the Ferry over LaHave River.
- 10*l.* C. Craig. And a further sum of Ten Pounds to Cornelius Craig, to enable him to keep up his Ferry across the Narrows at the entrance of Sable River, in the County of Shelburne.
- 10*l.* R. Carter. And a further sum of Ten Pounds to Richard Carter, to enable him to run a suitable Ferry Boat or Scow between his Landing on the Western side of the Gut of Canso, and David McPherson's on the Eastern side thereof—the said Ferry Boat or Scow to be run under the regulations of the General Sessions for the County of Guysborough.
- 10*l.* Ferryman Gut of Canso. And a further sum of Ten Pounds to the Ferryman on the Eastern side of the Gut of Canso, to enable him to run a suitable Ferry Boat or Scow between Richard Carter's Landing on the Western side of said Gut, and David McPherson's on the Eastern side thereof—the said Ferry Boat or Scow to be run under the regulations of the General Sessions for the County of Richmond.

And a further sum of Ten Pounds each to such persons as shall respectively keep up a Ferry at the mouth of the Harbor of Port L'Herbert, provided a Boat be kept to convey Horses and Cattle across said Harbor—said sum to be paid upon the certificate of two Justices of the Peace for the County of Shelburne, residing nearest to the said Ferry. 20l. Ferry Port L'Herbert.

And a further sum of Ten Pounds to Duncan M'Phee, to enable him to maintain a Ferry between Low Point and the Sydney Mines, at the mouth of the Spanish River, in the County of Cape-Breton—to be paid on the certificate of three Justices of the Peace for the County of Cape-Breton, that he has faithfully discharged the duties assigned to him by the General Sessions of the Peace for the said County. 10l. D. McPhee.

And a further sum of Fifteen Pounds to William Cunningham and John Knowles, or such other persons as shall keep a Ferry across the Narrows of the passage between Cape Sable Island and the Main—such persons being furnished with suitable Boats for the accommodation of Passengers—to be paid on the certificate of two Justices of the Peace residing in the Township of Barrington, that the said services have been performed for the present year. 15l. Cunningham & Knowles.

And a further sum of Fifteen Pounds to aid in maintaining a Ferry during the present year between Amherst and Minudie—such Ferry to be under the regulation of the General Sessions for the County of Cumberland, and the foregoing sum to be paid on their certificate that the same has been conducted to their satisfaction. 15l. Ferry, Amherst.

And a further sum of Twelve Pounds to Margaret Nickerson, to enable her to keep a House of Entertainment on the Post Road from Shelburne to Barrington, for this present year. 12l. Margaret Nickerson.

And a further sum of Twenty-five Pounds to the Commissioners of the Poor in Halifax, to defray the expense of continuing the School in the Poor House for the present year, for the benefit of Orphans and Poor Children in that establishment. 25l. School, Poor House.

And a further sum of Fifty Pounds to Doctor Grigor and his associate, in aid of the Halifax Dispensary, for the present year—provided that they keep, during the year, a sufficient quantity of Vaccine Matter. 50l. Hx Dispensary.

And a further sum of Twenty Pounds to Joseph Wickins, of Mud Islands, to enable him to keep a suitable Boat and Man at that place to assist Shipwrecked Seamen. 20l. J. Wickins.

And a further sum of Fifteen Pounds to Joseph Langley, to enable him to open a House of Entertainment for Travellers on the New Guysborough Road. 15l. J. Langley.

And a further sum of Ten Pounds to James Cain, to enable him to keep a House for the entertaining of Travellers on the new Road leading from Annapolis to Liverpool. 10l. J. Cain.

And the following sums, that is to say—the sum of Two Thousand One Hundred and Ninety Pounds allotted for the service of Roads and Bridges in the County of Cape-Breton; the sum of Two Thousand and Seventy Pounds allotted for the service of Roads and Bridges in the County of Inverness; the sum of One Thousand and Five Hundred Pounds allotted for the service of Roads and Bridges in the County of Richmond, and the sum of One Thousand and Five Hundred Pounds allotted for the service of Roads and Bridges in the County of Guysborough—at the disposal of the Governor, to be respectively expended in the said service: provided that any sums applied for the purchase of Seed or Provisions for the people shall be first deducted therefrom respectively. 2190l. Co. Cape-Breton.
2070l. Co. Inverness.
1500l. Co. Richmond.
1500l. Co. Guysborough.

And a further sum of One Thousand Eight Hundred and Sixty Pounds for the several Roads and Bridges in the County of Lunenburg, to be applied and expended agreeably to a Resolution of the House of Assembly passed on the Twenty-seventh day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, and agreed to by the Legislative Council. 1860l. Co. Lunenburg.

And

- 1500l. Co. Sydney. And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Sydney, to be applied and expended as last aforesaid.
- 2100l. Co. Pictou. And a further sum of Two Thousand One Hundred and Ninety Pounds for the several Roads and Bridges in the County of Pictou, to be applied and expended as last aforesaid.
- 2200l. Co. Halifax. And a further sum of Two Thousand Two Hundred and Eighty Pounds for the several Roads and Bridges in the County of Halifax, to be applied and expended as last aforesaid.
- 1500l. Co. Yarmouth. And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Yarmouth, to be applied and expended as last aforesaid.
- 1500l. Co. Shelburne. And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Shelburne, to be applied and expended as last aforesaid.
- 1500l. Co. Digby. And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Digby, to be applied and expended as last aforesaid.
- 1500l. Co. Queen's. And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Queen's County, to be applied and expended as last aforesaid.
- 2100l. Co. Hants. And a further sum of Two Thousand and One Hundred Pounds for the several Roads and Bridges in the County of Hants, to be applied and expended as last aforesaid.
- 1550l. Co. King's. And a further sum of One Thousand Six Hundred and Fifty Pounds for the several Roads and Bridges in the County of King's County, to be applied and expended as last aforesaid.
- 1500l. Co. Colches.
ter. And a further sum of One Thousand and Eight Hundred Pounds for the several Roads and Bridges in the County of Colchester, to be applied and expended as last aforesaid.
- 1300l. Co. Cumber-
land. And a further sum of One Thousand and Eight Hundred Pounds for the several Roads and Bridges in the County of Cumberland, to be applied and expended as last aforesaid.
- 1560l. Co. Annapo-
lis. And a further sum of One Thousand Five Hundred and Sixty Pounds for the several Roads and Bridges in the County of Annapolis, to be applied and expended as last aforesaid.
- 5000l. Main Post
Roads. And a further sum of Five Thousand Pounds for the service of the Main Post Roads for the present year, to be applied and expended agreeably to a Resolution of the House of Assembly passed on the Twenty-third day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, and agreed to by the Legislative Council.
- 20l. W. Lynds & al. And a further sum of Twenty Pounds at the disposal of the Governor, to pay William Lynds, E. H. Blair, Adam McNutt and others—that sum to be divided among them in such proportions as they severally contributed in building a Bridge across the North River, Onslow, in One Thousand Eight Hundred and Forty-two, as recommended by a Special Committee of the House of Assembly in One Thousand Eight Hundred and Forty-six—the same to be repaid out of the Road Monies which may be allotted to the County of Colchester in One Thousand Eight Hundred and Forty-eight.
- 1/ 10s. P. Dawson. And a further sum of One Pound and Ten Shillings at the disposal of the Governor, to repay Peter Dawson for his expenses in inspecting and reporting on the state of the Road between Hamilton's and Windsor, by direction of the late Lieutenant-Governor.
- 22l. 3s. 3d. Overseers
of Poor, Horton. And the further sum of Twenty-two Pounds Three Shillings and Three Pence

to the Overseers of the Poor for the Township of Horton, to reimburse them for expenses incurred in taking care of a Pauper who had escaped from the Poor Asylum at Halifax, and was taken sick at Horton.

And a further sum of Three Pounds to John W. Henry and Studly Horton, Overseers of the Poor for Upper Musquodoboit, to cover expenses incurred in maintaining and burying a Transient Pauper. 3l. J. W. Henry & S. Horton.

And a further sum of One Hundred and Fifty Pounds to Alexander G. Fraser and James Tremain, for their services as Commissioners for investigating the Accounts of the former Treasurer, employed by the Governor under a Resolution of the House of Assembly at the last Session. 150l. A. G. Fraser & J. Tremain.

And a further sum of Fifty Pounds to J. J. Sawyer and J. H. Kaulback, for their expenses and time on a mission to Pictou, having been sent thither by the late Lieutenant-Governor for the purpose of being present at the last Election of a Representative for the Township of Pictou, the previous Election having been set aside on account of violence. 50l. J. J. Sawyer & J. H. Kaulback, attending Pictou Election.

And a further sum of One Hundred Pounds to the three Commissioners, appointed in One Thousand Eight Hundred and Forty-five, to collect information respecting a Lunatic Asylum, to repay the balance of expenses incurred by them while pursuing that mission. 100l. Lunatic Asylum.

And a further sum of Forty Pounds at the disposal of the Governor, to repay that amount advanced from the Treasury to the Commissioners of the Lunatic Asylum in One Thousand Eight Hundred and Forty-six. 40l. Lunatic Asylum.

And a further sum of Ten Pounds to the Commissioners appointed in One Thousand Eight Hundred and Forty-six, to make further enquiries relative to a site for a Lunatic Asylum, to pay balance of expenses incurred in procuring plans and otherwise. 10l. Lunatic Asylum.

And a further sum not exceeding One Hundred Pounds at the disposal of the Governor, to procure so many Sykes' Hydrometers as may be required for the use of Outport Collectors of Impost and Excise, not already supplied, and for Distilleries. 100l. Sykes' Hydrometer.

And a further sum not exceeding One Hundred Pounds at the disposal of the Governor, to enable him to procure the services of a competent person to keep an exact account of Passengers and Traffic that may pass into and out of the City of Halifax, to or from Windsor, and parts beyond, and to or from other places by the route of the Main Road between Windsor and Halifax, or any portion thereof, in the interval between the appointment of such person and the expiration of one month from the commencement of the first Session of the next General Assembly, in order that the report of such person may be submitted to the Legislature as soon as possible after that time. 100l. rel. to Passengers and Traffic from Windsor to Halifax.

And a further sum of Ten Pounds and Ten Shillings to George R. Grassie, Esquire, in full for his services as High Sheriff of Colchester, in returning seven Members to serve in General Assembly, and not drawn from the Treasury as by Law authorised. 10l. 10s. G. R. Grassie.

And a further sum of Two Pounds and Ten Shillings to Joseph Oxley, for his services as Commissioner in laying out an alteration on the Road from Pictou to Amherst. 2l. 10s. J. Oxley.

And a further sum of Fifteen Pounds to Mark Amiro, pursuant to the Report of the Committee on his Petition. 15l. M. Amiro.

And a further sum of Fifteen Pounds to David Chute, to compensate him for loss sustained to prevent the spreading of Small Pox. 15l. D. Chute.

And a further sum of Four Pounds to James Blair, the fourth, for attending at Halifax, from Truro, as a Witness for the Crown in the prosecution of the Queen against McKenzie. 4l. J. Blair.

And a further sum of Twenty-five Pounds to Daniel Farrell, as a small tribute of respect 25l. D. Farrell.

respect for his praiseworthy exertions in saving the Crew of the schooner "John Edmund," wrecked on the Eastern Coast of Cape-Breton.

10l. Bounty on Wolves.

And a further sum of Five Pounds to John Hay and James Murchy, also the sum of Five Pounds to George Bruce—as Bounties for killing Wolves.

340l 11s 11d Transient Paupers.

And a further sum of Three Hundred and Forty Pounds Eleven Shillings and Eleven Pence at the disposal of the Governor, to defray the several amounts following, pursuant to the Report of the Committee on the subject of expenses incurred for the support of Transient Paupers, that is to say :—

1st Sec. Township of Pictou.

To the Overseers of the Poor for the First Section of the Township of Pictou, Fifty-five Pounds Six Shillings and Four Pence.

4th Sec. Township of Pictou.

To the Overseers of the Poor for the Fourth Section of the Township of Pictou, Eight Pounds Two Shillings and Eight Pence.

3d Sec. Township of Pictou.

To the Overseers of the Poor for the Third Section of the Township of Pictou, Six Pounds and Twelve Shillings.

Township of Egerton.

To the Overseers of the Poor for the Township of Egerton, Nine Pounds and Five Shillings.

Township of Argyle.

To the Overseers of the Poor for the Township of Argyle, Six Pounds Three Shillings and Five Pence.

Township of Cornwallis.

To the Overseers of the Poor for the Township of Cornwallis, Twenty-four Pounds Six Shillings and Three Pence—One Pound Eleven Shillings and Three Pence of which to be paid to Doctor Forsythe.

Township of Wilmot.

To the Overseers of the Poor for the Township of Wilmot, in the County of Annapolis, Nine Pounds.

Township of Windsor.

To the Overseers of the Poor for the Township of Windsor, Nine Pounds and Six Pence.

Township of Granville.

To the Overseers of the Poor for the Township of Granville, Twelve Pounds Twelve Shillings and Seven Pence.

Township of Parrsborough.

To the Overseers of the Poor for the Township of Parrsborough, Eight Pounds and Six Pence.

Township of Liverpool.

To the Overseers of the Poor for the Township of Liverpool, Eight Pounds Eighteen Shillings and Six Pence.

Township of Digby.

To the Overseers of the Poor for the Township of Digby, for supplying Wrecked Seamen, Two Pounds Seven Shillings and Eleven Pence.

Township of Clements.

To the Overseers of the Poor for the Township of Clements, Five Pounds Fifteen Shillings and Two Pence.

16l 17s 6d J. Snow.

To Joshua Snow, Shelburne, for expenses incurred for a sick Seamen, Sixteen Pounds Seventeen Shillings and Six Pence.

11l 10s Dr. R. Leslie.

To Doctor Robert Leslie, Annapolis, for attending persons infected with Small Pox, by order of the Board of Health, Eleven Pounds and Ten Shillings.

27l 13s Dr. C. Tupper.

To Doctor C. Tupper, Amherst, for his services, by order of the Board of Health, Twenty-seven Pounds Thirteen Shillings.

15l 5s Dr. Hoffman.

To Doctor Hoffman, Health Officer, Halifax, for his services, Fifteen Pounds and Five Shillings.

Township of Londonderry.

To the Overseers of the Poor for the Township of Londonderry, Five Pounds Five Shillings and Nine Pence.

11l 2s 6d Board of Health Bridgetown.

To the Board of Health, Bridgetown, for expenses incurred in a case of Small Pox, Eleven Pounds Two Shillings and Six Pence—Seven Pounds of which to be applied to payment of Doctors' Bills.

20l Dr. Harvey.

To Doctor Harvey, of Kempt, for attending two Sailors infected with Small Pox, and for Vaccinating One Hundred and Twenty persons, Twenty Pounds.

12l W. Mortimer.

To William Mortimer, Port Medway, for passage of three Shipwrecked Seamen from Porto Rico to Halifax, by order of the British Consul, Twelve Pounds.

35l 7s 4d Township of Truro.

To the Overseers of the Poor for the Township of Truro, Thirty-five Pounds Seven Shillings and Four Pence.

To James Whidden, for passage to Halifax of four Seamen of the Barque "Burlley," of Liverpool, England, stranded at Cienfuegos-de-Cuba, by order of two British Merchants, Twenty Pounds. 20l James Whidden.

And a further sum of Eight Pounds and Five Shillings to the Overseers of the Poor for the Towship of Wilmot, in the County of Annapolis, in full, for expenses incurred in supplying and sending to the Poor House, in Halifax, a transient Pauper named Thomas Hussy. 8l 5s Overseers of Poor Wilmot.

And a further sum of One Thousand Two Hundred and Fifty Pounds at the disposal of the Governor, for the relief of destitute persons, in the respective Counties following, that is to say: In the County of Cape Breton, Six Hundred Pounds; in the County of Inverness, Three Hundred and Fifty Pounds; and in the County of Richmond, Three Hundred Pounds. 1250l Relief of destitute persons.

And the following sums, at the disposal of the Governor, for the relief of the colored population in the respective places following, that is to say: At Hammond Plains, Beech Hill, Sackville, Preston and its vicinities, in the County of Halifax, Three Hundred Pounds; in Hant's County, Twenty-five Pounds; in the County of Guysborough, Fifty Pounds; at Tracadie, in the County of Sydney, Twenty-five Pounds; in the County of Shelburne, Twenty-five Pounds; in the County of Queen's County, Twenty-five Pounds; in the County of Annapolis, Twenty-five Pounds; and in the County of Digby, Twenty-five Pounds. Relief of colored population.

And a further sum of Seven Hundred and Fifty-three Pounds Thirteen Shillings and Eleven Pence, at the disposal of the Governor, to defray sundry charges incurred for prevention of Disease among the Indians during the past year—Eighty-five Pounds of which to be paid to Doctor Jennings in full for his medical services, and for Horse hire and other expenses of a journey to Maitland—and One Hundred and Twenty-five Pounds of which to be paid to Doctors Anderson and Johnston, in full for their medical services. 753l 13s 11d relief of Indians.

And a further sum of Twenty-five Pounds to Doctor Desbrisay, to compensate him for his services in attending sick Indians, and administering Medicines to the destitute. 25l Dr. Desbrisay.

And such further sum at the disposal of the Governor as will suffice to repay the sum of One Thousand Pounds, sterling, advanced for the relief of the Poor in Ireland and Scotland. 1000l stg. relief of Poor, Ireland, &c.

And such further sum at the disposal of the Governor as will suffice to pay the respective sums following, advanced by the Governor, or now due, for the following services, that is to say:

For relief of sufferers by Fire at Newfoundland, One Thousand and Forty-eight Pounds Fifteen Shillings and Ten Pence. 1048l 15s 10d sufferers Newfld.

For preparing case and obtaining opinion in reference to Coal Mines, Two Hundred and Thirty-two Pounds One Shilling and One Penny. 232l 1s 1d opinion on Coal Mines.

For Shipwrecked Seamen of Schooner Rapid, Three Pounds Seven Shillings and One Penny. Shipwrecked Seamen—

Of Schooner Lark, Seven Pounds Twelve Shillings and Three Pence.

Of Ship Nourmehal, Seven Pounds Twelve Shillings and Ten Pence.

And of Ship Afghanistan, Fifteen Pounds and Fifteen Shillings.

For New Plate for Province Notes and Impressions, Two Hundred and Fourteen Pounds Two Shillings and Four Pence. 214l 2s 4d Plate for Prov. Notes.

For Copies of Custom House Returns for the last ten years, under Resolution of the House of Assembly, Twenty Pounds. 20l copying Custom House Returns.

For expenses of Stationery connected with Treasury Commission of One Thousand Eight Hundred and Forty-five, Thirteen Pounds Five Shillings and Two Pence. 13l 5s 2d Stationery.

To the Adjutant General of Militia, for his services for the past year, One Hundred Pounds. 100l Adj. Gen. Militia.

502 Qr. M'r Gen.
Militia.

To the Quarter Master General of Militia, for his services for the past year, Fifty Pounds.

307 12s 7d Printing
&c., for Militia.

And to pay Printing and Stationary Accounts of Offices of Adjutant and Quarter Master General of Militia, Thirty Pounds Twelve Shillings and Seven Pence.

671 15s 4d Wrecked
Passengers Sable
Island.

And a further sum of Sixty-seven Pounds Fifteen Shillings and Four Pence at the disposal of the Governor, to defray certain expenses incurred by the Government for maintenance of Wrecked Passengers from Sable Island.

561 18s 4d Stud
Horse "Norfolk."

And a further sum of Fifty-six Pounds Eighteen Shillings and Four Pence at the disposal of the Governor, for the purpose of repaying the following advances made for the care and keeping of the Stud Horse "Norfolk," that is to say: advanced by the Honble. Lewis M. Wilkins, Eleven Pounds Eighteen Shillings and Four Pence; and advanced by Reginald B. Porter, Esquire, Forty-five Pounds.

261 5s Deaf & Dumb
Boy.

And a further sum of Twenty-six Pounds and Five Shillings at the disposal of the Governor, to be applied towards defraying the expense of a Deaf and Dumb Boy, the son of James Allison, of Windsor, at an Asylum at Hartford.

261 5s Deaf & Dumb
Boy.

And a further sum of Twenty-six Pounds and Five Shillings at the disposal of the Governor, to be applied towards defraying the expense of a Deaf and Dumb Boy, the son of James Stephens, of Horton, at an Asylum in Scotland.

691 Deaf & Dumb
Boys.

And a further sum of Sixty Pounds at the disposal of the Governor, to be applied towards the maintenance and education of two Deaf and Dumb Boys, the children of John Campbell, of St. Paul's.

501 R. Stone.

And a further sum of Fifty Pounds to Robert Stone, Seizing Officer at Wilmot, for his services under special circumstances.

291 15s J. Romans.

And a further sum of Twenty-eight Pounds and Fifteen Shillings to John Romans, as a further compensation for his services as Chief Inspector of Distilleries.

81 17s 5d T. E. Ma-
berly & R. S. Ea-
kins.

And a further sum of Eight Pounds Seventeen Shillings and Eight Pence to Thomas E. Maberly and Robert S. Eakins, for Duties on seizures made by them.

717s 6d J. Stoneman.

And a further sum of Seven Pounds Seven Shillings and Six Pence to Joseph Stoneman, for Drawback on Sugar exported.

51 D. Landers.

And a further sum of Five Pounds to David Landers, for return Duty on Dye Stuffs and other articles.

51 R. Starr.

And a further sum of Five Pounds to Richard Starr, President of the Cornwallis Agricultural Society, for return of Duties on Agricultural Implements.

21 Clare Ag. Society.

And a further sum of Two Pounds to the Clare Agricultural Society, being a return of Duties paid by them upon Farming Implements imported for the advancement of Agriculture.

101 18s 2d F. Bour-
neuf, Esq.

And a further sum of Ten Pounds Eighteen Shillings and Nine Pence to Francis Bourneuf, Esquire, for return Duties on Books imported by him for Educational purposes.

51 D. McNeil.

And a further sum of Five Pounds to Diadem McNeil, for Province Paper destroyed by fire.

331 Breakwater
Broad Cove.

And further sum of Thirty Three Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Broad Cove, in the County of Lunenburg—to be drawn and applied to that purpose when it shall appear to the satisfaction of the Governor in Council that the sum of Ninety-eight Pounds and Ten Shillings has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

241 Breakwater Ho-
gan's Cove.

And a further sum of Twenty-four Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Hogan's Cove, on the Bay Shore, Granville—to be drawn and applied to that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Seventy Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

391 Breakwater
Meteghan.

And a further sum of Thirty-nine Pounds at the disposal of the Governor, to

to

to aid in the erection of a Breakwater at Meteghan, in the County of Digby—to be drawn and applied to that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of One Hundred and Sixteen Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

And a further sum of One Hundred Pounds at the disposal of the Governor, to aid in opening an Outlet from a Lake to improve the shelter at the Breakwater at Whale Cove, Clare—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor, in Council, that the sum of Three Hundred Pounds has been subscribed by the Inhabitants, and expended in such undertaking, and that the Site of such Breakwater has been conveyed for the use of the public.

100/ Breakwater
Whale Cove.

And a further sum of One Hundred and Twenty-five Pounds at the disposal of the Governor, to aid in repairing the Arisaig Pier, in the County of Sydney—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Three Hundred and Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Pier, and that the Site thereof has been conveyed for the use of the public.

125/ Arisaig Pier.

And a further sum of One Hundred Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Cheticamp, in the County of Inverness—to be drawn and applied to that purpose when it shall appear to the satisfaction of the Governor in Council that the sum of Three Hundred Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

100/ Breakwater
Cheticamp.

And a further sum of Twenty-five Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Canada Creek, Cornwallis—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

25/ Breakwater Ca-
nada Creek.

And a further sum of Seventy-five Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Pitch Brook, in the County of Colchester—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Two Hundred and Twenty-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

75/ Breakwater
Pitch Brook.

And a further sum of Thirty-four Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Little Harbor, in the County of Shelburne—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of One Hundred and One Pounds and Ten Shillings has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

34/ Breakwater Lit-
tle Harbor.

And a further sum of Twenty-five Pounds at the disposal of the Governor, to aid in the erection of the Givan Wharf, Cornwallis—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

25/ Givan Wharf,
Cornwallis.

And a further sum of One Hundred and Twenty-five Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Tidnish, in the County of Cumberland—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Three Hundred and Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.

125/ Breakwater,
Tidnish.

And

- 125l. Breakwater,
Port Hood. And a further sum of One Hundred and Twenty-five Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Port Hood, in the County of Inverness—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Three Hundred and Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.
- 25l. Breakwater,
Marshall's Cove. And a further sum of Twenty-five Pounds at the disposal of the Governor, to aid in the repair of the Breakwater at Marshall's Cove, Wilmot—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.
- 25l. Breakwater,
Margaretville. And a further sum of Twenty-five Pounds at the disposal of the Governor, to aid in extending the Breakwater at Margaretville—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Seventy-five Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.
- 100l. Breakwater,
Robinson's Point. And a further sum of One Hundred Pounds at the disposal of the Governor, to aid in the erection of a Breakwater at Robinson's Point, in the County of Digby—to be drawn and applied for that purpose, when it shall appear to the satisfaction of the Governor in Council that the sum of Three Hundred Pounds has been subscribed by the Inhabitants, and expended on such Breakwater, and that the Site thereof has been conveyed for the use of the public.
- 10l. 10s. J. Givan. And a further sum of Five Pounds and Ten Shillings to John Givan, being a balance due him for work done to secure the Givan Wharf, Cornwallis.
- 10l. J. Copeland. And a further sum of Ten Pounds to John Copeland, to aid him in building a Ferry Boat suitable to convey Horses and Carriages across the mouth of the Shubenacadie—to be paid when it shall appear to the satisfaction of the Governor in Council that a good and sufficient Boat for that purpose has been completed.
- 1250l. Light House,
Isle Haute. And a further sum of One Thousand Two Hundred and Fifty Pounds (including the Grant formerly made for the same service) at the disposal of the Governor, for the purpose of building a Light House on Isle Haute, in the Bay of Fundy.
- 30l. Antigonish
Harbor. And a further sum of Thirty Pounds at the disposal of the Governor to aid in clearing out the Channel of the Harbor of Antigonishe, and repairing the Tow-path at that place—to be drawn and applied for that purpose when it shall appear to the satisfaction of the Governor in Council that the sum of Thirty Pounds has been raised by private subscription and expended on those services.
- 510l. Oat Mills. And a further sum, not exceeding Five Hundred and Ten Pounds, at the disposal of the Governor to aid in the erection of Oat Mills and Kilns in the different Counties, during the present year: *Provided*, that no greater amount than Thirty Pounds be allowed for any one County, and that no more than Fifteen Pounds be applied in aid of any one Oat Mill and Kiln, and that no sum shall be paid hereunder until it shall appear, by certificate, to the satisfaction of the Governor in Council that the Oat Mill and Kiln for which any such Grant may be claimed are ready to be put in operation.
- 25l. Mail, Wilmot. And such further sum at the disposal of the Governor as will enable him to defray the expense of a Weekly Mail from the Post Office, at Gibbon's, in Wilmot, to Lawrencetown, passing through the Districts lying on the south side of the Annapolis River—provided the same do not exceed Twenty-five Pounds.
- Mail, Sambro. And such further sum at the disposal of the Governor, as will enable him to defray the expense of a Weekly Mail between Halifax and Sambro.
- 7l 10s. Courier,
Windsor. And such further sum at the disposal of the Governor, as will enable him to defray the expense of a Courier between Windsor Post Office and James Sangster's, in Falmouth—provided the same do not exceed Seven Pounds and Ten Shillings. And

- And such further sum at the disposal of the Governor, as will enable him to defray the expense of establishing and maintaing a Mail once a week between Sydney, and Louisbourg, and Main a Dieu, in the Island of Cape-Breton. Mail, Cape Breton.
- And such further sum at the disposal of the Governor, as will enable him to defray the expense of a Courier to convey the Mail from the Seven Mile House, at the West River Road, in Pictou, to New Larig, and thence back by the Middle River Road, by way of Ruddock's Mills—provided the same do not exceed Twenty Pounds. 20l. Courier, Pictou.
- And such further sum at the disposal of the Governor, as will enable him to defray the expense of carrying the Mail from Bridgetown, the whole distance to the Gut of Annapolis, instead of stopping at a place called Black Point, as at present—provided the same do not exceed Five Pounds. 5l. Mail, Annapolis.
- And such further sum at the disposal of the Governor, as will enable him to defray the expense of an extension of Mail Communication, weekly, from Truro to the Way Office, Earltown, by the North River, Onslow—provided the expense of the service do not exceed Twenty Pounds. 20l. Mail, Truro.
- And a further sum of Ten Pounds to Lemuel Morehouse, to enable him to pay his Ferriages between Digby and Brier Island. 10l. L. Morehouse.
- And a further sum of One Thousand and Fifty-five Pounds Four Shillings and Seven Pence at the disposal of the Governor, to defray that amount advanced and paid from the Treasury to support the Post Office Department for the last year. 1055l. 4s. 7d. Post Office.
- And a further sum of Eight Hundred Pounds Eight Shillings and Nine Pence to the Commissioners of Sable Island, to defray certain Accounts connected with that Establishment—such sum to be charged against the Establishment, and repaid out of any funds that may hereafter be at the disposal of the Commissioners. 800l. 8s. 9d. Sable Island.
- And the further sum of Five Hundred Pounds at the disposal of the Governor, for the purpose of employing the Schooner Daring, (when not employed in the Sable Island service,) for the protection of the Fisheries on the Eastern coast of this Province, as far as practicable. 500l. schr. Daring.
- And the further sum of Five Hundred Pounds at the disposal of the Governor, for the employment of a suitable Vessel to protect the Fisheries on the Western Coasts of this Province. 500l. protection of Fisheries.
- And a further sum of One Hundred and Twenty Pounds to the Chief Inspector of Distilleries in Halifax, for his services for the present year, instead and in lieu of all other allowances whatsoever. 120l. Inspector of Distilleries.
- And a further sum of Two Hundred and Fifty-two Pounds Fifteen Shillings and Six Pence at the disposal of the Governor, to defray the following Accounts for Printing, that is to say : 252l. 15s. 6d. Printing, viz :
- William Cunnabell, Nine Pounds Three Shillings and Three Pence. 9l. 3s. 3d. W. Cunnabell.
- William Annand, Fourteen Pounds and Seven Shillings. 14l. 7s. W. Annand.
- Ritchie and Nugent, Eight Pounds Thirteen Shillings and Nine Pence. 8l. 13s. 9d. Ritchie & Nugent.
- Edward Young, for the Olive Branch, Newspaper, Four Pounds Six Shillings and Six Pence. 4l. 6s. 6d. E. Young.
- English and Blackadar, Three Pounds Three Shillings and Nine Pence. 3l. 3s. 9d. English & Blackadar.
- Guardian, Newspaper, Two Pounds Ten Shillings and Nine Pence. 2l. 10s. 9d. Guardian, Newspaper.
- Christian Messenger, Newspaper, Two Pounds Sixteen Shillings and Three Pence. 2l. 16s. 3d. Christian Messenger.
- Gossip & Coade Two Hundred and Four Pounds Four Shillings and Three Pence. 4l. 4s. 3d. Gossip & Coade.
- W. C. Manning, One Pound and Five Shillings. 1l. 5s. W. Manning.
- And J. H. Crosskill, for the Morning Post, Newspaper, One Pound and Fifteen Shillings. 1l. 15s. J. H. Crosskill.
- And a further sum of Six Hundred and Forty-five Pounds Nineteen Shillings and 645l. 19s. 9d. J. H. Crosskill.

and Nine Pence to John H. Crosskill, for certain services performed by him as Queen's Printer for the last year, pursuant to the Report of the Committee on Printing.

1757. Commr's. for
issuing Treasury
Notes.

And a further sum of One Hundred and Seventy-five Pounds to the Commissioners for issuing Treasury Notes, for their services in that capacity, and to enable them to remunerate their Clerk.

3007. Indians.

And a further sum of Three Hundred Pounds at the disposal of the Governor, for the benefit of the Indians for the present year—to be expended agreeably to the Acts of the General Assembly, to provide for the instruction and permanent settlement of the Indians.

18507. 15s. 10d. Com-
missioners Pro-
Penitentiary.

And a further sum of One Thousand Eight Hundred and Fifty Pounds Fifteen Shillings and Ten Pence to the Commissioners of the Provincial Penitentiary, to pay certain balances due on account of that Establishment for the last year, and to pay the salaries of the Officers, (including a salary of Twenty-five Pounds for a Chaplain,) and defray the outlay, and other expenses, for the present year, pursuant to the Report of the Committee.

10731. 6s. 5d. Com-
missioners Public
Buildings.

And a further sum of One Thousand and Seventy-three Pounds Six Shillings and Five Pence to the Commissioners of Public Buildings, to defray the expenses incurred by them during the last year, including the sum of One Hundred Pounds already advanced from the Treasury.

15091. Commr's.
Public Buildings.

And a further sum of One Thousand and Five Hundred Pounds at the disposal of the Governor, to be from time to time paid to the Commissioners of Public Buildings, to enable them to carry out the views expressed in the Report of the Committee on Public Buildings, as regards the paying of ready money upon Contracts and purchases for said Buildings.

407. Rev. Boat, Syd-
ney, C. B.

And a further sum of Forty Pounds at the disposal of the Governor, to enable him to continue a suitable Revenue Boat at Sydney, Cape-Breton.

307. Rev. Boat, Pic-
tou.

And a further sum of Thirty Pounds at the disposal of the Governor, for the purpose of continuing a suitable Boat to assist in the protection of the Revenue at the Port of Pictou for the present year, under the direction of the Collector of Excise at that Port.

407. J. Chamberlain.

And a further sum of Forty Pounds to John Chamberlain towards remunerating him for his labour in reporting the Debates at this present Session.

7197. 3s. 1d. Expen-
of L. Council.

And a further sum of Seven Hundred and Nineteen Pounds Three Shillings and One Penny, to defray the expenses of the Legislative Council, for the present year.

627. 9s 6d Contractor
Provincial Laws.

And a further sum of Sixty-two Pounds Nine Shillings and Six Pence at the disposal of the Clerk of the House of Assembly, to pay the Contractor for Printing the proposed revised edition of the Province Laws—for paper purchased by him for that purpose, under the conditions stipulated in the Report of the Committee on that subject.

911 4s 6d Stationery,
&c.

And a further sum of Ninety-one Pounds Four Shillings and Six Pence to the Clerk of the House of Assembly, to defray the expense of Stationery, and binding of Journals and Laws for the House of Assembly, during the last year.

337. Extra Messen-
ger, Fuel, &c.

And a further sum of Three Hundred and Thirty-five Pounds, to defray the expense of extra Messengers, and other services; and for Fuel, and other articles, for the House of Assembly, according to estimate—the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker.

137 12s 2d Speaker.

And a further sum of Thirteen Pounds Twelve Shillings and Two Pence to the Honorable the Speaker, being balance of Account for Books and Parliamentary Papers purchased by him for the use of the House.

157 Speaker.

And a further sum of Fifteen Pounds at the disposal of the Honorable the Speaker, to procure various Books and Publications necessary for conducting the business of the Assembly.

107 Each, 2 Chair-
man Com. on Bills
and of Supply.

And a further sum of Ten Pounds each to the two Chairmen of the Committees on Bills and of Supply, for their services for the present Session. And

And a further sum of One Hundred Pounds each to the Clerk and Clerk Assistant of the House of Assembly, for their extra services during the present Session.

100l each, Clerk & Asst. Clerk.

II. *And be it enacted*, That instead and in lieu of the sum of Two Hundred and Fifty Pounds, annually, granted in One Thousand Eight Hundred and Forty-six, for the encouragement of a suitable Steam Boat to ply once in each week between the Ports of Pictou, Charlotte Town, and Miramichi, for the next three following years, which is hereby repealed, the sum of Two Hundred and Fifty Pounds be granted and placed at the disposal of the Governor—to be paid annually, for the next two years, for the encouragement of a Steam Boat of not less than eighty horse power, to ply once a week, during the season of navigation, between the Ports of Pictou, Charlotte Town, Prince Edward Island, and Shediac: *Provided* that it is proved to the satisfaction of the Governor that the said service has been suitably performed, and that such Boat has carried the Mails when required.

Change of Steam Boat grant, P. E. Island.

III. *And be it enacted*, That in lieu of the grant of Five Hundred Pounds yearly, for three years, granted in the Session of One Thousand Eight Hundred and Forty-six, to certain Steam Communication between Yarmouth and Halifax, touching at the intermediate Ports of Lunenburg and Liverpool, which grant is hereby repealed, there shall be granted and paid, annually, for the next two years, to the first person who shall in each year establish and run weekly a suitable British registered Steamboat between Yarmouth and Halifax, touching at the intermediate Ports of Lunenburg, Liverpool, and Shelburne, the sum of Seven Hundred and Fifty Pounds annually, to be drawn by warrant from the Treasury when it shall be certified to the satisfaction of the Governor in Council that such Boat has plied between the said Ports as hereinbefore mentioned, for seven months in each year.

Change of Steam Boat grant Western Shore.

IV. *And be it enacted*, That the sum of Seven Pounds and Ten Shillings, appropriated out of the Road Money for King's County, in One Thousand Eight Hundred and Forty-five, to repair the Road from A. Coil's, on the Nictaux Road, Easterly, not expended, and returned undrawn, be now applied to the building of a Bridge on the New Road from Trenholm's Mill to William Taylor's, in Horton.

Change of Road Vote, Horton.

V. *And be it enacted*, That the sum of Five Pounds, granted during the last Session to repair the Road from the School House, Carriboo River, to William McKay's, in the County of Pictou, and remaining undrawn, be appropriated in repairing the Road from Ruddock's Mill, Carriboo, past Widow Morrison's.

Change of Road Vote, Pictou.

VI. *And be it enacted*, That the sum of Ten Pounds, granted in the last Session, for the repair of the Road from the Main Road to Jacob Spinney's Point, in the County of Yarmouth, and undrawn, be expended on the Road from the Post Road to the Shore on the South Line of Daniel Kenney's Land.

Do. Yarmouth.

VII. *And be it enacted*, That the sum of Seven Pounds and Ten Shillings, granted in One Thousand Eight Hundred and Forty-four, for an alteration of Road near Jacob Withrow's, in the County of Hant's, and remaining undrawn, be applied to the repair of the Road past Sims'.

Do. Hants.

VIII. *And be it enacted*, That the sum of Five Pounds, granted in One Thousand Eight Hundred and Forty-five, for the repair of the Road from Advocate Harbor to Three Sisters, in the County of Cumberland, and remaining undrawn, be laid out and expended on the Road from N. Knowlton's to Apple River.

Do. Cumberland.

IX. *And be it enacted*, That the sum of Eight Pounds granted in the last Session for the repair of the Road from Harris' Laketo Henlock Island, in the County of Shelburne, and remaining undrawn, be applied to the repair of the Road leading from the Shelburne Post Road to the Welch Settlement.

Do. Shelburne.

X. *And be it enacted*, That the sum of Five Pounds, portion of the grant made in One Thousand Eight Hundred and Forty-four, for the repair of the Road from Eatons' to Henry Christie's, in the County of Colchester, and remaining undrawn, be expended on the Road from William Irving's to Robert Johnston's, and that the further sum of Five Pounds granted in One Thousand Eight Hundred and

Do. Colchester.

Forty-two, for the repair of the Road from Vance's to McCully's, in the same County, also undrawn, be expended on the Road from McNutt's to DeBurt River Meeting House.

Do. Antigonishe.

XI. *And be it enacted*, That the sum of One Hundred and Forty-five Pounds appropriated for the Great Roads in the County of Sydney, in the year One Thousand Eight Hundred and Forty, and remaining undrawn, be applied to open and make an alteration of the Post Road from the County Line, Lochaber, to Antigonish, and thence by Devost's Bridge, Tracadie, to Edmond Forrestall's Ferry, Gut of Canso.

Change of School grant, Richmond.

XII. *And be it enacted*, That the sum of One Hundred Pounds at present by Law appropriated for the support of an Academy in the County of Richmond, shall and may hereafter, during the continuance of the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act for the encouragement of Schools, be annually drawn and applied by the Trustees of the said Academy for the support of a Grammar School in connection with a Nautical School, under the direction of the said Trustees: *Provided* that the same sum be subscribed and raised by the people as required, in order to draw the allowance for an Academy.

51 W. F. Bowes.

XIII. *And be it enacted*, That the Commissioners of Schools for the Western District of the County of Hants shall, out of the Common School Funds which may be first at their disposal, on or after the first day of May next, pay the sum of Five Pounds to William F. Bowes, a Schoolmaster of that County, for services performed by him, and unpaid.

Change of School grant, Lunenburg.

XIV. *And be it enacted*, That the sum of One Hundred Pounds set apart for the support and maintenance of an Academy in the County of Lunenburg, in the year One Thousand Eight Hundred and Forty-six, and not drawn from the Treasury by reason of the said Academy not going into operation during that year, be paid to the Trustees of the said Academy—out of which sum they shall pay to the Teacher of the Grammar School in Lunenburg the sum of Fifty-one Pounds, being the balance of his salary due him for the year One Thousand Eight Hundred and Forty-six; and that the residue of the said sum be applied to the use of the said Academy, or transferred to the Commissioners of Schools, for the General Education of the County, as the said Trustees may deem most advisable.

Change of School Grant, Cumberland.

XV. *And be it enacted*, That the sum of Twenty Pounds, at present appropriated out of the allowance for Grammar Schools in the County of Cumberland, for the support of a Grammar School in the District comprising the Township of Parrsborough, and other parts of Cumberland, thereto annexed, may be applied by the Commissioners of Schools for that District, if they shall think fit so to do, towards the support of a superior Common School, wherein shall be taught, in addition to the common branches of Education, one or more classes in the Classics, Algebra, and the practical branches of Mathematics, or some of them.

Drawback on Officers' Wines.

XVI. *And be it enacted*, That the Board of Revenue shall allow a Drawback upon all Wines imported for, or consumed by, the commissioned Officers of the Army, composing the several Regimental Messes of the Garrison at Halifax, or shall relinquish the Duties upon all such Wines, upon proof being made to the satisfaction of the Board that the Wines whereon Drawback or relinquishment of Duty is claimed were imported for, or consumed by, such Officers of the Army: *Provided* the whole amount do not exceed the sum of Three Hundred Pounds in the year.

Road Casualties.

XVII. *And be it enacted*, That if any of the Bridges on the Main Post Roads of this Province shall give way during the recess, or any of such Roads shall be unexpectedly obstructed by any unforeseen obstacle or accident, it shall be lawful for the Governor to order a Commissioner to repair or rebuild such Bridges, or to remove such Obstructions; and it shall be lawful further for the Governor to draw Warrants on account and in favor of such Commissioner—provided the sum so to

be

be drawn shall not exceed for the year the sum of Five Hundred Pounds—and the respective sums so drawn shall be charged at the next Session of Assembly as against the several Counties in which the same shall be respectively expended.

XVIII. *And be it enacted*, That the sum of One Pound per day be granted and paid to each and every Member of the House of Assembly, for his attendance in General Assembly for the present Session—to be paid on the certificate of the Speaker,—also the travelling charges as heretofore: *provided* that no Member shall receive pay for more than Forty days' attendance. Members' Pay.

XIX. *And be it enacted*, That the ninth, twelfth, sixteenth, and eighteenth clauses or sections of the Act passed in the Forty-first year of the Reign of His late Majesty King George the Third, entitled, "An Act for applying certain Monies therein mentioned for the service of the Year of our Lord One Thousand Eight Hundred and One, and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province;" also, the eleventh, twelfth, and thirteenth sections of the Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, entitled, "An Act for applying certain Monies therein mentioned for the service of the Year of our Lord One Thousand Eight Hundred and Thirty-four, and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province"—shall be, and each of the said clauses or sections is hereby continued in force in as full and ample a manner, as if herein repeated word for word, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer. Sections of Acts continued.

CAP. IV.

An Act to prevent the fraudulent making of false and pretended Conveyances of Lands, or of interests therein.

(Passed the 31st day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That if any person shall knowingly, falsely, fraudulently, and covinously, prepare, make, or execute, or shall knowingly, falsely, and fraudulently assist in the preparing, making, or executing of any Lease, Release, Quit claim, Grant, Deed, or Conveyance of any kind of Land, or of any interest in Land, or in the possession of Land in this Province, in or to which the party who shall execute, or be intended to execute such Lease, Release, Quit claim, Grant, Deed, or Conveyance, shall have no legal or equitable title or claim for the purpose of falsely and fraudulently creating an apparent title to, or interest in such Land, or the possession thereof, whether with a view to create a colorable or pretended right or qualification to vote at or for the Election of Members to serve in General Assembly, or for the purpose of falsely and fraudulently inducing any person to vote at or for the Election of Members to serve in General Assembly, or for any other fraudulent purpose whatsoever, or if any person who knowing any Lease, Release, Quit claim, Grant, Deed, or Conveyance, to have been so fraudulently made, shall knowingly, falsely, and fraudulently vote, or offer to vote, at any Election of a Member to serve in General Assembly, on any such false and fraudulent title as aforesaid, every such person who shall knowingly, falsely and fraudulently be guilty of any such offence, shall, for every such offence forfeit the sum of Twenty-five Pounds, to be recovered with full costs of suit at the suit of any person who may sue for the same, one half thereof to the use of the person suing for the same, and the other half to the use of the Poor

Penalty for making false and fraudulent Conveyances of Land.

of some Township or place in the County where the offence was committed : *Provided*, that every such prosecution shall be commenced within twelve months from the committing of the offence, and that no prosecution, under this Act, shall preclude any party aggrieved from prosecuting an action for damages, or prevent the recovery of any other forfeiture under any other Act to which any party offending against this Act may be liable.

Laying of Judgments for Penalties.

Proviso.

II. *And be it enacted*, That every Judgment recovered for a penalty or forfeiture under this Act, shall be levied, with full costs, on the Goods and Chattels, Lands, or Tenements of the Defendant, or in default of payment by the Defendant, may be levied on his body, and the Defendant shall thereupon be committed to the County Gaol, there to remain until the said Judgment be paid, or until he shall have continued in Gaol for a period proportioned to the amount of such penalty, that is to say : one week for every Pound of such penalty : *Provided*, that the imprisonment on any Judgment aforesaid, shall, in no case, exceed three months.

CAP. V.

An Act relating to the Burial Ground near the Town Plot of Cornwallis.

(Passed the 17th day of March, 1847.)

WHEREAS, in the original laying out of the Township of Cornwallis, a reservation was made of a certain point of Upland, commonly called the Burying Yard Point lying East of the Town Plot of Cornwallis, as and for a Public Burial Ground, and the same has always 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 :

Preamble.

Justices to nominate Trustees &c.

Burial Ground &c.

I. *Be it therefore enacted*, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Justices, at any General Sessions of the Peace held in and for King's County, to nominate and appoint, during pleasure, three fit and proper persons, inhabitants of said County, to be Trustees for the Burial Ground aforesaid, whose name of office shall be—"The Trustees of the Burial Ground near the Town Plot of Cornwallis ;" and upon the death, removal, or refusal to act, of any one or 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 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 said Trustees upon any good and sufficient reason therefor as to the said 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.

Powers of Trustees.

II. *And be it enacted*, That the said Trustees, in their name of office, shall have full power and lawful authority to sue and be sued, plead 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.

Burial Ground to be

III. *And be it enacted*, That the said Burial Ground shall be open and free for the

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 directions of the said Trustees.

free to all denominations.

IV. *Provided always, and be it enacted,* That nothing in this Act contained shall affect, or be construed to affect, the right or title of any person or persons whomsoever to the said Land, comprised in the said Burial Ground, or any part thereof.

Proviso.

CAP. VI.

An Act relative to the Sittings of the Supreme Court and General Sessions of the Peace in the County of Shelburne.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That instead of the times and places now by Law established for the holding of the Terms or Sittings of the Supreme Court and General Sessions of the Peace, respectively, in the County of Shelburne, such Terms or Sittings shall hereafter be respectively had at the times and places following, that is to say :

The Supreme Court shall be held at Shelburne, in the County of Shelburne, on the second Wednesday next after the fourth Tuesday of April, and on the first Wednesday in October, in every year.

Supreme Court County of Shelburne.

The Court of General Sessions of the Peace shall be held at Barrington, in the County of Shelburne, on the Monday next after the fourth Tuesday of April ; and at Shelburne, in the said County, on the Monday preceding the first Wednesday of October, in every year.

General Sessions of Peace.

II. *And be it enacted,* That all Writs, Process, Recognizances, Complaints, or other proceedings whatsoever, which are now, or shall be made returnable to the said Supreme Court and General Sessions of the Peace, at the next Terms or Sittings thereof, respectively, in the said County, which are hereby altered, shall be returned, and held, and deemed to be returnable on the respective days hereinbefore appointed for the next Terms or Sittings thereof, respectively, at the respective places hereinbefore mentioned ; and all parties, witnesses, officers, and persons who are summoned or bound to appear at the said Supreme Court and General Sessions of the Peace, at the respective Terms or Sittings thereof hereby altered, shall be held and obliged to appear at such Courts, respectively, on the days and times on which said Terms or Sittings are hereby directed to be held, and at the places aforesaid.

Return of Writs &c.

Appearance of Witnesses &c. &c.

III. *And be it enacted,* That the Grand Jury in and for the said County of Shelburne shall be summoned and bound to appear at both Terms or Sittings of the said General Sessions of the Peace as hereby established ; and the Town Officers shall be appointed, Licenses for the retail of Spirituous Liquors (if any) granted, and all other County business within and for the said Townships of Barrington and Shelburne, respectively, shall, so far as practicable, be made, granted, and transacted, at the said Terms of the General Sessions of the Peace, held in such Townships, respectively.

Summoning of Grand Jury &c.

IV. *And be it enacted,* That the Act passed in the last Session of the General Assembly, entitled, An Act in relation to the Sittings of the General Sessions of the Peace in the County of Shelburne, shall be, and the same is hereby repealed.

Act of last Session repealed.

CAP. VII.

An Act relating to the Laws of the Province.

(Passed the 17th day of March, 1847.)

Construction of words used in Statutes.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the words and expressions hereinafter mentioned, which in their ordinary signification have a more confined or a different meaning, shall, where used in any Law or Statute of this Province, which shall, during this present Session, or hereafter be enacted, except when the nature of the provision or the context shall exclude such construction, be interpreted as follows, that is to say: the word "Governor," shall be deemed and taken to signify and include the Governor, Lieutenant-Governor, or Commander-in-Chief, or other person administering the Government of this Province for the time being; and every word importing the singular number only shall extend to and include several persons or things as well as one person or thing, and every word importing the plural number shall comprehend and be applied to one person or thing as well as many persons or things, and every word importing the Masculine Gender only, shall extend and be applied to a female as well as a male, and the word "Month" shall be taken in all cases to mean a Calendar Month.

Acts may be altered &c. in same Session in which passed.

II. And be it enacted, That any Act of the General Assembly may be altered, amended, or repealed, during the same Session in which such Act may have been passed.

Acts &c. repealed not to be revived by repeal &c. of repealing Statute.

III. And be it enacted, That no Act, nor any part, clause, or section, of any Act that shall hereafter be repealed, shall revive or come again into operation upon the repeal or expiration of the repealing Statute, but shall remain repealed unless revived by express enactment.

CAP. VIII.

An Act to provide for the Drawing of Juries in the County of Yarmouth for the present Year.

(Passed the 17th day of March, 1847.)

Preamble.

WHEREAS the Judge who was to have presided at the last Term of the Supreme Court for the County of Yarmouth, did not arrive in time to hold such Term, and, in consequence thereof, the Juries for the year ensuing could not be legally drawn, and it is therefore necessary to provide for the Drawing of such Juries:

Drawing of Juries for County of Yarmouth for present year.

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall be lawful for the Deputy Prothonotary of the Supreme Court for the County of Yarmouth, or any person by him for that purpose authorised in writing, in the presence of the High Sheriff and *Custos Rotulorum* for the said County, on or before the twentieth day of April, in this present year, to draw from the Grand and Petit Jury Boxes respectively, the requisite number of names of persons, by law required to be drawn for such Juries respectively, in the same manner as the same would have been drawn at the last Term of the Supreme Court in that County, had the same been held; and the said Deputy Prothonotary, or person authorised on his behalf, as aforesaid, shall forthwith issue Writs of *Venire Facias*, and deliver the same to the Sheriff, and such Juries so drawn shall respectively be summoned and bound to appear and serve in the same manner, and for the same time, and under the same penalties respectively, as if they had been legally drawn at the said

said last Term of the Supreme Court in the said County, and shall be respectively considered and held the lawful Juries for that County for the times respectively by Law provided, in case they had been drawn at such last Term of the Supreme Court.

CAP. IX.

An Act to amend the Act for the Summary Trial of Actions before Justices of the Peace.

(Passed the 30th day of March, 1847.)

WHEREAS inconvenience is found to result from Creditors not being permitted to proceed against Debtors before Justices of the Peace of other Counties than those in which the Debtors reside—for remedy thereof:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the provisions of the Act passed in the fifth year of the Reign of Her present Majesty Queen Victoria, entitled, "An Act for the Summary Trial of Actions before Justices of the Peace" shall be construed to extend to give jurisdiction to Justices of the Peace of any County in which the Debtor may reside, or happen to be at the time of the issue of process by such Justices: *Provided* such Debtor be in the County where the Debt may have been contracted, subject nevertheless to all other limitations in the said Act contained.

Jurisdiction of Justices of Peace extended.

Proviso.

II. *And be it enacted,* That this Act shall continue in force for two years, and thence to the end of the then next Session of the General Assembly.

To be in force two years.

CAP. X.

An Act to prevent Obstructions to the Ferry across the Harbor of Halifax.

(Passed the 30th day of March, 1847.)

WHEREAS much inconvenience is experienced from the anchoring of vessels in the course of the Steamers plying between Halifax and Dartmouth, and the same is very detrimental, not only to the interests of the owners of such Steamers, but to the public at large, and it is therefore desirable that regulations should be made in relation thereto:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That on, from, and after the first day of June next, or so soon thereafter as this Act shall have been published, and kept and continued published, for at least four weeks in at least three of the Public Newspapers in Halifax, this Act shall come into and be in operation.

This Act not to go into operation until published.

II. *And be it enacted,* That thereafter it shall not be lawful for the Master or Commander of any vessel to drop anchor, bring to, or allow such vessel, to lie or remain within that part of the Harbor of Halifax, comprised within the following limits, that is to say: within a line drawn from the North-east corner of the Big Market Wharf to a line drawn from the South-east corner of Bauer's Wharf, (so called,) and extending from the said respective points Eastwardly, in a line with the sides of the said Wharves, from which they may start respectively into the said Harbor One Hundred and Fifty Yards, to Buoys to be placed at the respective terminations of that distance; and every Master or Commander of any vessel who shall so drop anchor, bring to, or permit such vessel to lie or remain at any place, other

Limits within which Vessels are not to anchor.

than

than a Wharf within the said limits, after such Buoys shall have been so placed, and shall neglect or refuse to remove therefrom, within the space of Two Hours after being thereto required in writing, provided the state of the weather shall permit of the same being done with entire safety to such vessel, shall forfeit and pay for every such offence a penalty not exceeding Two Pounds.

Penalty.

Vessel being within limits to show a light.

III. *And be it enacted*, That every vessel anchoring, being, or remaining within the limits aforesaid, after such Buoys shall have been placed as aforesaid, shall have, and keep a sufficient Light exposed at the mast head, or in some other conspicuous part of such vessel, from the time darkness shall have set in until the hour of half-past Ten of the Clock of every night; and every Master or Commander of any such vessel being aware that such Light is required, who shall neglect or refuse to place and continue the same, in manner and for the times aforesaid, shall forfeit and pay for every such offence, a penalty not exceeding Two Pounds.

Penalty.

Recovery of Penalties.

IV. *And be it enacted*, That all penalties by this Act imposed, shall and may be sued for, and recovered by suit, in the City or Mayor's Court in Halifax, in the name of any person, or Body, Politic or Corporate, who will sue therefor, in the same manner, and with the like costs of suit, as if the same were a private debt due to such person, or Body, Politic or Corporate, and shall be applied one half thereof to the use of the Plaintiffs in such suits respectively, and the remaining half to the use of the Poor of the City of Halifax.

Proviso.

V. *Provided always, and be it enacted*, That nothing in this Act contained, shall be construed to affect the rights of private property within the said Harbor of Halifax, or to abridge, alter, or defeat any right of action accruing to any person or Body, Politic or Corporate, but the same shall remain and continue as if this Act had not been passed: *And provided also*, that nothing herein contained shall be construed to authorise the appointment of a Harbor Master for the said Harbor, or the imposition of any Tax or Duty upon any vessel thereto resorting, not now by Law imposed.

To be in force two years.

VI. *And be it enacted*, That this Act shall continue and be in force for one year, and thence to the end of the then next Session of the General Assembly.

CAP. XI.

An Act to amend the Act relating to Marriage Licenses.

(Passed the 30th day of March, 1847.)

WHEREAS, in and by the Act passed in the second year of the Reign of His late Majesty, King William the Fourth, entitled, An Act relating to Marriage Licenses, certain ordained and settled Ministers not of the Church of England are in certain cases authorised to receive Licenses to marry without publication of Banns, in the same manner as Licenses are granted to Ministers of the Church of England, which enactment is nevertheless subject to a proviso in the following terms: "*Provided always*, that the man or woman so to be married without publication of Banns shall belong to the same persuasion of Christians to which the Minister to whom they require such License to be directed shall belong." *And whereas* the restriction contained in said proviso is not only wholly unnecessary, but is productive in many cases of much inconvenience.

Preamble.

Proviso in Act 2nd, Wm. 4th, repealed.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That from and after the passing of this Act, the said proviso, and every matter and thing therein contained, shall be, and the same are hereby repealed.

To be of no force until after Her Majesty's assent.

II. *Provided always, and be it enacted*, That nothing herein contained shall be of any force or effect until Her Majesty's assent shall be signified hereto.

CAP. XII.

An Act for granting Duties of Impost for the support of Her Majesty's Government within this Province.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the Fifth day of July, in this Year of Our Lord One Thousand Eight Hundred and Forty Seven, or in case the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall not, previously to the said Fifth day of July, have come into operation, then, from, and after the day when such Act shall come into operation, this Act shall come into, and be in operation, and shall remain and continue in operation until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty Eight, and no longer.

Act when to come into operation.

II. *And be it enacted,* That upon, from, and after the day appointed for this Act to come into operation, and during the continuance thereof, and instead, and in lieu of all other Colonial Duties whatsoever and howsoever denominated, there shall be raised, levied, collected, and paid unto Her Majesty, Her Heirs and Successors, for the use of the Province, and the support of the Government thereof, and other public purposes within the same, for and upon all Goods, Wares, and Merchandize, imported or brought into this Province by sea or inland carriage or navigation, on and after the time when this Act shall come into operation, and during the continuance thereof, the several and respective Impost Duties, Rates, and Impositions, inserted, described, and set forth in figures in the Table of Duties hereinafter contained, denominated "Table of Duties," opposite to, and against the respective articles in the said Table mentioned, described, and enumerated, and according to the value, number, or quantity, of such articles therein specified.

Duties to be paid according to Table of Duties herein-after contained.

III. *And be it enacted,* That salted Beef and Pork, duly warehoused, at any Port or Place within this Province, may be delivered out of such Warehouse to be shipped as Stores, and which shall and may be so shipped without entry or payment of any Duty, for every Ship of the burthen of sixty tons at least, bound on a voyage to any Port or place out of this Province, the probable duration of which out and home will not be less than forty days: *Provided always,* that such Beef and Pork shall be borne upon the Ship's Clearance, and shall be shipped in such quantities, and subject to such directions and regulations as the Collector or other chief Officer of Customs, at the Port of shipment, shall direct and appoint: *Provided also,* that the surplus Stores of such Beef or Pork may be delivered into the charge of the Searcher or other proper Officer of the Customs, to be re-shipped as Stores, under such Rules and Regulations as such Collector or other Chief Officer of Customs may see fit to direct; and any such Beef or Pork shipped contrary to such directions, shall be forfeited.

Beef and Pork for Ships Stores free from payment of Duty.

Provisoes.

IV. *And be it enacted,* That there shall be raised, levied, and collected, and paid unto Her Majesty, Her Heirs and Successors, for the purposes aforesaid, for and upon all Rum, and other Spirituous Liquors, which shall be by any way or method whatsoever, manufactured, compounded, extracted, distilled, or made in this Province, and which, in the said Table, are specifically enumerated and described, the several duties therein stated.

Duties on Rum, &c. distilled in Province.

V. *And be it enacted,* That the several and respective Goods, Wares, and Merchandize, mentioned in the Table hereinafter contained, denominated "Table of Exemptions," shall respectively be held Free of any Duties by this Act imposed.

Goods enumerated in Table of Exemptions free from Duty.

VI. *And be it enacted,* That all Goods derelict, *flotsam* or *jetsam*, and wrecked, brought or coming into this Province, shall, at all times, be subject to the same Duty as Goods of the like kind, imported into this Province, are respectively sub-

Duties on Goods Derelict, Wrecked, &c.

Provisoes

ject unto: *Provided always*, that if any such Goods be of such sorts as are entitled to allowance for damage, such allowance shall be made under such regulations and conditions as the Board of Revenue shall, from time to time, direct: *And provided also*, that all such Goods as cannot be sold for the amount of Duty thereon, shall be delivered over to the person entitled to receive the same, and shall be deemed to be unenumerated Goods, and shall be liable to, and shall be charged with, Duty accordingly.

Duties to be paid according to British Weights and Measures in use in Province.

VII. *And be it enacted*, That all the said Duties hereby imposed, shall be collected, paid, and received, according to the British weights and measures now in use in this Province; and that in all cases where the said Duties are in the said Table of Duties imposed, according to any specific quantity, or any specific value or number, the same shall be deemed to apply in the same proportion to any greater or less quantity, value, or number.

Duties how to be ascertained, collected, &c.

VIII. *And be it enacted*, That the said Duties by this Act imposed, shall be ascertained, secured, paid, levied, collected, recovered, and applied, under and according to the directions, provisions, regulations, and penalties, and by the ways and means respectively prescribed and contained in the several Acts of the General Assembly, now or hereafter to be passed, and from time to time in force, concerning the securing, paying, levying, collecting, recovering, and applying the said Duties.

Warehousing of Goods.

IX. *And be it enacted*, That it shall be lawful for the Importer of any Goods, subject to the Duties hereby imposed, to Warehouse such Goods upon the first entry thereof, under and according to the Rules, Regulations, and Conditions, from time to time in force, or to be enacted, concerning the Warehousing of Goods, and without payment of Duty upon such first entry thereof.

Goods Warehoused previous to this Act to be subject to the duties hereby imposed.

X. *And be it enacted*, That all Goods which shall have been Warehoused in this Province, before this Act goes into operation, and which shall remain so Warehoused after the operation thereof commences, and on which the Duties heretofore imposed have not been paid or secured by a subsisting and continuing security, shall, in lieu of all former Duties, become liable to, and charged with, the Duties hereby imposed, on the like Goods and Merchandize.

Drawback to be allowed on Goods exported.

Provisoes.

XI. *And be it enacted*, That upon the exportation from this Province of any Goods by this Act charged with Duties, there shall be allowed and granted a Drawback of the whole amount of the Duty paid or secured thereon: *Provided* such exportation shall be made, in all respects, conformably to the Rules and Regulations from time to time in force, or to be enacted, touching the allowance of Drawbacks on exportation: *And provided also*, that all the requisites for obtaining such Drawbacks, be observed in respect of the Goods exported.

Drawbacks payable under previous Acts to be allowed.

XII. *And be it enacted*, That the amount of all Drawbacks granted, allowed, or made payable, under or by virtue of any Act of the General Assembly in force, on or immediately before the day when this Act is limited to take effect, for and upon any Goods charged with Duty under any prior Act or Acts, shall remain and continue, and be allowed, with respect to such Goods, in the same manner as if the Act or Acts whereby such Drawbacks were allowed, had continued in force after the commencement hereof.

Duties and Drawbacks to be managed by Board of Revenue.

XIII. *And be it enacted*, That all Duties imposed by this Act, and all Drawbacks allowed by this or any former Act or Acts, shall be under the management of the Board of Revenue, who shall, in respect of such Duties and Drawbacks, manage and allow the same, as hath been, or is or shall be by Law prescribed.

Payment of Duties into Treasury.

XIV. *And be it enacted*, That all the Monies arising from the Duties by this Act imposed, after deduction made of the legal allowances in respect to the collection thereof, shall be remitted and paid into the Public Treasury of the Province, in Halifax, by quarterly payments, on, or as near as may be practicable, to the first day of every quarter, and shall be carried to the account of the Provincial Revenue,

Revenue,

nue, and be and be deemed part of the Public Funds of this Province, and shall be paid, applied, and appropriated to such purposes, and no other, as are or may be expressed or contained in the several Acts of the General Assembly of this Province from time to time in force.

XV. *And be it enacted*, That all monies arising from the said Duties, and paid into the public Treasury, shall from time to time be drawn by the Governor, by warrant under his hand and seal, pursuant to the instructions and directions of Her Majesty, and in payment and discharge of any monies appropriated, or to be appropriated by any Act of the General Assembly.

Monies to be drawn by Governor by Warrant.

XVI. *And be it enacted*, That all Duties on Goods imported, or to be imported before the coming of this Act into operation, and imposed by any Act of the General Assembly of this Province, passed for raising a Revenue, and which have expired, or shall expire at or after the coming of this Act into operation, and all penalties and forfeitures incurred or inflicted under the provisions of such former Act, shall be collected, paid, raised, levied, recovered, and enforced, according to the several and respective provisions of such former Act whereby such Duties, penalties, and forfeitures, were imposed—the expiration or repeal of such former Act or any thing therein contained to the contrary notwithstanding.

Payment of Duties and recovery of Penalties imposed by former Acts on Goods imported previous to this Act.

XVII. *And be it enacted*, That all the said several Duties hereby imposed, and in the said Table of Duties mentioned and contained, shall be estimated, calculated, and reduced into the currency of this Province, as follows, that is to say : all the several specific Duties imposed by the said Table of Duties upon any article therein mentioned, according to the weight, measure, or tale thereof, shall be considered and deemed to be imposed and charged in sterling money, and the same shall be reduced and converted into the currency of this Province, by adding to the aggregate amount of the Duty imposed, and payable on any such article, according to the rate of Duty charged and imposed thereon, one fourth part of the said aggregate amount, and in calculating all Duties by the said Table imposed, upon any article according to the value thereof, One Hundred Pounds, sterling, shall in all cases be deemed and taken to represent, and be equivalent to One Hundred and Twenty-five Pounds, currency, of this Province.

Duties how to be calculated.

XVIII. *And be it enacted*, That all such Duties when so reduced and converted into currency, shall and may be paid and received at the Provincial Treasury, or by or to any Collector of the Colonial Revenue, in Treasury Notes of this Province, at and after the rate of Twenty Shillings for each and every one Pound, currency ; in Doubloons of full weight and fineness, at and after the rate of Four Pounds, currency ; and in British Sovereigns and in British Silver Coins, at and after the rate of Twenty-five Shillings, currency, for each Sovereign, and in the like proportion for such British Silver Coins, provided that no greater sum than Fifty Shillings, currency, shall be tendered or received, or paid in such British Silver Coins at any one time, in discharge of such Duties as aforesaid.

In what money payable.

XIX. *And be it enacted*, That any Animal hereby charged with Duty, which shall be imported for the purpose of improving the Breed, and which shall be certified to be so imported by the President and Secretary of any Agricultural Society, shall be wholly free of any Duty by this Act imposed.

Animals imported for improvement of, to be free from duty.

TABLE OF DUTIES.

<i>Articles.</i>	<i>Duties in Stg. Monies.</i>
Apples, fresh or dried, per barrel,	£0 4 0
Bacon, per cwt.	0 9 0
Beef, salted, per cwt.	0 6 0
“ fresh, per cwt.	0 5 0
Biscuit or Bread, per cwt.	0 1 8
“ Fine, called Crackers or Cakes, per cwt.	0 3 4
	Butter,

Butter, per cwt.	£0	8	0
Candles, Wax, Spermaceti, or Composition, per lb.	0	0	3
“ Tallow, per lb.	0	0	1
Cattle, viz—Horses, Mares, or Geldings, each	2	0	0
Neat Cattle, viz—Oxen or other Neat Cattle, three } years old, or upwards, each, }	1	10	0
Cows and Cattle, under three years old,	0	10	0
Sheep, each,	0	3	0
Hogs, over 100 lbs. weight, each,	1	0	0
“ of 100 lbs. weight and under, each,	0	2	0
Cheese, per cwt.	0	5	0
Chocolate, or Cocoa Paste, per lb.	0	0	1
Coffee, Green, per lb.	0	0	1
“ Roasted, Burned, or Ground, per lb.	0	0	2
Clocks, on all Clocks costing under 20s.	0	5	0
“ On all others,	0	10	0
Hams, Smoked or Dried, per cwt.	0	9	0
Lard, per cwt.	0	8	0
Leather, Sole Leather, including Hides and Skins, partially dressed therefor, per lb.	0	0	1
Upper Leather of all sorts, including Hides and Skins, partially dressed therefor, per lb.	0	0	2
Molasses, per gallon,	0	0	2
Onions, per cwt.	0	2	6
Pears, fresh or dried, per bbl.	0	4	0
Pork, salted, per cwt.	0	6	0
“ Fresh, per cwt.	0	4	0
Raisins, in Boxes, per lb.	0	0	0 $\frac{1}{2}$
“ In other Packages, per lb.	0	0	0 $\frac{1}{4}$
Spirits, viz—Brandy, Gin, Rum, or other Spirituous Liquors, (save and except Rum or Spirits distilled from Molasses, Grain, or Fruit,) which by any way or method what- soever, shall be manufactured, compounded, or ex- tracted, distilled, or made within this Province, not exceeding the strength of Proof by Skyes' Hydrome- ter, and so in proportion for any greater strength than the strength of Proof, per Gallon,	0	1	4
Rum, or Spirits Distilled in this Province, from Mo- lasses, Grain, or Fruit, not exceeding the strength of Proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of Proof, per Gallon,	0	1	0
Brandy, Whiskey, Gin, Cordials and other Spirits, (ex- cept Rum,) not exceeding the strength of Proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of Proof, per Gal- lon,	0	2	8
Rum, not exceeding the strength of Proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of Proof, per Gallon,	0	1	6
Shrub or Santee, per Gallon,	0	1	4
Sugar, Refined, per cwt.	0	14	0
“ Crushed, and Bastard Facings, per cwt.	0	10	0
“ Brown or Muscovado, not refined, per cwt.	0	7	0

Tea,

Tea, viz:—Souchong, Congo, Pekoe, Bohea, Pouchong, and all other Black Teas, per lb.	0	0	1½
Gunpowder, Hyson, Young Hyson, Twankay, and other Green Teas, per lb.	0	0	3
Tobacco, Manufactured, (except Snuff and Cigars,) per lb.	0	0	1½
Tongues of Cattle, dried or pickled, per cwt.	0	9	0
Wines, viz:—Hock, Constantia, Malmsey, Tokay, Champagne, Burgundy, Hermitage, Claret, called Lafitte, Latour, Lafayette, Margeaux or Hautbrian, per gallon,	0	3	0
Madeira and Port, per gallon,	0	2	6
Sherry Wine, of which the first cost is £20 per pipe or upwards, per gallon,	0	2	6
Other Claret Wines, Barsac, Sauterne, Vin de Grave, Moselle, and other French Wines, and Lisbon and German Wines, per gallon,	0	1	3
All other Sherry Wines, Teneriffe, Marsala, Sicilian, Malaga, Fayal, and all other Wines, per gallon,	0	1	3
Clocks, viz:—All Wheels, Machinery, and Materials for manufacturing Clocks,	20	0	0
Hay and Straw,			
For every £100 of the value,			
Cigars and Snuff,			
Currants and Figs,			
Leather, viz:—Boots, Shoes, and Leather Manufactures of all sorts,	10	0	0
Meat, Fresh,			
Poultry of all sorts, dead,			
For every £100 of the value,			
All other Goods, Wares, and Merchandize, not otherwise charged with duty, and not enumerated in the Table of Exemptions, for every £100 of the value.	5	0	0

TABLE OF EXEMPTIONS.

Anchors and Grapnels and Anchor Palms.			
Ashes, viz.—Pot Ashes and Pearl Ashes.			
Asses and Mules			
Baggage and Apparel of Passengers not intended for sale.			
Barilla and Soda Ash.			
Beans.			
Books not prohibited to be imported into the United Kingdom.			
Bullion, Gold or Silver.			
Burr Stones.			
Cables, of Hemp or other Vegetable substance, and of Iron.			
Coal.			
Cocoa.			
Coin, Gold and Silver Coins, and British Copper Coins.			
Copper, viz:—Copper Ore, or in Pigs or Bricks.			
In Plates, Sheets, Bars, or Bolts, for Ship Building.			
Wrought or Cast, for Machinery, Pure, or without other Metal.			
Copper Castings, of every description, for Machinery, for Mills, or Steam Boats, Copper and Composition Nails and Spikes, for Ship Building.			
Old or worn, or fit only to be re-manufactured.			
Cordage, Tarred or Untarred, and whether fitted for Rigging or otherwise.			
Corkwood.			

Corn, viz :—Wheat, Rye, Indian Corn, Barley, Oats, Rice, and Buckwheat, unground ; Wheat Flour, Barley Meal, Rye Meal, Oat Meal, Indian Meal, Buckwheat Meal, Peas, Beans, and Calavances.

Fish, viz :—Fresh, Salted, Dried, or Pickled.

Fish Hooks.

Fish Oil, viz :—Train Oil, Spermaceti Oil, Head Matter, and Blubber.

Fins and Skins, the produce of Fish or Creatures living in the sea

Flax.

Furniture that has actually been in use, Working Tools and Implements, the property of Emigrants or persons coming to reside in this Province, and not intended for Sale.

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 Merchandize, together with the necessary Harness and Tackle, so long as the same are *bona fide* in use for that purpose.

Iron, viz. : in Bars or Pigs, Unwrought or Pig Iron.

Ores of Iron of all kinds.

Castings, for Mills or Steam Engines, and Cast or Wrought Pipes and Tubes.

Sheet Iron.

Iron Rails, for Rail Roads, Boilers, Plates, and Plough Moulds.

Lentils.

Lime and Lime Stone.

Lines, for the Fisheries, of all kinds.

Machinery, or parts of Machinery, for Steam Engines or Carding Machines.

Manures of all kinds.

Maps and Charts.

Nets—Fishing Nets and Seines, of all kinds.

Oakum.

Ores, of all kinds.

Paintings.

Palm Oil.

Pitch.

Plants, Shrubs, and Trees,

Plate, of Gold and Silver, old, and fit only to be re-manufactured.

Potatos,

Rags, viz : Old Rags, Old Rope, Junk, and old Fishing Nets.

Rosin.

Sail Cloth of all kinds, Canvas included.

Sails or Rigging, saved from Vessels wrecked on the Coast of this Province.

Salt.

Seeds, of all kinds.

Skins, Furs, Pelts, or Tails, undressed.

Stone, unmanufactured.

Sugar, of the Maple.

Tallow.

Tar.

Twines and Lines, used in the Fisheries.

Tobacco, unmanufactured.

Tow.

Turpentine.

Whale Fin or Bone.

Wood, viz :—Boards, Planks, Staves, Square Timber, and Firewood.

CAP. XIII.

An Act to Repeal certain Duties of Customs.

(Passed the 30th day of March, 1847.)

WHEREAS, by an Act passed in the Session of the Imperial Parliament, hold-
 en in the Eighth and Ninth Years of the Reign of Her present Majesty, enti-
 tled, An Act to regulate the Trade of British Possessions abroad, certain Duties of
 Customs set forth in a certain Table in the said Act contained are imposed upon
 the importation into any of the British Possessions in America, or into the Island of
 Mauritius, of the several articles therein mentioned, not being the growth, produce,
 or manufacture, of the United Kingdom or of the British Possessions therein enu-
 merated, and a certain Duty of Ten Pounds for every One Hundred Pounds of the
 value thereof, is imposed upon the importation thereinto of certain Sugar, refined,
 in bond, in the United Kingdom : *And whereas*, by a certain other Act of the Im-
 perial Parliament passed in the Ninth and Tenth years of Her present Majesty's
 Reign, entitled, An Act to enable the Legislatures of certain British Possessions
 to reduce or repeal certain Duties of Customs, reciting amongst other things as is
 hereinbefore recited, it was enacted that if, and whenever the Legislature or other
 proper Legislative Authority of any of the said British Possessions in America, or
 the Mauritius, should make or pass any Act, or Ordinance Acts, or Ordinances, re-
 ducing or repealing all or any of the said Duties of Customs, so imposed as afore-
 said by the said first recited Act, upon any articles imported into such Possession,
 and if Her Majesty, by and with the advice of Her Privy Council, should assent to
 such Act, or Ordinance Acts, or Ordinances, such Duties of Customs should, upon
 the Proclamation of such assent in the Colony, or at any time thereafter which
 might be fixed by such Act or Ordinance, be so reduced or repealed in such Pos-
 session, as if such reduction or repeal had been effected by an Act or Acts of the
 Imperial Legislature, anything in any Act to the contrary thereof notwithstanding :
And whereas, it is expedient to repeal all the said Duties of Customs, so imposed as
 aforesaid, so far as respects the importation into this Province of the articles charge-
 able therewith from the time hereinafter mentioned :

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That from
 and after the Fifth day of July, which will be in this year of our Lord One Thou-
 sand Eight Hundred and Forty-seven, or in case Her Majesty's assent hereto shall
 not then have been signified as hereinafter mentioned, then upon any day thereafter
 to be named in the Proclamation signifying such assent, this Act shall come into and
 be in operation.

II. *And be it enacted*, That on, from and after the day on which this Act shall
 come into operation, all and singular, the said Duties of Customs so imposed by the
 said first herein recited Act, so far as respects the levying and collection thereof,
 upon and from any article previously chargeable therewith, imported or brought into
 this Province, shall be, and the same are hereby respectively repealed, and there-
 after no Duties of Customs shall be levied or collected upon or from any of the
 articles in the said Act mentioned and thereby made chargeable with duty as afore-
 said, imported or brought into this Province by Sea or Inland carriage, or Navi-
 gation : *Provided always*, that the repeal of the said Duties, or any of them, shall
 not be construed to revive any Duty or Duties of Customs upon the said articles,
 or any of them, imposed by any Act or Acts of the Imperial Parliament, passed
 previously to the said recited Act of the Eighth and Ninth years of Her Majesty's
 Reign.

III. *And be it enacted*, That nothing herein contained shall be of any force or
 effect until Her Majesty, by and with the advice of Her Privy Council, shall have
 assented hereto, and such assents shall have been signified by Proclamation in the
 Royal Gazette of this Province, nor until a day to be in such Proclamation fixed
 for the commencement thereof.

CAP. XIV.

An Act to regulate the Importation of Books and to protect the British Author.

(Passed the 17th day of March, 1847.)

Preamble.

WHEREAS Her Majesty's Government, in reply to the earnest and respectful representation of the House of Assembly of this Province, have been graciously pleased to state, that at the coming Session of Parliament they intend to submit to the Imperial Parliament certain modifications in the existing Law of Copy-right, so as to authorise the importation of Literary Productions from the United States and other countries into the Colonies of British North America on easier terms than at present; *And whereas*, Her Majesty's Government have stated it as their determination to leave to the Legislature of this Province the duty and responsibility of passing such enactments as they may deem proper, subject to Her Majesty's approval, for securing both the rights of the British Authors so as to protect them from the fraudulent appropriation of the fruits of their labor, upon which they are often entirely dependent, and the interests of the Public: *And whereas*, it is desirable to meet the requirements of Her Majesty's Government in these respects:

All Books from whatever Country imported, except British Works protected by the Laws of Copy-right, to be admitted Duty free.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That from and after the time when this Act shall go into operation, it shall be lawful to Import all Books of whatsoever nature or kind, and from whatever Country the same shall be Imported, save and except the Books first composed, written, or published in Great Britain, and protected by the Laws of Copy-right, passed by the Imperial Parliament now in force, and as hereafter provided, and that the same shall be admitted into this Province Duty Free.

Reprints from British Works protected by Law of Copy-right, to pay an ad. val. Duty of £20 per cent.

II. *And be it enacted,* That on the importation of all Books and Reviews of whatever nature or kind the same may be, first composed, written, or published in Great Britain or Ireland, and protected by the Acts of the Imperial Parliament, to enforce the Law of Copy-right coming in the shape of Re-prints, bound or unbound, whether from the United States or other Foreign Countries, there shall be paid an *ad valorem* Duty on the *bona fide* price of the Publication of such Re-prints of twenty per cent.: *Provided always,* that said Duty is not to be paid on Newspapers or other regular Weekly Periodicals, nor upon the copies of said works if published *bona fide*, and not fraudulently, in any part of Great Britain or Ireland, such Duty to be collected under the same regulations and restrictions as are now in force to extend the said Imperial Acts for the regulation of the Law of Copy-right to this Province, and after collection by the proper Officers the said Duties shall be remitted by the Governor in such way and manner as Her Majesty's Government may be pleased to order and direct, in order that the said *ad valorem* Duty may be duly secured and paid over to the Author of said Books or Publications respectively, as they may be entitled thereto.

Proviso.

III. *And be it enacted,* That after this Act shall go into operation, it shall not be lawful for any person to import or bring, or cause to be imported or brought, into this Province, for use, sale, or hire, any Re-print referred to in the said second foregoing clause, and therein and thereby made liable to Duty contrary to the true intent and meaning of this Act, or knowingly, to sell, publish, or expose to sale, or let to hire, or have in his possession for use, sale, or hire, any such Re-print; and every such Re-print so imported, or brought, sold, published, or exposed to sale, shall be forfeited and sold, one half the proceeds thereof to be applied to the use of the Officers of Customs or Excise seizing the same, and the other half to the Author or Proprietor of the Copy-right; and further, every person so offending, being duly convicted thereof before any two Justices of the Peace in the County where

Penalty on importation, sale, &c. of Re-prints contrary to this Act—recovery and application of Penalties, &c.

the

the seizure is made, shall, for every such offence, forfeit the sum of Five Pounds, and double the value of every Copy of such Book or Re-print which he shall so Import, or cause to be Imported into this Province, or shall knowingly sell, publish, or expose to sale, or let to hire, or shall have in his possession for sale or hire, contrary to the true intent and meaning of this Act, Two Pounds, to the use of such Officers of Customs or Excise, and the remainder of the penalty to the use of the Proprietor of the Copy-right, and the said double value of such Book or Re-print, and the said respective proportions of the proceeds of the sale of such Book or Re-print, and of such penalty, shall be paid over and remitted in the way and manner as in the second foregoing clause of this Act is provided.

IV. *And be it enacted*, That this Act shall not go into operation until Her Majesty's assent in Council be obtained thereto, and be signified by publication in the Royal Gazette of this Province.

To be of no force until after Her Majesty's assent.

CAP. XV.

An Act to continue and amend the Acts concerning Goods Exported, and for granting Drawbacks.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning Goods exported, and for granting Drawbacks, which will continue in operation until the Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing therein contained, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks, which will also continue in operation until the Thirty-first day of March, in this present Year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing in the said last mentioned Act contained, except as altered or amended by this Act, shall remain thenceforth in operation, and the said Acts, except as aforesaid, are hereby respectively further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Act 4, Wm. 4, and Act 8, Victoria, continued.

II. *Provided always, and be it enacted*, That on, from, and after the day on which the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall come into operation, the second clause of the said Act passed in the Eighth year of Her present Majesty's Reign, shall be, and the same is hereby repealed, and thenceforth the seventh section of the said first herein mentioned Act shall be revived, and shall remain and be in full force and operation, and the Bond therein required shall be given in the same manner as if the said second section herein before referred to and hereby repealed had not been passed.

Proviso.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight and no longer.

To be in force until 31st March, 1848.

CAP. XVI.

An Act to continue and alter the Acts to amend the Act concerning Duties on Liquors Distilled within this Province.

(Passed the 30th day of March, 1847.)

Act 8, Vic. and Act 9, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act to amend the Act concerning Duties on Liquors distilled within this Province, which Act will continue in operation until the Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-seven, except as altered or amended by this Act; and also, the Act passed in the Ninth year of Her present Majesty's Reign, entitled, An Act to continue the Act to amend the Act concerning Duties on Liquors distilled within this Province, and also further to amend the same, which will also continue in operation until the Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, shall remain thenceforth in operation, and be further continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby respectively further continued from the said Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-seven, until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Distillers to give additional Bond and Warrant of Attorney if required by Board of Revenue.

II. *And be it enacted*, That in addition to the Bond in and by the first section of the said first herein mentioned Act required to be given, every Manufacturer or Distiller of any Brandy, Gin, Rum, or other Spirituous Liquors within this Province, shall hereafter from time to time, if thereto required by the Board of Revenue, give such further Bond with two sureties, in such additional amount and in such form as shall be required by such Board conditioned for the payment of any Colonial Duties on any such Brandy, Gin, Rum, or other Spirituous Liquors over and above the amount secured in and by the Bond given in conformity with the said first section of the said Act, and a Warrant of Attorney shall also then and there be executed by such Distiller and his said sureties, in the form by the said Board to be directed, for the confession of a Judgment for the amount of said additional Bond, in case default should be made in payment of such additional Duties or any insfalment thereof.

To be in force until 31st March, 1848.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. XVII.

An Act to continue and amend the Acts for regulating the Importation of Goods.

(Passed the 30th day of March, 1847.)

Part of Act 4, Wm. 4, and Act 8, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for regulating the Importation of Goods, save and except the Fourth, Twenty-fifth, Thirtieth, Thirty-seventh, Thirty-eighth, and Forty-sixth clauses or sections of the said Act, and also save and except so far as altered or amended by the Act hereinafter mentioned; also the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act to continue and amend

amend the Act for regulating the Importation of Goods, which Acts will continue in operation until the Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause and thing, in the said Acts contained, except as before excepted, or as altered or amended by this Act, shall remain thenceforth in operation, and be further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

II. *Provided always, and be it enacted*, That on, from, and after the day on which the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall come into operation, the second clause of the said Act, passed in the Eighth year of Her present Majesty's Reign, shall be, and the same is hereby repealed, and thenceforth the Fifth section of the said first herein mentioned Act, shall be revived, and shall remain and be in full force and operation, and the Bond therein required shall be given in the same manner, and under the same conditions and stipulations as if the said second clause hereinbefore referred to, and hereby repealed, had not been passed. Proviso.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer. To be in force until
31st March, 1848.

CAP. XVIII.

An Act to continue and amend the Acts for the General Regulation of the Colonial Duties.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the General Regulation of the Colonial Duties, which Act will continue in operation until the Thirty-first day of March, in this present Year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause and thing, in the said Act contained, save and except the third clause or section thereof, and also, except as altered or amended by the Act hereinafter mentioned, or by this Act; also, the Act passed in the Eighth Year of the Reign of Her present Majesty, entitled, An Act to continue and amend the Act for the General Regulation of the Colonial Duties, which said last mentioned Act will also continue in operation until the Thirty-first day of March, which will be in this Year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause and thing, in the said last mentioned Act contained, except as altered or amended by this Act, shall remain thenceforth in operation, and the said Acts, except as aforesaid, are hereby further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Act 4, Wm. 4, except 3d clause and Act 8, Victoria continued.

II. *And be it enacted*, That on, from, and after the day on which the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs" shall come into operation, all Reports Entries, Clearances, Bonds, Provisions, matters and things whatsoever, which under or in pursuance of the provisions of the Imperial Acts for regulating the Trade of the British Possessions abroad, shall theretofore have been made, done, or performed, by, to, or before, any Officer of Her Majesty's Customs where the same, also by any Act relating to the Colonial Revenue, may have been requisite to be done before any Officer of the Colonial Revenue shall be made, done, and performed, by delivering to such Officer of the Colonial Revenue a Duplicate, Entry, Paper, Bond, Document,

Making of Reports Entries, Clearances, &c.

ment, or Writing, in the same form, and signed by the same parties, as shall have been in use, and theretofore required to be made, done, or signed, before such Officer of the Customs.

To be in force until
31st of March,
1848.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. XIX

An Act to continue and amend the Acts for granting Duties on Licenses for the sale of Spirituous Liquors.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the sale of Spirituous Liquors, which will continue in force until the Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, except so far as altered or amended by the Acts hereinafter mentioned, or by this Act; also, the Act passed in the Second year of the Reign of Her present Majesty, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the sale of Spirituous Liquors, which will also remain and continue in force until the Thirty-first day of March, in this same year of Our Lord One Thousand Eight Hundred and Forty-seven, except as altered or amended by the Act hereinafter mentioned; also, the Act passed in the Sixth Year of Her present Majesty's Reign, entitled, An Act continuing and amending the Acts for granting Duties on Licensed Houses, which will also remain and continue in force until the Thirty-first day of March, in this same year of Our Lord One Thousand Eight Hundred and Forty-seven, shall be further continued, and the said Acts, and every matter, clause and thing, therein contained, except as before excepted, are hereby respectively further continued until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Act 7, Wm. 4, Act 2
Vic. Act 6, Vic.
continued.

General Licenses.
Town of Pictou.

II. *And be it enacted*, That the second section of the Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the sale of Spirituous Liquors, so far as the same relates to the Town of Pictou, shall be repealed, and that hereafter General Licenses may be granted within the said Town of Pictou, on the same terms, and under the like restrictions as were imposed on the granting of such Licenses previous to the passing of the said last mentioned Act.

To be in force until
31st March, 1848.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. XX.

An Act concerning Loans for the relief of Distressed Settlers.

(Passed the 30th day of March, 1847.)

Preamble.

WHEREAS the Members representing certain Counties and Townships in this Province have legally appropriated, or contemplate appropriating, by Law, a certain

a certain portion of the Monies originally allotted for the service of the Roads and Bridges within their respective Counties for relieving distress among the Poor Settlers therein, and also for the purchase of Seed for the present Year. *And whereas*, under a similar state of circumstances, an Act was passed during the last Session of the General Assembly, entitled, "An Act in relation to Loans out of the Road Monies for the present Year," the provisions of which it is desirable should be extended to the appropriation and loaning of such Monies so appropriated, or to be appropriated during the present Session, and also to the appropriation and loaning of such further sums as may have been, or may be, specifically granted or advanced from the Treasury of this Province, for the relief of Distressed Settlers as aforesaid.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That all and singular, the clauses, sections, and provisions of the said recited Act, shall be, and the same are hereby extended and made applicable to the appropriation, disposal, and loaning, of all Monies now appropriated or advanced, or which may hereafter during the present Session be appropriated or advanced for the purposes aforesaid, whether out of the Monies originally allotted for Roads and Bridges during the present Session, or by specific appropriation, or advance therefor as aforesaid, in as full and ample a manner, to and for all intents and purposes whatsoever, as if herein re-enacted word for word, and extended to such specific appropriations and advances so made, or to be made as aforesaid.

Act of last Session made applicable to disposal of monies now appropriated.

CAP. XXI.

An Act to exclude Incompetent Persons from the practice of Physic and Surgery.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, it shall not be lawful for any man, unless qualified as hereinafter provided, to demand or recover any fee or reward, directly, or indirectly, for curing, or attempting to cure any disease, or the performance of any surgical operation whatever, and that any person who shall have previously obtained a diploma or other authentic and sufficient testimonial from some College or other Public Institution, legally authorised to grant the same, and where the same shall be usually granted, shall be deemed and adjudged to be duly qualified as aforesaid, and that any other person who shall have been carefully examined by competent judges to be named and appointed by the Governor, and upon their report shall have received a License under the hand and seal of the Governor for that purpose shall also be deemed and adjudged duly qualified for the profession and practice of Physic or Surgery, or both, as may be specified and expressed in such License: *Provided always*, that nothing in this Act contained shall extend, or be construed to extend, to any Physician or Surgeon appointed by Commission or Warrant to serve in any Garrison or Military Corps, or in Her Majesty's Naval or Military Forces being within the limits of this Province, or to any person who shall have been regularly settled, and in the practice of Physic and Surgery in any Township or place within this Province previous to the first day of January, in the year of Our Lord One Thousand Eight Hundred and Twenty-two.

No unqualified person to recover Fees for cure of Diseases, or Surgical operations.

What persons to be deemed qualified.

Proviso.

II. *And be it enacted*, That the Act passed in the ninth year of the Reign of his late Majesty King George the Fourth, entitled, An Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery; and also the Act passed in the Tenth year of his said late Majesty's Reign, entitled, An Act in amendment of the Act to exclude ignorant and unskilful persons from the practice of Physic and Surgery, and every matter, clause, and thing in each of the said Acts contained, shall be and the same are hereby repealed.

Acts 9 and 10, Geo 4, repealed.

CAP. XXII.

An Act in addition to an Act for the Regulation of Juries so far as relates to certain Counties therein named.

(Passed the 31st day of March, 1847.)

Preamble.

WHEREAS, the Petit Jurors drawn in and summoned to attend the Supreme Courts in the Counties of Pictou and Cumberland, are now by Law required to attend the whole of the Terms of the said Courts: *And whereas*, by the Twenty-third section of the Act passed in the Fourth Year of the Reign of Her present Majesty, entitled, "An Act to improve the administration of the Law, and to reduce the number of Courts of Justice within this Province, and to diminish the expense of the Judiciary therein," the said Supreme Court may once a year, in the above named Counties, be continued, if the business shall require it, until the second Saturday after the day of the opening of said Terms respectively, and it is burthen- some on the Jurors who attend the first week of the said Term to be compelled to attend the second week—for the relief of such Jurors:

Drawing of Jurors at Pictou and Amherst.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That hereafter there shall be drawn at the Sittings of the Supreme Court at Pictou, in June Term, and at Amherst in October Term, in each year, Forty-eight Jurors to serve as Jurors at the Terms of the said Supreme Court in the Counties of Pictou and Cumberland respectively, succeeding, instead of the number of Jurors now authorised by Law, from which drawing there shall be formed, according to the order in which the names are drawn, two Panels of Jurors of Twenty-four each, the first drawn of which shall be summoned to attend in the first week of such succeeding Terms to serve therein, and the other shall attend on the Monday in the second week of the Sittings of such respective Courts to serve therein during the continu- ance of such Courts respectively: *Provided always*, that the Writ of *Venire Facias* to summon the said Jurors named in the second Panel of Jurors shall not issue without the order of the presiding Judge of the said Court; *And provided also*, that no Jury impanelled on the trial of a cause which shall go over into the second week of such respective Terms, shall be discharged until the termination of such cause by verdict or otherwise.

Proviso.

And whereas, it is necessary to provide an additional Jury for the next Term of the Supreme Court in the County of Cumberland:

Additional Jury next June Term at Amherst.

II. *Be it enacted*, That at the next June Term or Sittings of the Supreme Court at Amherst, it shall be lawful for the Judge presiding at such Court, if he shall think the business before the Court will probably require the same to be continued over the first week thereof, to direct, at any time within the first three days of the said Court, the Sheriff and Deputy Prothonotary to draw an additional Panel of Twenty-four Jurors, and to order the same to be summoned to serve as Jurors for the second week of such Term, the names of which shall be drawn before such Judge in open Court from the Jury Box, in the same manner as Jurors are now drawn, and the Deputy Prothonotary or Clerk of the said Court shall thereupon issue a Writ of *Venire Facias*, and deliver the same to the Sheriff, requiring him to summon such Panel of Jurors to attend the said Court on the Monday next after the opening thereof to serve as Jurors during the continuance of such Term.

Attendance of Jurors at Pictou and Amherst.

III. *And be it enacted*, That every person summoned to attend and serve as a Ju- ror in the second week of such respective Terms of the Supreme Court in Pictou and Amherst, shall give their attendance at such respective Courts and serve as Ju- rors therein, and any person, summoned as aforesaid, who shall not attend and serve when called, shall be liable to the like fines, pains, and penalties, and be subject to the same punishment and forfeitures as Petit Jurors are now by Law subject to for any

any default as aforesaid : *Provided*, that no Juror shall be compelled to attend until two days after he shall be summoned for that purpose.

IV. *And be it enacted*, That this Act shall continue and be in force for One Year, and thence to the end of the then next Session of the General Assembly. Duration of Act.

CAP. XXIII.

An Act to provide for the Drawing of Petit Juries for the Supreme Court in Halifax for the present year.

(*Passed the 31st day of March, 1847.*)

WHEREAS, the number of persons qualified and liable to serve on Petit Juries in and for the County of Halifax, is so small, that at present there are not sufficient names returned and left undrawn of persons liable to serve to make up a Panel to be drawn agreeably to Law : Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That the Prothonotary of the Supreme Court, within the first four days of the next ensuing Easter Term of the Supreme Court at Halifax, shall, in open Court, draw alternately from the Boxes containing the names of the Grand and Petit Jurors for the County of Halifax, until either thereof shall be exhausted, the names of Thirty-six persons to serve as Petit Jurors at the next ensuing Sittings for the Trial of Issues in the said County, to be held on the third Tuesday of April in this present year, putting aside the names of all such persons as may have served within the last three years, either as Grand or Petit Jurors, and other persons exempted by Law, or now serving upon the Grand Jury for the present year, and upon the names in either of the said Boxes being fully drawn, shall continue to draw the names from the other Box until the said number of Thirty-six Jurors shall be complete, and the said Prothonotary shall thereupon issue a *Venire Facias* for the said Thirty-six persons as a Petit Jury for the said next ensuing Sittings for the Trial of Issues as aforesaid, and deliver the same to the Sheriff of the said County, who shall summon the said Thirty-six persons to serve as Petit Jurors for the said County at the said next Sittings, and duly return such Panel in the same manner as now by Law required in regard to the return of Panels of Petit Jurors. Petit Juries, County of Halifax, for April, 1847.

II. *And be it enacted*, That during the present year the Petit Juries shall be in like manner drawn at Halifax, in open Court, for the remaining Terms, that is to say : in Easter Term for Trinity Term, and for Michaelmas Term in Trinity Term next ensuing, and such Juries shall be summoned in like manner as hereinbefore provided. For Trinity and Michaelmas Terms, 1847.

III. *And be it enacted*, That all persons selected as aforesaid, and summoned by the Sheriff as hereinbefore directed, shall be bound and required to attend and serve under the same fines and penalties for non-attendance as are imposed by Law on Petit Jurors for said County, drawn and summoned agreeably to the Act passed in the first year of Her present Majesty's Reign, entitled, An Act for the Regulation of Juries, such fines and penalties to be collected, recovered, and applied as in and by the said Act is directed ; *Provided always*, that such Jurors may be excused by the Court as now by Law provided. Attendance of Jurors

IV. *And be it enacted*, That in case a sufficient number of Petit Jurors shall not appear when so summoned, or if the number shall be reduced by the allowance of just excuses by the Court, or otherwise, so that in the discretion of the said Court or the Presiding Judge thereof, it may be necessary to fill up such Petit Jury, it shall and may be lawful for the said Court or Presiding Judge to order a *Venire Facias* to be issued to the Sheriff of the said County forthwith to return a Proviso.
other Additional Jurors in case of deficiency.

other and additional Panel of Petit Jurors for said County, or so many additional persons as the said Court or Presiding Judge may deem necessary, and order and direct to fill up the said Jury, such additional Petit Jurors to be drawn in open Court, and summoned in like manner as hereinbefore directed, who shall be bound and liable to attend and serve under such and the like fines and penalties, and to be excused in the like manner as hereinbefore mentioned.

PROVISO.

V. *Provided always, and be it enacted*, That nothing herein contained shall affect, or be construed to affect, the right of any party to pray, or the power of the Court to grant, an award of *Tales de circumstantibus* as hitherto allowed and practised.

CAP. XXIV.

An Act in relation to the Collection and Securing of the Colonial Revenue.

(Passed the 30th day of March, 1847.)

Commencement and duration of Act.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That on, from, and after the day on which the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall come into operation, this Act shall also come into operation, and every Act, matter, proceeding, or thing whatsoever, previously had or done hereunder, shall come into force, and the same shall respectively remain and continue in force and operation until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Bonds for Duties.

II. *And be it enacted*, That so soon as this Act shall come into operation, in all cases where Bonds shall have been theretofore taken at any Custom House within this Province, for any purpose whatsoever, in relation to any Goods, Wares, or Merchandize, imported or brought into this Province, where such Bonds shall, under any Act of this Province, have been declared a security for the payment of any Colonial Duties chargeable on such Goods, Wares, or Merchandize, or for the due exportation thereof, or for any other purpose in relation thereto, and shall remain and continue at such time a security under any such Provincial Act, then, and in every such case, all such Bonds shall be forthwith delivered by the proper Officer of the Customs, to the Collector of Impost and Excise for the port or place where the Colonial Duties thereby secured, as aforesaid, shall be payable, or where such Goods shall have been originally entered, and all such Bonds shall remain and continue subsisting securities for the payment of such Colonial Duties, or for other the purposes for which they may have been declared securities by any such Provincial Act, and that notwithstanding the repeal of the said Act, in the same manner as if originally taken by such Collector of Impost and Excise.

Entries and Clearances.

III. *And be it enacted*, That if, during the continuance of this Act, the Entry or Clearance of any vessel heretofore required to be made at any Custom House within this Province, shall be dispensed with, then all and singular, the payments, duties, and powers, by any Act of this Province required to be made to, or performed by, or which may be therein conferred on the Collector or Sub-Collector of the Customs at any such Port or place, shall be made to and performed by, and are hereby conferred upon the Collector of Impost and Excise for the same port or place, in the same manner as if he had been originally named in any such Act, instead of such Collector or Sub-Collector of the Customs.

Governor in Council may establish Warehouses, &c.

IV. *And be it enacted*, That it shall be lawful for the Governor, in Council, from time to time, to make and establish, by Proclamation in the Royal Gazette, such and so many Warehouses as shall be thought necessary for the free Warehousing and

and securing of Goods therein, under and for the purposes of all or any of the Acts of this Province relating to the Warehousing of Goods for any purpose whatsoever; and such Warehouses, so appointed shall, from time to time in any such Proclamation named, stand in the place and stead of any Queen's Warehouse, wherever under any such Act of the Province such Goods shall be required to be Warehoused in a Queen's Warehouse, and all Goods Warehoused therein shall be stowed, secured, and visited, under and in all respects be subject to the like rules and regulations as Goods liable to Imperial Duties have heretofore been under and subject to when Warehoused in any Queen's Warehouse, subject, nevertheless, to such alterations and such other and further regulations as may be deemed requisite by the Governor, in Council.

V. *And be it enacted*, That it shall be lawful for the Governor in Council, from time to time, to appoint such and so many additional Officers in or under the Excise Department in any port or place within this Province, as shall, in consequence of the repeal of the Imperial Duties by the Act hereinbefore mentioned, be deemed necessary for the due security of the Colonial Revenue, and for the prevention of Frauds in relation thereto, and such Officers shall be paid by Warrant on the Treasury, at such Rates as shall be fixed by the Governor in Council—and the Governor in Council shall also have full power and authority, from time to time, to make all such Regulations in reference to the Entry or Clearance of any Vessel, or the discharging or lading on board of any Cargo, or the Importation, Exportation, or Warehousing of any Goods, or otherwise in relation to any Goods imported or brought into this Province, as may, in consequence of the passage of the Act for the repeal of the said Imperial Duties, be necessary for the protection of the Colonial Revenue and the prevention of Fraud.

Appoint additional
Excise Officers,
&c.

And for the further prevention of any unforeseen difficulty that may occur in the collection or securing of the Colonial Revenue, in consequence of the passage of the Act to repeal certain Duties of Customs hereinbefore mentioned:

VI. *Be it enacted*, That the Governor in Council shall be and he is hereby invested with full power and authority to make and establish all such other and further Regulations as may be found necessary for the security and protection of the Colonial Revenue, in the same manner, and to the same extent, as if the making of the particular Regulations so required had been specifically authorised hereby.

Make regulations
for security of Co-
lonial Revenue.

CAP. XXV.

An Act relative to the General Sessions of the Peace in the County of Cape-Breton.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, there shall be held an additional Term or Sitings of the General Sessions of the Peace at Sydney, in the County of Cape-Breton, on the second Tuesday of July, in each and every year, at which Term or Sitings the Grand Jury shall not be summoned or bound to attend, but such Grand Jury shall continue to be summoned and bound to appear at the March Term or Sitings thereof, at the time by Law established for the holding thereof, so that Town Officers may be appointed, and other County business requiring the intervention of a Grand Jury, may be transacted at such March Term or Sitings as heretofore.

Additional Sessions
of the Peace at
Sydney, C. B.

Spring Term of
Sessions.

II. *And be it enacted*, That from and after this present year the Spring Term or Sittings of the General Sessions of the Peace for the said County, shall be held on the last Tuesday of March, instead of the first Tuesday of March, as now by law established.

CAP. XXVI.

An Act to alter the Sittings of the General Sessions of the Peace for Queen's County.

(Passed the 17th day of March, 1847.)

General Sessions.
Queen's County.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the first day of May next ensuing the passing of this Act, the Court of General Sessions of the Peace for the County of Queen's County, shall be held on the second Tuesday of January in each and every year, instead of the time now by Law established for holding the same.

CAP. XXVII.

An Act to continue and amend the Acts for the Warehousing of Goods.

(Passed the 30th day of March, 1847.)

Act 4, Wm. 4, and
Act 5, Vic., (as
amended) con-
tinued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the Warehousing of Goods, which will continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing therein contained, except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act for the Warehousing of Goods, which will also continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing in the said last mentioned Act contained, except as altered or amended by this Act, shall remain thenceforth in operation, and the said Acts, except as aforesaid, are hereby further continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Proviso.

II. *Provided always, and be it enacted*, That on, from, and after the day on which the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall come into operation, the second clause of the said Act passed in the eighth year of Her present Majesty's Reign, shall be, and the same is hereby repealed, and thenceforth the twenty-first section of the said first herein mentioned Act shall be revived, and shall remain in full force and operation, and the Bond therein required shall be given in the same manner as if the said second clause hereinbefore referred to, and hereby repealed, had not been passed.

Duration of Act.

III. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. XXVIII

An Act to Regulate the Harbor of Saint Mary's.

(Passed the 30th day of March, 1847.)

WHEREAS, it is found necessary to regulate the Anchorage of Vessels in the Harbor of Saint Mary's, in the County of Guysborough, and to make provision in other respects for greater safety in the Navigation of such Harbor :

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That it shall and may be lawful for the Justices, in their General Sessions of the Peace for the District of Saint Mary's, or any Special Sessions thereof, at which not less than three Justices shall be present, from time to time to appoint and license a fit and proper person to act as Harbor Master for the Harbor of Saint Mary's, in the said District, and to describe the several duties which he shall be bound to perform, and to fix the rate of pay which such Harbor Master shall be entitled to receive from each Vessel landing and discharging Ballast, not to exceed Ten Shillings ; and also, from time to time to make Rules and Regulations for the Anchorage of Ships and Vessels in said Harbor, and to authorise the said Harbor Master to carry such Rules, Orders, and Regulations into effect ; and the said Justices shall also have power to annex penalties for the breach of any such Rules, Orders, and Regulations, not to exceed in any one case the sum of Two Pounds.

Appointment of Harbor Master—Regulations for Anchorage, &c

II. *And be it enacted,* That it shall be lawful for the said Justices in their General or Special Sessions as aforesaid, from time to time to direct as many Buoys and other marks to be placed on the Sand Banks and Bars in the said Harbor of Saint Mary's, as to them may appear necessary and expedient for the interest and safety of the Shipping, and for the more easy and convenient Navigation of the said Harbor, and to make Rules for the due regulation thereof, and to prevent the same being removed or injured, and to affix penalties for breach of any such Rules, which penalties shall not exceed in any one case the sum of Five Pounds, and to authorise the Harbor Master aforesaid to carry such Rules into effect, and to appropriate from and out of the District Funds such sums of money as may from time to time be necessary for the placing or continuing such Buoys or other marks, to be repaid by the different Vessels coming into the said Harbor, at and after a regular rate to be from time to time established by such Justices in their Sessions as aforesaid, and which they are hereby authorised and empowered by any Rule or Regulation by them to be made, to impose on every such Vessel according to her tonnage, the same to be collected by such Harbor Master, in accordance with such Regulations, and paid over to the District Treasurer : *Provided always,* that nothing herein contained shall apply, or be construed to apply, to Fishing, Coasting, or other Vessels resorting for shelter or supplies of Wood, Water, or Provisions to the said Harbor of Saint Mary's, and not Anchoring within the Bar.

Placing of Buoys, Regulations, Penalties, &c.

Proviso.

III. *And be it enacted,* That it shall be lawful for the Justices in their General or Special Sessions, as aforesaid, to regulate and establish the rate at which the said Harbor Master shall be paid for performing the several services which the said Justices shall from time to time require ; and also to make Rules and Regulations to enable the said Harbor Master to recover the pay which he may be entitled to have and receive, agreeably to such Rules and Regulations.

Payment of Harbor Master.

IV. *And be it enacted,* That it shall be lawful for the said Justices in their General or Special Sessions, as aforesaid, to establish and fix such places in the said Harbor of Saint Mary's as shall be most convenient and proper for such Ships and Vessels to discharge their Ballast, and to make such agreement as may be needful and necessary with persons for erecting and building Wharves and other conveniences for such Ships and Vessels to discharge their Ballast upon, and from time to time to make Orders and Regulations to compel Ships and Vessels to discharge their

Regulations for discharging ballast—Rates of Wharfage, &c.

their Ballast on such Wharves and at such places as the said Justices shall appoint, and shall and may establish the rates of Wharfage to be paid by such Ships and Vessels for the use of such Wharves for the discharge of such Ballast, such Wharfage to be sued for and recovered before any one of Her Majesty's Justices of the Peace for the said District, and the said Justices shall also make Rules and Regulations for the disposal of the Ballast so deposited on such Wharves, provided no Rule or Regulation respecting the disposal of such Ballast shall be made so as to prevent the Master or Owner of any such Ship or Vessel from selling or disposing of the Ballast so landed on such Wharves within a reasonable time, if he shall think proper so to do, and the said Justices in General or Special Sessions, as aforesaid, shall make such Rules and Regulations from time to time as may be useful and necessary, to allow the Master of any Vessel landing and depositing Ballast at any of the places so to be appointed, a reasonable time to sell and dispose thereof; and the said Justices in Sessions, as aforesaid, may fix and establish penalties for breach of any and every of the respective Rules, Orders, and Regulations, to be by them made under and by virtue of this clause, as aforesaid, such penalties not to exceed in any one case the sum of Five Pounds.

Appeal to Supreme Court.

V. *And be it enacted*, That it shall be lawful for any person who may think himself aggrieved by all or any of the Rules, Orders, or Regulations, so to be made as aforesaid, under the authority of this Act to complain of the same by affidavit to the Supreme Court at any Term or Sitting thereof, at Guysborough, in the County aforesaid, and it shall be lawful for the said Supreme Court to receive and enquire into every such Complaint so made; and if it shall appear to the said Court that all or any of such Rules, Orders, or Regulations complained of, are contrary to Law, or grievous, or oppressive, it shall be lawful for the said Court to abrogate and annul any of such Rules, Orders, or Regulations, which may be adjudged by the said Court illegal, grievous, or oppressive; and it shall not be lawful for the said Justices afterwards to execute or carry into effect any order so annulled or abrogated by the said Court, or thereafter to establish any new Order or Regulation to the like or same effect, as any such Rule, Order, or Regulation, so annulled or abrogated.

Recovery and application of Penalties

VI. *And be it enacted*, That all and every of the penalties by any of the respective Rules, Orders, or Regulations, so to be made as aforesaid, imposed for breach thereof, shall and may be sued for, and recovered by the said Harbor Master, or by any other person who will sue for the same, in the same manner and by the same ways and means as if such penalties respectively were a private Debt due to the person so suing therefor, and shall be applied, one half thereof to the use of the person so suing for the same, and the remainder for and towards the placing and continuing of any such Buoys as aforesaid, or for other the purposes of this Act, under the direction of the General Sessions aforesaid.

Proviso

VII. *Provided always, and be it enacted*, That no such Rule, Order, or Regulation so to be made by any such General or Special Sessions, as aforesaid, under the authority of this Act, shall be of any force or effect until the same shall have been approved by the Governor in Council.

Duration of Act.

VIII. *And be it enacted*, That this Act shall continue and be in force for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. XXIX.

An Act in relation to an Assessment for a Fire Engine at Dartmouth.*(Passed the 17th day of March, 1847.)*

WHEREAS, under and by virtue of the provisions of the several Acts now in force concerning Firewards and Fires in Halifax, which have been extended to the Town of Dartmouth, the Grand Jury for the County of Halifax have presented, and the Court of General Sessions of the Peace confirmed, the sum of One Hundred and Fifty Pounds for the purpose of procuring a Fire Engine for the use of the Inhabitants of the Town of Dartmouth: *And whereas*, the Inhabitants of the said Town residing without the limits hereinafter mentioned, will receive little or no benefit from such Fire Engine, and it is therefore proper that the assessment for the purpose aforesaid should be confined within such limits:

Preamble.

I. Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That the said sum of One Hundred and Fifty Pounds so presented and confirmed for the purpose aforesaid, shall be assessed, levied, collected, and raised upon, and from such only of the Inhabitants of the said Town of Dartmouth as are or may be resident within the limits following, that is to say: within the space of one mile, measured in a southwardly, easterly, and northerly direction, from the public landing or Steam Boat Company's Wharf in the said Town, and such sum shall be assessed, levied, and collected upon, and from such Inhabitants so resident within the limits aforesaid, in the same manner and by the same ways and means in all respects as if assessments for the purpose aforesaid had been originally by law confined to such limits.

Limits within which Assessment is to be made.

CAP. XXX.

An Act in relation to the Admission of certain persons as Attornies and Barristers.*(Passed the 17th day of March, 1847.)*

WHEREAS, certain persons did some time since duly enter into articles of Clerkship with Attornies and Barristers of the Supreme Court residing and practising in the Island of Cape-Breton, but from inadvertence, or owing to a misapprehension of the Law arising from the peculiar state of the said Island at that time, in reference to its connection with Nova Scotia proper, such articles of Clerkship were not then filed in the office of the Prothonotary of the Supreme Court at Halifax, as required by the provisions of the Act passed in the sixth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the better regulation of Barristers, Advocates, Attornies, Solicitors, and Proctors, practising in the Courts of this Province, and it is proper that the Supreme Court should, under the peculiar circumstances of such cases, be invested with power to admit the said parties, upon being satisfied that they have respectively served the full Term of Five years under such articles, or any transfer or assignment thereof, and otherwise complied with the provision of the Law in that behalf notwithstanding the omission to file such articles.

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall be lawful for the Supreme Court of this Province to admit to practise in such Court as Attornies and Barristers thereof, respectively, any persons who may have been so articted to any Attorney and Barrister in the Island of Cape-Breton, and whose articles may have been duly filed in the Prothonotary's Office at Halifax, on

Admission of Articled Clerks of Cape Breton as Attornies and Barristers.

Proviso.

or before the first day of October, in the year of our Lord One Thousand Eight Hundred and Forty-six, notwithstanding that such articles were not filed in conformity with the requirements of the Statute in that behalf hereinbefore recited: *Provided* the Court shall be satisfied that such persons respectively have duly served the full term prescribed by the said Statute, and have in all other respects, except as to the due filing of such articles, complied with the provisions thereof, and all persons so admitted as Attornies and Barristers respectively, shall be held to have been legally admitted Attornies and Barristers of the Supreme Court of this Province to and for all intents and purposes whatsoever.

CAP. XXXI.

An Act to enable the Nova-Scotia Marine Insurance Company to compensate their Directors and Auditors.

(Passed the 17th day of March, 1847.)

Compensation to Directors and Auditors.

Proviso.

Duration of Act.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall be lawful for the Nova-Scotia Marine Insurance Company, at any Annual or General Meeting, to vote any sum of money by such Company deemed proper, to be paid in such manner as may be prescribed by any Resolution of the said Company, as a compensation for the services of their Directors and Auditors: *Provided* that at least two thirds of the Shareholders present at such Meeting, in Person, or by their Proxies, shall concur in any such Resolution, any clause, matter, or thing in the Act of Incorporation of the said Company contained, to the contrary notwithstanding.

II. *And be it enacted*, That this Act shall continue and be in force for Nine Years, and thence to the end of the then next Session of the General Assembly.

CAP. XXXII.

An Act in further addition to the Act relating to Highways, Roads, and Bridges.

(Passed the 30th day of March, 1847.)

Preamble.

WHEREAS, in and by the second Section of the Act passed in the Fifth year of Her present Majesty's Reign, entitled, An Act in addition to, and amendment of, the Act relating to Highways, Roads, and Bridges, it is provided that nothing therein contained shall extend to, or affect the laying out of any new Road, or alteration of any old one, other than certain Roads therein enumerated, and it is expedient that the Road hereinafter mentioned should be brought under the operation of the said Act:

Road from Arichat to Grandique.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That all and singular the provisions of the said Act, shall be extended to, and include the Road from Arichat to Grandique, in the Isle Madame, in the County of Richmond, in the same manner and to the same extent as if the said Road had been included in the said second Section of the said Act, and therein particularly specified.

CAP. XXXIII.

An Act for appointing Trustees for Public Property in the County of Colchester.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall be lawful for the Justices, or the majority of the Justices of the Peace for the County of Colchester, upon the nomination of the Grand Jury, at any General Sessions of the Peace, to appoint three fit and proper persons, inhabitants of the County of Colchester, being Freeholders, whose names shall, by the Clerk of the Peace, be duly entered on record to be Trustees of Public Property for the said County of Colchester, which said three persons when so appointed, and such persons as may from time to time be appointed to succeed them in manner as hereinafter mentioned, shall be, and are hereby declared to be, a Body Corporate, in name and in deed, under the name of "the Trustees of Public Property in Colchester," and by that name shall have succession, and a Common Seal, and by that name shall and may sue, and be sued, defend, and be defended, implead and be impleaded, in any Court of Law or Equity, or place whatsoever.

Trustees of Public Property in Colchester incorporated.

II. *And be it enacted*, That when and so soon as such Trustees shall have been appointed as aforesaid, all and singular such Lands, Tenements, Hereditaments, and Real Estate whatsoever, which shall have been conveyed, granted, or reserved, or which by any Deed, or Written Conveyance, or Instrument, may have been dedicated, or which may have been obtained, purchased, or procured, or for Twenty Years or upwards shall have been used to or for public purposes in the said County, whether for Public Slips, or Landing Places, or for Public Markets, or for the site of any Court House, or Jail, or Public Market, with the Houses, Buildings, and Appurtenances thereon or thereto belonging, shall be, and become vested in, and absolutely transferred to, the said Trustees, and all such Lands, Tenements, Hereditaments, and Real Estate, to be hereafter procured, purchased, or obtained, for public purposes in the said County of Colchester, shall be conveyed to, and in like manner be vested in, and transferred to the said Trustees for the time being, who shall hold such Lands, Tenements, Hereditaments, and Real Estate, as are hereby declared to be vested in, and transferred to them, to and for the common use and benefit of the public, and for the purposes to which the same may have heretofore been applied, or been conveyed or dedicated, or for which the same may have been or may be procured, purchased, or obtained: *Provided always*, that nothing herein contained shall extend, or be construed to extend, to deprive any person, or Body, Politic or Corporate, of any interest, property, possession, or right which may have been acquired by such Person, or Body, Politic or Corporate, under and by virtue of the several statutes of limitations in force in this Province, previous to the passing of this Act, or any of them.

Powers of Trustees.

Proviso.

III. *And provided also, and be it enacted*, That nothing herein contained shall extend to affect any Burial Ground, Place of Divine Worship, College, Academy, School, or any Land belonging thereto, respectively, or any piece, parcel, or lot of Land, belonging to any Religious Society or Congregation within the said County.

Proviso.

IV. *And be it enacted*, That whenever any vacancy shall occur in such Trust, hereby created by the death, resignation, or absence from the Province, of any Trustee for two years, it shall be lawful for the Court of General Sessions, upon the nomination of the Grand Jury, in manner aforesaid, to appoint some fit and proper person, being an inhabitant of the said County, and a Freeholder, to supply such vacancy, so as the number of the said Trustees may always be three.

Filling of Vacancies.

And whereas, it is the intention of this Act to provide for the support and protection

Preamble.

protection

protection of the title of such Public Property, but not to interfere with the control of the Court of General Sessions of the Peace over the same :

Management of
Real Estate.

V. *Be it therefore enacted*, That all such Lands, Tenements, Hereditaments, and Real Estate, shall be under the control of the Justices of the Peace for the said County of Colchester, and shall be leased and managed by such Trustees in such way and manner as by such Justices, at any General Sessions of the Peace, may from time to time be directed.

Expenses of Trustees.

VI. *And be it enacted*, That all charges and expenses by the said Trustees, so incorporated, incurred in and about the said Trust, or the affairs, business, proceedings, or management thereof, or in the prosecution or defence of any Actions or Suits touching the public objects of the Trust, shall, when examined and allowed by the Grand Jury of the said County, be presented, confirmed, assessed, levied, collected, and paid, in the like manner as other public County charges and expenses.

Duration of Act.

VII. *And be it enacted*, That this Act shall continue and be in force for three years, and thence to the end of the then next Session of the General Assembly.

CAP. XXXIV.

An Act authorising the Committee of the Estate and Person of Robert W. Crookshank the younger, found Lunatic in the Province of New-Brunswick, to sell Real Estate within this Province.

(Passed the 30th day of March, 1847.)

Preamble

WHEREAS, by an Act made and passed in the Fourth year of the Reign of His late Majesty King William the Fourth, intituled, "An Act concerning the Real Estate of Lunatics and Idiots," provision has been made for the disposal of the Real Estate of such persons for the payment of their Debts, or for their support and maintenance, or the necessary expenses incurred in obtaining a Commission of Lunacy, and the said Act does not authorize the disposal of their Real Estate, otherwise than for the purpose aforesaid : *And whereas*, by a Commission in the nature of a Writ, "*De Lunatico inquirendo*," under the Great Seal of the Province of New-Brunswick, Robert W. Crookshank the younger, of the City of Saint John, in the said Province of New-Brunswick, was found Lunatic, and incapable of managing his affairs ; *And whereas*, the said Lunatic is interested in certain Lands and Premises in this Province, and it would be more beneficial to the Estate of the said Lunatic, if power were given to the Committee of such Estate to sell and dispose of the same :

Disposal of Real Estate of R. W. Crookshank.

I. *Be it therefore enacted*, by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for the Committee, or person or persons who shall appear to be legally entrusted with the custody of the Estate and Person of the said Robert W. Crookshank the younger, Lunatic, by appointment of the Court of Chancery, in the Province of New-Brunswick, to apply, by Petition, in a summary form, to the Court of Chancery in this Province, who shall be empowered to pass an order or orders on such evidence and under such guards and regulations as the said Court shall approve, to sell and dispose of the Real Estate, or any part thereof, belonging to the said Lunatic, situate in this Province ; and such Committee, or person or persons, under such order or orders, may execute, in the name and on the behalf of the said Lunatic, conveyances and assurances of the said Real Estate, or any part thereof, and may do all such acts as may be necessary to effectuate the same ; and such conveyances and assurances, so made and executed, shall

shall be as good and effectual in the Law as if the same had been made and executed by the said Lunatic when in his sound mind; and the wife of the said Lunatic, by joining in any such conveyance, if she shall think proper so to do, shall bar her right of dower of and in such Lands, and the proceeds of such Lands shall be applied by the Committee or person or persons legally entrusted with the Estate and Person of the said Lunatic as aforesaid, as the Court of Chancery in the Province of New-Brunswick shall order and direct.

II. *Provided always, and be it enacted*, That nothing herein contained shall be of any force or effect until Her Majesty's assent hereto shall be signified. Proviso.

CAP. XXXV.

An Act to prevent Coasting on the Highways.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall be lawful for the respective Courts of General Sessions of the Peace in the several Counties and Districts of this Province, from time to time, to make such Regulations as they may deem necessary, for preventing boys and other persons from coasting or sliding on the snow or ice, in sleds or sleighs, or otherwise howsoever, down the hills, or any of them in particular, on the Streets or Highways in their said Counties and Districts respectively, and to impose a fine not exceeding the sum of Five Shillings for each offence for breach of the said Regulations, or any of them, so by them respectively made.

Sessions to make regulations to prevent Coasting or Sliding, and to impose Fines.

II. *And be it enacted*, That the parent or parents of any child under age, and the master or masters, mistress or mistresses, of any apprentice respectively, who shall transgress any of the Regulations so to be made, as aforesaid, shall be subject and liable in Law to the payment of any penalty so to be imposed, as aforesaid.

Parents and Masters of Children under age, and Apprentices liable to Penalty.

III. *And be it enacted*, That every such penalty may be recovered with costs of suit, by and in the name of any person who will sue for the same, in the same manner, and by the like ways and means as if it were a private debt due to such person, and when recovered shall be applied, one half thereof to the use of the person suing for the same, and the other half to the use of the Poor of the Township or Settlement where the offence shall have been committed.

Recovery and application of Penalties

IV. *And be it enacted*, That the Act passed in the Fifty-first year of the Reign of His late Majesty King George the Third, entitled, An Act to prevent Boys and others coasting and sliding down the hills in the streets of Halifax; and also, the Act extending the same to the Town of Pictou, passed in the First year of Her present Majesty's Reign, shall be, and the said Acts are hereby repealed.

Act 51, Geo. 3, Act 1, Vic. repealed

CAP. XXXVI.

An Act to amend the Acts to regulate the Pilotage of Vessels at Sydney, Cape Breton.

(Passed the 17th day of March 1847.)

WHEREAS, the third clause of the Act passed in the Fifth Year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, and to repeal certain Acts relative thereto, has been considered in some respects repugnant to the twentieth Section of the Act of the Imperial Parliament passed in the Eighth

Preamble.

and Ninth Year of Her present Majesty's Reign, entitled, An Act to regulate the Trade of British Possessions abroad; and it is therefore necessary to repeal the said third clause and to substitute other provisions in lieu thereof:

3d Clause of 5th,
Vic. repealed.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That the said third clause of the said first mentioned Act, and every matter and thing therein contained, shall be, and the same are hereby repealed.*

Pilotage Regula-
tions.

II. *And be it enacted, That on every Vessel entering the Port of Sydney, spoken by a Licensed Pilot outside of Low Point and Cranberry Head, when his services are not accepted the Licensed Pilot who has first hailed her shall be entitled to one third of the Pilotage by Law established, if the Vessel be a British built Vessel, or be owned in this Province, or in any other part of Her Majesty's Dominions, and one half on other Vessels; and that the Master or Commander of any Vessel approaching Sydney, when hailed by any Licensed Pilot, such Pilot being within a reasonable distance with his flag flying, shall shorten sail, haul to, or use other means, as circumstances will admit, to facilitate such Pilots boarding: *Provided always, that Vessels owned within this Province and employed in the Coasting Trade or Fishery thereof, (except Whalers) and all Vessels employed or engaged in a Coasting Voyage from Sydney aforesaid to any other Port or place within this Province, or from any such Port or place to the Port of Sydney aforesaid, and all Vessels under Sixty Tons burthen, coming from any part of Her Majesty's Dominions or Possessions, and all Vessels entering, not spoken outside of Low Point, or Cranberry Head, and all Ships of War belonging to Her Majesty, shall be exempted from Pilotage unless a Pilot is voluntarily taken on board: And provided also, that nothing in this Act, or in either of the Acts hereby amended, contained, shall be construed into any obligation on the part of any Master or Commander to take a Pilot either into, or out of, the Harbor of Sydney, but in case of any Master acting as his own Pilot into the Harbor, then, and in that case, the Pilot first tendering his services shall be entitled to the proportion of Pilotage as aforesaid.**

Proviso.

Duration of Act.

III. *And be it enacted, That this Act shall continue and be in force for Two Years, and thence to the end of the then next Session of the General Assembly.*

CAP. XXXVII.

An Act to authorise the appointment of Trustees of the Presbyterian Church at Tatamagouche.

(Passed the 17th day of March, 1847.)

Appointment of
Trustees of
Church at Tata-
magouche.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from time to time, and at any time after the passing of this Act, it shall and may be lawful for the Presbyterian Congregation at Tatamagouche, in the County of Colchester, assembling in the House of Worship in which the Reverend Robert Blackwood now officiates, at any Public Meeting of said Congregation, whereof due notice shall have been given to such Congregation in the aforesaid House of Worship, during the time that the said House of Worship shall be open for Divine Service, on the two Sundays previous to such Meeting, to nominate and appoint, by vote of a majority of the Congregation present at such Meeting, three fit and proper persons as Trustees, to take charge of the House of Worship, and of the adjoining Cemetery, called the Tatamagouche Burial Ground, whose name of office shall be "The Trustees of the Presbyterian Church at Tatamagouche."

Filling of Vacancies.

II. *And be it enacted, That it shall and may be lawful for the said Congregation, upon due notice being given, as aforesaid, whenever they may think it necessary, at any Public Meeting so called, as aforesaid, to fill up any vacancy that may*

have

have been made in said trust, by death, resignation, or otherwise, or, if they think proper, to remove any one or more of said Trustees from the office of said trust, and appoint others in their place; and the same power and authority of the former Trustees shall vest in the succeeding Trustees, for all purposes intended by this Act.

III. *And be it enacted*, That such Trustees shall have full power and authority to build up and keep in repair the Walls or Fences so enclosing said House of Worship; and to plant such ornamental Trees around said House of Worship, and within such enclosure, as they may think proper. Power of Trustees.

IV. *And be it enacted*, That such Trustees shall be, and they are hereby respectively authorised in their name of office, to sue and be sued; and to have and commence, and prosecute, and defend, or cause to be commenced, prosecuted, and defended, any action, suit, or prosecution, either at Law or in Equity, as may be necessary; and shall and may sue and prosecute for any act of Trespass that may be committed upon the premises, in the same way and manner as Trespasses of the like nature are prosecuted for in ordinary cases. Rights and liabilities of Trustees.

And whereas, the Land hereby authorised to be enclosed is a lot containing one and a half acre, granted by Augustus Wallet DesBarres, Esquire, to the said Tatamagouche Congregation, for the purpose of erecting a House of Worship thereon, and to be used as a Burial Ground, and known as the Tatamagouche Church Lot: Preamble

V. *Be it enacted*, That the said Trustees shall be, and they are hereby authorised and empowered, to take charge of the said Cemetery or Burial Ground, and to enclose, protect, and ornament the same, and to make such Rules and Regulations respecting the same, as they may think proper. Trustees to take charge of Cemetery, &c.

VI. *And be it enacted*, That nothing in this Act contained shall extend, or be construed to extend, to prevent the deceased of every denomination of Christians, and others, being interred in the said Cemetery or Burial Ground; and that all the rights and privileges which have been heretofore enjoyed by the Public for Sepulchral purposes, shall remain and continue as if this Act had not been passed. Limitation of Act.

VII. *Provided always, and be it enacted*, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, or in any manner affect, the rights of Her Majesty, Her Heirs and Successors, or of any Persons, Bodies, Politic or Corporate, their respective Heirs, Successors, Executors, Administrators, and Assigns. Proviso.

CAP. XXXVIII.

An Act to provide for the opening of a New Line of Road from Dartmouth to the Settlements on the Eastern Shores.

(Passed the 17th day of March, 1847.)

WHEREAS the opening of the New Line of Road lately surveyed and laid out, leading from Dartmouth to Porter's Lake, Chizetcook, and other Settlements on the Eastern Shores of the County of Halifax, would be of great public utility, and it is believed that for the attainment of that object certain individuals would advance the sum of One Thousand Pounds, to be repaid by instalments in manner hereinafter mentioned: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That when and so soon as any person shall give security to the satisfaction of the Governor, and in manner and to such amount as he shall direct, that the opening of such New Line of Road will be commenced without delay, and that monies for that purpose, Appointment of Commissioner &c.
to

to the extent of One Thousand Pounds, will be forthwith provided and paid, and advanced when and as required during the progress of the work, it shall be lawful for the Governor to appoint a Commissioner or Commissioners for the purpose of superintending the expenditure of such monies, who shall proceed to lay out the same in the opening and proceeding in the completion of the said New Road, and shall return, upon Oath, to the Secretary of the Province, a full, true, and accurate account of the monies expended thereon.

Provision for repayment of monies advanced.

II. *And be it enacted*, That until all monies advanced by any such person for and towards the opening and completion of the said Road, with legal Interest thereon, shall be repaid, there shall be annually appropriated from and out of the monies granted and allotted for the service of Roads and Bridges in the said County of Halifax, one-third part of the said sum of money so advanced and expended for the aforesaid service, together with legal Interest on the principal sum from time to time remaining due, to be paid to the person who shall lend and advance the same, in whose favor it shall be lawful for the Governor to draw Warrants on the Treasury for such yearly amount; and in case the monies so allotted shall be less than the said third part, with Interest thereon, in any one year, then, in every such year, the whole monies so allotted and granted, shall be appropriated for the purposes aforesaid.

Act not to bind the Public Funds in case of no appropriation for Roads & Bridges.

III. *And be it enacted*, That in case hereafter no monies shall be granted or appropriated for the service of Roads and Bridges in the County of Halifax, nothing herein contained shall be held, or deemed to be any pledge, guarantee, or lien, of or for, or upon the Public Funds or Revenue of this Province, or of, or upon the Public for the repayment of any monies which may have been advanced for the purposes aforesaid, and which may remain and be unpaid.

CAP. XXXIX.

An Act in relation to the Trade between the British North American Possessions.

(Passed the 17th day of March, 1847.)

WHEREAS it is desirable that the Trade between the British North American Provinces of Canada, New Brunswick, Prince Edward Island, Newfoundland and Nova-Scotia, should be conducted in the most free and unrestricted manner:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That whenever, from time to time, the importation into any other of the British North American Provinces hereinbefore mentioned, of all articles, the growth, production, or manufacture of this Province, (excepting Spirituous Liquors,) shall by Law be permitted free from Duty, the Governor, with the advice of the Executive Council, shall forthwith cause a Proclamation to be inserted in the Royal Gazette, fixing a short day thereafter on which the Duty on all articles, (excepting Spirituous Liquors,) being the growth, production, or manufacture of any such Province as aforesaid, into which the importation of all articles the growth, production, or manufacture of this Province, (excepting Spirituous Liquors,) shall be so permitted free from Duty, shall cease and determine; and from and after the day so limited and appointed, all such articles, the growth, produce, or manufacture of any such Province in such Proclamation to be named, (excepting Spirituous Liquors,) shall be admitted into this Province Duty Free, upon such proof of origin and character as may from time to time be required in and by any order of the Governor in Council.

Articles imported from a Province admitting productions of this Province without duty to be free of duty.

Duration of Act.

II. *And be it enacted*, That this Act shall continue and be in force until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. XL.

An Act further to alter the Acts respecting the Collection of Poores' Rates in the Township of Pictou.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after this present year, the meeting by Law prescribed for voting Monies for the support of the Poor, and for other purposes, therewith connected in the Second Section or District for the support of the Poor within the Township of Pictou shall be held on the second Monday after the time by Law established for the holding of the February Term or Sittings of the General Sessions of the Peace in the County of Pictou, instead of the time now fixed for the holding of such meeting.

Time of holding Meeting in Second Section.

II. *And be it enacted,* That it shall be lawful for the Inhabitants of the said Second Section, at any such future meeting from and after this present year, to nominate and appoint three Collectors of Poor Rates instead of one Collector as at present, and to prescribe and define the limits within which each of the said Collectors shall act, and the Collectors so appointed, and every of them, shall have all the powers and authorities and be subject to the like Duties, Regulations, and Penalties as are now by Law conferred and imposed upon Collectors of Poor Rates.

Inhabitants of Second Section to appoint three Collectors.

III. *And be it enacted,* That it shall be lawful for the Inhabitants of the Fourth Section established for the support of the Poor within the said Township of Pictou, at any meeting hereafter to be called, to vote monies therefor, to nominate and appoint three Collectors of Poor Rates instead of one Collector as at present, and to prescribe and define the limits within which each of the said Collectors shall act, and the Collectors so appointed, and every of them, shall have all the powers and authorities, and be subject to the like Duties, Regulations, and Penalties as are now by Law conferred and imposed upon Collectors of Poor Rates.

Inhabitants of Fourth Section to appoint three Collectors.

CAP. XLI.

An Act respecting the Collection of Poor Rates in the Third Section of the Township of Pictou.

(Passed the 17th day of March, 1847.)

WHEREAS, it is expedient to amend certain Provisions of the Acts now in force for the collection of Poor Rates, so far as respects the Third Section of the Township of Pictou :

Preamble.

I. *Be it enacted,* by the Lieutenant-Governor, Council, and Assembly, That hereafter it shall be lawful for the Inhabitants of the Third Section, established for the support of the Poor within the Township of Pictou, at their respective Meetings, duly called, to make provision for the Poor of such Section, to nominate and appoint three fit persons, Inhabitants of such section, as Collectors of Poor Rates therein, and to prescribe the limits within which each of such Collectors shall act in that capacity; and the Collectors so appointed, and every of them, shall, except as altered by this Act, have all the powers and authorities, and be subject to the like duties, regulations, and penalties, as are now by Law conferred and imposed upon Collectors of Poor Rates.

Appointment of Collectors of Poor Rates, their duties, &c.

Treasurer to Overseers of Poor, his Salary.

II. *And be it enacted*, That the Inhabitants of the said Third Section, at any of their respective meetings, called for the purpose aforesaid, may also appoint one proper person, being an Inhabitant of the said Section, to be Treasurer to the Overseers of the Poor of the said District, who shall also act as Section or District Clerk, which Treasurer shall give Bond, with sufficient Sureties, to the satisfaction of the Court of General Sessions of the Peace for the County of Pictou, to and in the name of the Clerk of the Peace, in such sum as the Court shall direct, for the due and faithful discharge of his duties as such Treasurer, and the due and proper application of the monies to be received by him ; and shall be allowed and paid such salary as by the said Freeholders, at any of their said meetings, shall be voted for that purpose, to be included in the assessment or vote for the relief of the Poor, made at any such meeting.

Duty of Treasurer.

III. *And be it enacted*, That it shall be the duty of such Treasurer to summon and call, in manner as the Overseers are now required to do, the meetings of the Freeholders and Inhabitants of such District, to vote and assess monies for the support of the Poor, to furnish the several Collectors with their Assess Bills, and to receive all monies from the Collectors, (and which such Collectors are hereby required to pay over to him,) and to pay the same, when and so soon as received, to the respective Overseers, to be by such Overseers applied according to Law, and as shall have been directed by the vote of the majority of the Inhabitants and Freeholders, at the meeting at which such monies shall have been voted.

To go into office eight days after appointment.

IV. *And be it enacted*, That such Treasurer shall go into office, and be sworn to the faithful discharge of its duties, before some Justice of the Peace residing in the said District, within eight days after his appointment as aforesaid.

Statement by Overseer to Treasurer.

V. *And be it enacted*, That the several Overseers of the Poor in the said District shall deliver to the Treasurer, seven days before the first day of the February Sittings of the General Sessions of the Peace for the County of Pictou, a correct statement of all receipts and disbursements by them respectively made, and of all debts incurred or remaining due by such Overseers respectively, under the penalty, for every neglect, of Ten Pounds, to be paid by each Overseer guilty of such neglect.

Penalty

Treasurer to submit Accounts to the General Sessions.

VI. *And be it enacted*, That the said Treasurer shall, annually, on the first day of each February Term or Sitting of the said General Sessions of the Peace for the said County, submit the said Accounts, as also his own Accounts, to be audited and published, as the said Court shall direct.

Prosecution for Penalties.

VII. *And be it enacted*, That the said Treasurer shall, and he is hereby authorized and directed to prosecute and sue for any and every fine or penalty imposed by this or any other Act for the regulation of the Poor, or any deficiency of monies received by any Collector, and not duly paid over in his own name and before any Justice or Justices, or Court, before whom or which debts of the same amount may or shall be by Law recoverable, in the same manner as if such fine or penalty or deficiency were a private debt due to such Treasurer : *Provided always*, that any such fine, penalty, or deficiency, when recovered, shall be paid and applied by such Treasurer as other monies voted or assessed for the support of the Poor are directed to be applied.

Proviso.

Vacancies in offices of Collector or Treasurer how filled.

VIII. *And be it enacted*, That any vacancy occurring in any or either of the said offices of Collector or Treasurer, in the said District, by any ways or means howsoever the same shall happen during the currency of the year for which such Officers shall be appointed, shall be supplied and filled up for such year by the General Sessions of the Peace for the said County of Pictou, at any of its Terms or Sittings, or by any Special Sessions to be called for that purpose.

Duration of Act.

IX. *And be it enacted*, That this Act shall continue and be in force for three years, and thence to the end of the then next Session of the General Assembly.

CAP. XLII.

An Act to establish the Toll to be taken at Grist Mills.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Tolls hereafter to be taken and received by every Miller, for the grinding of any Grain or Corn hereinafter mentioned, shall be as follows, that is to say: For grinding Wheat, Rye, Barley, Buckwheat, or Indian Corn, one-sixteenth part of the whole quantity brought to the Mill to be ground, and no more, to be ascertained by a sealed measure—and for grinding Oats where the same shall not be kiln-dried, shelled, and sifted, one-sixteenth part of the whole quantity brought to the Mill to be ground, and no more, to be ascertained as aforesaid—and for kiln-drying, shelling, grinding, and sifting of Oats, one-eighth part of the whole quantity brought to the Mill to be ground, and no more, to be ascertained as aforesaid.

Tolls to be taken by Millers for grinding, kiln-drying, &c.

II. *And be it enacted*, That every Miller keeping in his Mill suitable machinery for the hulling of Barley, shall receive and have, as and for the Toll for hulling the same, one-sixth part of the whole quantity brought to the Mill to be hulled, and no more, to be ascertained as hereinbefore mentioned.

For hulling Barley.

III. *And be it enacted*, That every Miller who shall have or keep in his Mill a good and sufficient Bolting Machine, shall be obliged, if required so to do, to bolt the Flour or Meal of all Wheat, Rye, Buckwheat, or Barley, or bolt or sift all Flour or Meal of Indian Corn ground at his Mill, and shall be allowed to receive and take at the rate of one pint out of each Bushel of Grain or Corn brought to the Mill to be so ground and bolted or sifted, and no more, as and for the Toll for bolting or sifting the same in addition to the Toll hereby allowed for grinding such Wheat, Rye, Buckwheat, Barley, or Indian Corn.

For Bolting Flour & Meal.

IV. *And be it enacted*, That if any Miller shall in any case demand and take any larger or greater Toll for grinding, hulling, or bolting any Grain, Corn Meal, or Flour, than is hereinbefore allowed and prescribed, such Miller shall forfeit for every such offence the sum of Two Pounds.

Penalty for Over-charge.

V. *And be it enacted*, That each and every Miller who shall demand and take any greater or larger Toll for the grinding, hulling, or bolting of any Grain, Corn Meal, or Flour, in any case shall, in addition to the penalties hereby imposed for any such offence, be liable to pay to the owner thereof the full value of the Grain, Corn Meal, or Flour, which shall or may be demanded and taken by any such Miller as aforesaid, over and above the Toll hereinbefore mentioned, allowed, and prescribed, which value shall be recovered as hereinafter mentioned.

Further Penalty.

VI. *And be it enacted*, That if any Miller shall refuse to grind any Grain or Corn for which his Mill is prepared, the said Grain or Corn being clean, dry, and in good order—or, if his Mill be provided with Bolting Machinery, shall refuse to bolt any Meal or Flour hereby required to be bolted when he is requested so to do, or shall refuse to hull any Barley when required, the same being clean, dry, and in good order, and his Mill having proper and suitable Machinery for the hulling of Barley, then, and in any of such cases, any such Miller so refusing, and not having some good and sufficient excuse for such refusal, shall forfeit and pay for every such offence the sum of Two Pounds.

Penalty for refusal to grind.

VII. *And be it enacted*, That every Miller shall, at all times, have and keep in his Mill, properly fitted and erected in a convenient place, a good and sufficient Beam and Scales, with proper and legal Weights, for the use of persons requiring Grain or Corn to be ground at such Mill; and any Miller neglecting to keep and have in his Mill such Beam and Scales, and Weights, so fitted and erected in manner aforesaid, shall forfeit and pay for every such offence the sum of Five Pounds.

Penalty for not keeping good Beam & Scales.

VIII.

Recovery and appli-
cation of Penalties

VIII. *And be it enacted*, That all Sums, Penalties, and Forfeitures, by this Act imposed, and made payable, may be sued for and recovered by any person who will sue therefor, before two Justices of the Peace, in the same manner and with the like costs of suit as if the same were a private debt due to such person; and every such Penalty, when recovered, shall be paid over to the Overseers of the Poor for the Township or District within which the offence shall have been committed, for the use of the Poor within the same.

Act 4. Wm. 4. re-
pealed

IX. *And be it enacted*, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act to establish the Toll to be taken at the several Grist Mills in this Province; and also the Act in amendment thereof, passed in the Fifth year of His said late Majesty's Reign, and every matter, clause, and thing, in the said Acts respectively contained, shall be, and the same are hereby repealed.

CAP. XLIII.

An Act in relation to the support of the Poor in certain parts of the Township of Egerton.

(Passed the 17th day of March, 1847.

Acts 4 and 5. 4th
clause of Act 6 &
Act 7. Vic as re-
lates to Townshp
of Egerton. re-
pealed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the reign of Her present Majesty, Queen Victoria, entitled, An Act to extend to the Township of Egerton the Act respecting the collection of Poores' Rates of Pictou, and to amend the said Act; also, the Act passed in the Fifth year of Her present Majesty's reign, entitled, An Act to amend the Acts respecting the collection of Poores' Rates of Pictou, and Egerton; also, the fourth clause or section of the Act passed in the Sixth year of Her present Majesty's reign, entitled, An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor; also, the Act passed in the Ninth year of Her present Majesty's reign, entitled, An Act to continue the Act to extend to the Township of Egerton the Act respecting the collection of Poores' Rates of Pictou, and to amend the said Act, so far only, however, as the said several Acts and the said clause may relate to the Township of Egerton, and every matter, clause, and thing, in the said several Acts, and the said clause of an Act contained, so far as the same may relate to the Township of Egerton, shall be, and the same are, hereby repealed.

Act not to affect
Albion Mines
Poor District.

II. *And be it enacted*, That for all the purposes of this Act, all that part of the Township of Egerton set off as a separate District for the support of the Poor, by the name of the Albion Mines Poor District, by the Act passed in the Sixth year of Her present Majesty's Reign, entitled, An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor, shall be excluded from the operation of this Act, and shall not be considered as part of the said Township of Egerton.

Support of Poor.

III. *And be it enacted*, That the said Township of Egerton shall hereafter be governed by the general Laws now in force, or hereafter to be enacted, in relation to the settlement and support of the Poor, except in so far as the same may be altered by this Act.

Division of Town-
ship into Districts.

IV. *And be it enacted*, That from and after the time hereinafter mentioned, the respective portions or sections of the said Township of Egerton, hereinafter mentioned, by their respective bounds, shall be, and the same are hereby set off and established as separate Districts for the support of the Poor within the same, respectively, by the respective names or sections hereinafter mentioned.

V. *And be it enacted*, That for the purposes aforesaid, the said Township shall be, and the same is hereby divided, as follows, that is to say :

SECTION NUMBER ONE.

Beginning at the North side of the Big Gut, Middle River, commonly called "McClintock's Gut," and running from thence up stream along the said Gut to the base line dividing the Lands of the East and Middle River, thence Southerly on said line until it comes to the North boundary of the Albion Mines District, thence Easterly along the said boundary until it crosses the East River, thence Southerly along the East side of the said East River until it comes to the Southern boundary or upper line of Lands belonging to Peter Delany, thence on the said upper line Easterly until it comes to the Brook called "James McIntosh's Brook," including Alexander Grant, thence along said Brook down stream until it comes to the front line of the McLellan's Brook Lots, thence following the said line North Easterly until it comes to the East line of the Lands of Widow Chisholm, thence on the front line of the Marsh Lots until it comes to James Fraser's East line, or until it comes to the Marsh Road, thence along the said Marsh Road towards the Pine Tree Brook until it comes to the New Road laid off and established in One Thousand Eight Hundred and Forty-five, thence along the said Road until it comes to the East end of the Bridge on the Pine Tree Brook on the old road as it now stands, thence across the said Brook, on the said old road, until it comes to the beginning of the new road laid off and established in One Thousand Eight Hundred and Forty-six, thence along the said new road until it comes to the Township Line at the head of the Big Gut, so called, thence Westwardly down the said Big Gut and across the East River until it comes to Fraser's Point, thence along the Shore Westwardly until it comes to the place of beginning or McClintock's Gut aforesaid.

Sections
Number One.

SECTION NUMBER TWO.

Beginning at the intersection of the New Road with the Township Line at the head of the Big Gut, so called, thence on the said Township Line until it comes to the entrance of Boat Harbor, thence along the Gulf Shore Easterly, including "Roy's Island," until it comes to King's Head or the line of the Township of Maxwellton, thence along the said line Southwardly, including the Quarry Island, until it comes to and includes Paul Peterson's, thence in a direct course until it comes to the lower Falls on Sutherland's River, thence to the East line of Lands of James Fraser, thence along the several courses of the East line of Section number One until it comes to the place of beginning at the head of the Big Gut aforesaid.

Number Two.

SECTION NUMBER THREE.

Beginning on the Township Line at Paul Peterson's at the South boundary of Section number Two, thence on the said Township line until it comes to William Ross, Big Blue Mountain, thence Westwardly on the Saint Mary's Road until it comes to John McLellan's Brook, thence Westwardly, including Kenneth McLellan's, until it comes to Alexander McDonald's, thence North Westerly, including John Matheson's, until it comes to William McDonald's, Shoemaker, thence to the South line of Section number One, where it comes to the Brook called James McIntosh's Brook, thence Easterly along the line of Section number One the several courses until it comes to the East line of Lands of James Fraser, (Marsh,) thence Easterly along the line of Section number Two the several courses across the lower Falls of Sutherland's River until it comes to the place of beginning at Paul Peterson's.

Number Three.

SECTION NUMBER FOUR.

Beginning at the lower line of Lands of Alexander Grant, (Robert's Son,) on the West margin of the East Branch East River, thence along said line until it comes

Number Four.

comes to the rear line of said Lands North-westwardly, thence along the rear line of said Lands, and rear line of Lands of first demesne of Lands of East Branch until it comes to the East line of Lands of William McKenzie, as originally granted, thence along the said line, including the Lands of the second demesne of the Lands of the East Branch South-westerly, until it comes to the County line, thence along the said County line the several courses until it comes to the Township line of Maxwellton, thence along the said Township line at William Ross' (Big) aforesaid, thence along line of Sections numbers Three and One the several courses until it comes to the upper side line of Lands of Peter Delaney's on the East Branch, thence up stream on the East side of the said East Branch until it comes at right angles with the lower line of Lands of said Alexander Grant, thence across the said East Branch to the place of beginning.

SECTION NUMBER FIVE.

Number Five.

Beginning at the lower line of Lands of Alexander Grant, (Robert's Son,) on the West margin of said East Branch, thence along the said East Branch and the said East River until it comes to the South boundary of the Albion Mines District, thence along the said South boundary Westwardly until it comes to the base line of Lands of the East and Middle Rivers, thence along the said line South-westerly until it comes to the South line of Lands of Donald McDonald's, thence on said line until it comes to the rear line of Lands of Andrew Campbell, thence on said line and on rear line of Lands of Alexander Gray and Farquhar Falconer, and East line of Lands of William Sutherland, John Halliday, Alexander McLeod, and William McLeod, and from thence to the road leading through Joseph Crockel's, on a course of South twenty degrees West, thence on said road to Alexander Fraser Marsh, thence along said road until it comes to the Main road at Christopher McDonald's, thence along the said road South-westerly, so far as to be in line with the lines dividing the Lands of James McDonald and John McKenzie, thence on said line bearing South fifteen degrees West until it comes to the County line, thence along the said County line the several courses to the West line of Section number Four, thence along the several courses of said section line until it comes to first Boundary of beginning at the lower line of Lands of Alexander Grant, aforesaid.

SECTION NUMBER SIX.

Number Six.

Beginning at the Little Island, or Doctor's Island, so called, at the Mouth of the Middle River, along the line of the Township of Pictou, South thirty degrees West until it comes to the line of the County of Colchester, thence along said County line until it comes to the West line of Section number Five, thence along the said line of Section number Five the several courses of the South boundary of the Albion Mines District, thence on rear line of said District and the West line of Section number One to the mouth of McClintreck's Gut, so called, thence across the Middle River to the place of beginning.

Justices to apportion
expense of Pau-
pers.

VI. *And be it enacted*, That at the next General Sessions of the Peace in and for the County of Pictou, it shall and may be lawful for the Justices attending thereat, to ascertain the number of Paupers then chargeable on the said Township of Egerton, and also to ascertain the amount of rates for the support of said Paupers, and by any order to be made at such General Sessions as aforesaid, to direct and order that the said respective portions or sections of the said Township of Egerton, hereby set off and established as separate Districts, shall bear such proportion of the whole charges and expenses of all the Paupers then chargeable on the said Township, as to the said Justices may appear equitable and just, and that from and after the said order shall have been so made as aforesaid, the expenses of the Paupers who shall become chargeable to the said Township, shall be defrayed by the District in which such Paupers shall have gained a residence, and therefor it shall and

and may be lawful for the respective inhabitants residing within the limits of said Districts or Sections respectively, hereby established and set off as separate Districts, to hold a public meeting in some central and convenient place within each of such Sections respectively, on the first Monday of March in each and every year, and to then appoint two or more Assessors of Poor Rates for each of such Sections respectively, and also two or more Freeholders, who shall respectively possess at least as much property, real and personal, as they are appointed to collect, who shall act as Collectors of Poor Rates in and for the Section for which they may be appointed, and who shall pay the monies by them collected to the Overseers of the Poor for such Section; and that at such respective public meetings the said Inhabitants shall respectively vote such sums of money as may be required for the support of the Poor of such Sections or Districts respectively.

Appointment of Assessors and Collectors.

VII. *And be it enacted*, That at the usual time for the appointing of Town Officers in said County, it shall and may be lawful for the Grand Jury to nominate four persons, two of whom shall be appointed by the Sessions to act as Overseers of the Poor; and two persons, one of whom shall be appointed to act as District or Section Clerk in each of the said Sections so set apart and established.

Nomination of Overseers of District.

VIII. *And be it enacted*, That all Rates, Assessments, or Actions, now commenced, shall and may be prosecuted, levied, and collected, in the same way and manner as though this Act had not been passed.

Rates, Actions, &c. already commenced.

IX. *And be it enacted*, That this Act shall continue and be in force for one year, and thence to the end of the then next Session of the General Assembly.

Duration of Act.

CAP. XLIV.

An Act for regulating the Common of the Township of Lunenburg.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Justices of the Peace of the County of Lunenburg in their General Sessions to be next held in April for the said County, or at any future Sessions, shall give it in charge to the Grand Jury then and there summoned, to affix and settle such regulations as they may think most proper and convenient to be observed and followed respecting a Tract of Land lying in the Peninsula of Lunenburg, granted and set apart as a Common for the Inhabitants thereof, to continue for One Year from such Session, and such regulations as shall be approved of by the Justices of said Sessions shall be, and are hereby declared to be the stated rules to be kept, observed, and followed, with relation to the said Common by the aforesaid Inhabitants for and during the space aforesaid.

Regulations for one year to be made by Grand Jury, and approved by Justices.

II. *And be it enacted*, That the said Justices shall, in like manner, at their annual Sessions, hereafter to be held in April, proceed and give in charge to the Grand Jury, in manner aforesaid, and settle and approve of such rules and regulations for the said Common, to serve for the year then next ensuing, as to them shall appear most proper and convenient.

To be made at April Sessions for year following.

III. *And be it enacted*, That upon application of the Trustees of said Common, or a majority of them, to the Inhabitants of the said Township, in their annual meetings to make provision for their Poor, it shall and may be lawful for the said Inhabitants to vote such sum of money as they shall judge necessary and sufficient to be raised, to defray the costs and expenses of running, ascertaining, and renewing, the marks of the original Boundary Lines of the said Common, when and so often as it shall be found requisite; and also for commencing, carrying on, and prosecuting,

Voting of Money to defray expenses under Act.

prosecuting, any suits or actions to compel the relinquishment of encroachments and settlements made into and upon the said Common, which suits or actions the said Trustees of the said Common, for the time being, or either of them, are hereby authorised and empowered to commence, carry on, and prosecute, in their own names and on behalf of the Inhabitants of the said Township, which said sum or sums of money, so voted, and the sum voted at the same time for the support of the Poor, shall be added together, so as to make but one assessment of the whole, and the same shall be assessed by the same assessors, and collected by the same collectors, in like manner as Poor Rates are by Law assessed and collected, and shall be paid to the said Trustees for the purposes hereinbefore mentioned, who shall account for the expenditure thereof to such person as the said Inhabitants shall, in any of their said meetings, think proper to appoint to enquire into the same : *Provided always*, that no such monies shall be voted by the Inhabitants of the said Township, unless the Overseers of the Poor in the notice now by Law required to be given for raising money for the support of the Poor, shall also state that application for a vote of money to be raised for the purposes hereinbefore specified, will be submitted at such meeting, which notice shall be given by the said Overseers at the request of either of the said Trustees and any five Freeholders of the said Township.

Proviso.

Regulations for collecting eel grass and sea manure on Common.

IV. *And be it enacted*, That from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace for the said County of Lunenburg, at their General Sessions of the Peace, from time to time to make such rules and regulations as they may deem necessary and expedient, to be observed and followed by the Inhabitants of the said County in collecting and taking away Eel Grass, or other Sea Manure, which may from time to time be driven by the Sea and lodged upon the Shore of the Common or public Lands within the said County.

Penalty for transgressing Rules, and mode of recovery.

V. *And be it enacted*, That if any person shall transgress any of the rules or regulations so to be made, as aforesaid, or shall neglect or refuse to obey the same, such person shall forfeit and pay a fine not exceeding Forty Shillings for every offence, to be recovered with costs, by suit in the individual names of such Trustees, or any of them, before any one of the Justices of the Peace for the said County, in the same manner as if it were a private debt due to the person suing therefor, and to be applied one half thereof to the use of the person complaining, and the other half to the use of the Poor of the said Township of Lunenburg.

Trustees to make Leases.

VI. *And be it enacted*, That it shall be lawful for the Trustees of the aforesaid Common, or either of them, to make Leases of such parts thereof as they may think proper, for any term not exceeding ninety-nine years, which Leases shall contain such provisoes, covenants, and conditions, as the said Trustees may judge best for the improvement of the said Common, and the due regulation thereof; and shall be sufficient to convey to the person or persons to whom the same may be so made, such Estate as may be therein expressed, subject to the conditions and covenants therein contained.

Justices to appoint Penalties.

VII. *And be it enacted*, That the said Justices in Session shall be, and are hereby empowered to settle and appoint such penalties to be inflicted upon the person who shall neglect or refuse to obey the rules and regulations, so to be settled at the said annual Sessions of the Peace, as to them shall appear to be just and equitable : *Provided* that such penalties to be inflicted shall not exceed the sum of Forty Shillings each.

Proviso.

Act 34 Geo. 2nd repealed.

VIII. *And be it enacted*, That an Act passed in the thirty-fourth year of the Reign of His late Majesty King George the Second, entitled, An Act for regulating the Common belonging to the Township of Lunenburg, and all Acts in addition to, and amendment thereof, shall be, and the same are hereby repealed : *Provided always*, that all such rules and regulations as are now in force, or have been so previous to the passing of this Act, shall be and remain in force until other or new rules and regulations therefor shall be made, under and by virtue of this Act.

Proviso.

CAP. XLV.

An Act for regulating the Common of the Township of Clare.

(Passed the 17th day of March, 1847.)

WHEREAS, by Letters Patent, under the Great Seal of this Province, bearing date the First day of November, in the year of our Lord One Thousand Eight Hundred and Twenty, His late Majesty King George the Fourth was pleased to grant to the Reverend J. M. Sigogne, Roman Catholic Missionary at Clare, Pelig Wiswall, Esquire, an Assistant Justice in Her Majesty's Supreme Court, and Charles McCarthy, Esquire, a Tract of Land in the Township of Clare, in trust for the use of the Inhabitants of said Township of Clare, for a Common ; *And whereas*, the said Reverend J. M. Segogne, Peleg Wiswall, Esquire, and Charles McCarthy, Esquire, were duly appointed Trustees of said Common, all of whom are now dead ; *And whereas*, the said Trustees did permit and authorize six families to settle and cultivate portions of said Common, having allotted about fifteen acres of said Common to each of them, by leases, for a term of years ; *And whereas*, it is requisite, on account of the death of such Trustees, to appoint new Trustees for the management of the said Common :

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That it shall and may be lawful for the Court of General Sessions of the Peace for the County of Digby, to nominate and appoint Three fit and proper persons, residing in the Township of Clare, aforesaid, to be Trustees of the said Common of the Township of Clare ; and in case of any vacancy among such Trustees, by death, resignation, removal from office, or permanent absence, from time to time, to supply such vacancy ; and such Trustees, and their Successors in office for the time being shall be, and they are hereby declared to be, a Body Politic and Corporate, in name and in deed, under the name of "The Trustees of Clare Common," and by that name shall have succession, and by that name shall and may sue and be sued, plead and be impleaded, defend and be defended, in any Court of Law or Equity or place whatsoever.

II. *And be it enacted*, That in the said Trustees for the time being, the legal Estate and Title of and in said Common, shall be and be deemed at all times hereafter absolutely vested for the benefit of the said Inhabitants of the said Township of Clare.

III. *And be it enacted*, That the Trustees aforesaid shall make and execute Leases to any person or persons now settled on said Common, for any term not exceeding twenty-one years, and from time to time shall renew the same at such Rents as may be agreed upon, to be by the said Leases made payable half-yearly ; and such Leases shall suffice to vest in every such person the lot or parcel of said Common so leased to such person, for the term agreed on, subject to the rent reserved for said term.

IV. *And be it enacted*, That the price or rent to be obtained for the said lots or parcels of the said Common to be so let as aforesaid, shall be paid and applied to the improvement of the remainder of the said Common, and of the Roads leading through the same.

V. *And be it enacted*, That from and after the passing of this Act, it shall and may be lawful for the said Trustees, from time to time, to make such Rules and Regulations as they may deem necessary and expedient to be observed and followed ; and the said Trustees, or any Two of them, shall have full power and authority to manage, transact, and perform, all matters and things whatsoever in any wise relating to, or concerning the said Common, or connected with the preservation and improvement thereof, and shall annually submit an account of all monies received and

and paid by them, to the Justices of the Peace, in their General Sessions of the Peace for the County of Digby, to be held at Clare, when and after such time as the same shall be there held, and until such time to the Sessions of the Peace for said County held at Digby.

Fine for transgressing Regulations—mode of recovery & application.

VI. *And be it enacted*, That if any person or persons shall transgress any such of the Rules and Regulations so to be made as aforesaid, or shall neglect or refuse to obey the same, such person or persons shall forfeit and pay a fine not exceeding Forty Shillings, for every offence, to be recovered, with costs of Suit, before any one of the Justices of the Peace for the said County of Digby, in the name of any person or persons who will sue for the same, in the same manner as if it were a private debt due to such person or persons, and to be applied—one half thereof to the use of the person or persons suing therefor, and the other half to the use of the Poor of the Township of Clare.

CAP. XLVI.

An Act relating to Streets and Highways in certain Towns and Places therein mentioned.

(Passed the 30th day of March, 1847.)

Appointment of Comms. of Highways for certain Towns & Villages.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the several and respective persons who now are Commissioners for repairing, keeping in repair, and paving the Streets and Highways in the Towns and Villages following, that is to say: Annapolis Royal, Windsor, Liverpool, Lunenburg, Pictou, New Glasgow, Bridgetown, Digby, Dartmouth, Antigonishe, Chester, Arichat, Port Medway, Maitland, and Guysborough, respectively, shall be, and they are hereby declared Commissioners of Highways therein, respectively, during the pleasure of the Governor, for the purposes, and in the manner prescribed by this Act; and upon the death, removal, or refusal to act of any one of the Commissioners for either of the said Places, it shall be lawful for the Governor, with the advice of the Executive Council, to appoint some Inhabitant and Freeholder of the Town or Place, where the vacancy occurs, to supply the same—and such appointment to renew, whenever necessary, to the end, that the said Commissioners, for each of the said Places, may continue to be in number, Five for the Towns of Pictou and Arichat, and Three for each of the other Towns and Villages hereinbefore mentioned.

Limits of Jurisdiction.

II. *And be it enacted*, That the jurisdictions, powers, and authority of the Commissioners of the said several Towns, shall be respectively confined and restricted to the bounds and limits following, that is to say:

FOR ANNAPOLIS ROYAL.

Annapolis Royal.

To such parts of the said Town as extend Eastwardly to the intersection of the Main Road to Halifax, by the old Road leading to the Dalhousie Settlement, Southwardly to the General's Bridge (so called), Westwardly to Allen's Creek (so called), and Northwardly to Hog Island, including the same.

FOR WINDSOR.

Windsor.

To such parts of that Town as extend from the Island called Smith's Island, to the Northward and Eastward as far as the Bridge over the Trecothick Creek, on the Main Road leading out of the Town of Windsor, as far as the Church, and on the Southward and Westward to the Falmouth Ferry.

Town of Liverpool.

FOR THE TOWN OF LIVERPOOL.

To such parts thereof as extend from Fort Point, by the Western side of Liverpool Harbor, to the Bridge crossing the Main Road leading to the Fall's, near
More's

More's Tan-yard ; thence South-west one mile, thence South-east one mile, thence North-east until it strikes the Harbour of Liverpool, and thence by the said Harbour to Fort Point aforesaid.

FOR THE TOWN OF LUNENBURG.

To, for, and within, such parts of the said Town of Lunenburg as extend Eastward to the South-west angle of the Garden Lots nearest to the Town of Lunenburg, West to the Road leading to Burns' Tanyard, and North to the Bridge in the rear of the Town. Town of Lunenburg

FOR THE TOWN OF PICTOU.

On the West by the West side of the Town Gut, so called, on the East by the West side line of the Farm lately occupied by the late David Lowden, on the South by the waters of the Harbor of Pictou, and on the North to the rear line of the original Lots laid out and fronting on said Harbor. Town of Pictou.

FOR THE TOWNSHIP OF NEW GLASGOW.

To such parts of the said Town as is or may be comprehended within the several limits and bounds following, that is to say : To be bounded on the South by a line running on the South line of the property of the Widow of Alexander Fraser, deceased, and extending Eastwardly and Westwardly to the East and West lines and boundaries hereinafter mentioned ; to be bounded on the North by a line running on the North line of the property of John Rose, and extending Eastwardly and Westwardly, as aforesaid ; to be bounded on the East by a line running on the front line of Edward Graham's house, and extending Northwardly and Southwardly to the North and South lines hereinbefore mentioned, in a parallel course with the River ; and to be bounded on the West by the Road leading from the Albion Mines to the Point. Township of New Glasgow.

FOR BRIDGETOWN.

To and within the bounds and limits following, that is to say : Beginning at the Western boundary line of the late William Ruffee, one half a mile to the Northward of the Granville Main Road as now situate, thence Westwardly until it meets the Eastern boundary line of the late Henry Troop, thence Southwardly until it meets the Annapolis River, thence by the course of said River to the said Western line of said William Ruffee, thence Northwardly the course of said line to the bound first mentioned. Bridgetown.

FOR DIGBY.

To and within the bounds following, that is to say : To all the Roads and Streets in the said Township of Digby which are or may be comprehended within a circuit of Two miles, extending from the Court House in the said Township in every direction. Digby.

FOR DARTMOUTH.

To and within the bounds and limits following, that is to say : To the distance or space of One mile, measured in a Southwardly, Eastwardly, and Northwardly direction, from the Public Landing or Steamboat Company Wharf in the said Town. Dartmouth.

FOR THE VILLAGE OF ANTIGONISHE.

To all the Roads within the Township of Dorchester in the County of Sydney, which are or may be comprehended within the lines or bounds of Lots Numbers Four and Five, in Block Number Thirteen, and within the lines and bounds of Blocks Numbers Fourteen, Fifteen, Sixteen, Seventeen, Eighteen, Twenty-nine, Thirty, and Thirty-one, of the Hierlihy or Soldier's Grant, so called, in the said Township of Dorchester. Village of Antigonishe.

FOR

FOR CHESTER.

Chester.

To in and over all the Roads and Streets within that part of the said Township called the Town Plot of Chester.

FOR THE TOWN OF ARICHAT.

Town of Arichat.

To and within the limits following, that is to say : To be bounded on the West by Ballam's Hill, so called, at the West end of said Town, on the South by the Harbor, on the East by the head or extreme end of the Creek, at the East end of the Harbor, and on the North by a line parallel with, and in the rear of, the Main Upper Street, so called, and distant a quarter of a mile therefrom.

FOR THE TOWN OF PORT MEDWAY.

Town of Port Medway.

To the bounds and limits following, that is to say : From the Western Head to South-west Cove, and extending back from the River One mile.

FOR THE VILLAGE OF MAITLAND.

Village of Maitland.

To the bounds and limits following, that is to say : From Richard Anthony's East line to the Five Mile River, and along the Kennetcook Road to Rocky Brook.

FOR GUYSBOROUGH.

Guysborough.

To and within the bounds and limits following, that is to say : To all the Roads, Streets, Lanes, and Alleys, which are opened, laid off, and pass through, or cross and intersect the several Town and Water Lots, laid off as and for the Town Plot of Guysborough.

To extend to the City of Halifax.

III. *And be it enacted*, That this Act, and every matter and thing herein contained, shall extend to the City of Halifax ; and the Commissioners of Streets now appointed, or hereafter to be appointed, for the said City, according to law, shall have, exercise, and enjoy, all the powers and authorities now exercised by, or vested in, the Commissioners of Streets, by virtue of this Act, or which may hereafter be by law conferred.

Road Labor to be performed by persons resident in Halifax—Penalty for nonperformance, &c. &c.

IV. *And be it enacted*, That every person within the City of Halifax, keeping any Cart, Team, or Truck, shall send on every day appointed by the Commissioners, one Cart, Team, or Truck, with two Oxen, or two Horses, or with one Horse, in case he owns no more, and one able bodied Man to drive the same, for Four days in every year, to work on the Highways, Roads, Streets, or Bridges, allowing Eight hours to each day's work ; and such person not attending, or neglecting to perform the said duty, shall forfeit for every day's neglect, if owning two or more Horses, Ten Shillings ; if owning only one Horse, Seven Shillings ; and that every other Householder, or other person, able of body, between the ages of sixteen and sixty, not being a military person, or holding a Commission from Her Majesty in the civil or military departments of the Army, or an hired Servant, Minor, Apprentice, Journeyman, or day Labourer, shall, on every day appointed as aforesaid, either by himself or other sufficient person to be hired by him, and provided with such necessary implements as shall be directed by the Commissioners of Streets within the said City of Halifax, work, and continue so to do, for the space of Six days in every year, on the said Highways, Roads, Streets, and Bridges, within the said City ; and every hired Servant, Minor, Apprentice, Journeyman, and day Laborer, shall, on every day appointed as aforesaid, either by himself or other sufficient person, and provided with necessary implements as aforesaid, work, and continue so to do, for the space of Two days, on the said Highways, Roads, Streets, or Bridges, within the said City ; and such Householder, hired Servant, Minor, Apprentice, day Laborer, or other person not attending, or neglecting to perform the said labor, shall forfeit Three Shillings for every day's neglect.

Owners of Carts &c. exempt from labor to send Horses, Carts, &c.

V. *And be it enacted*, That all persons within the said City of Halifax keeping Carts, Teams, or Trucks, who being sixty years old or upwards, are exempt from laboring

laboring on the said Highways or Roads; shall, nevertheless, when summoned so to do, send their Carts, Teams, or Trucks, for Four days, to assist in making and repairing the same.

VI. *And be it enacted,* That it shall and may be lawful for the said Commissioners within the said City of Halifax, to order and direct the inhabitants, as often as they shall deem necessary during the winter, to work on the said Highways and Streets, with their Horses, Oxen, and Sleds, in order that the Roads and Streets may be rendered passable; and every inhabitant refusing or neglecting to obey such order, shall forfeit for each refusal or neglect the sum of Ten Shillings: *Provided always, nevertheless,* that no inhabitant shall be compelled to furnish more than one day's labour of himself or cattle for every one fall of snow, or to work in any case where the fall or drift of snow shall not exceed the depth of twelve inches.

Inhabitants to work on Streets during winter.

Penalty.

Proviso.

VII. *And be it enacted,* That when the said Commissioners of Streets for the said City of Halifax shall judge the labor of men to be more useful or necessary than the employment of Carts, Teams, or Trucks, then, and in every such case, the persons who by this Act are required to furnish Carts, Teams, or Trucks, shall, instead thereof, be, and they are hereby required, under the like penalties, to send Two men provided with the necessary implements as aforesaid, to labor during the time appointed as aforesaid.

Comms. may require owners of Carts to send Men instead.

VIII. *And be it enacted,* That every person resident in the said City of Halifax, and keeping Carts or Trucks, with more than Two Horses, shall, besides the performance of Highway labor with a Cart or Truck, Horse or Horses, and man to attend the same, during Four days as hereinbefore provided, be subject and liable to pay for the additional Horses so kept, above the number of Two, the following sums, that is to say: for a Third Horse, Seven Shillings; and for a Fourth and every other Horse, Five Shillings each.

Tax on Cart or Truck Horses above two.

IX. *And be it enacted,* That every person, resident as aforesaid, who may keep Horses not employed with Trucks or Carts, or for which he may not be subject to the labor or payments hereinbefore provided, shall pay for such Horses annually, as follows: for One Horse, Seven Shillings; for each additional Horse, Five Shillings.

On other Horses.

X. *And be it enacted,* That each of the places aforesaid for which Commissioners now are or shall hereafter be appointed, shall be by them divided into such and so many wards and divisions as they shall judge convenient; and such ward and division as each Commissioner can respectively superintend, shall be assigned to him, and they shall appoint a Clerk and a Receiver of Monies for their respective jurisdictions.

Comms. to divide Districts and appoint Clerk and Receivers.

XI. *And be it enacted,* That in every Town or place, subject respectively to the jurisdiction of the Commissioners of Highways appointed, or to be appointed, by virtue of this Act, it shall be the duty of such Commissioners, respectively, and they are hereby respectively required and authorized to remove all obstructions and encumbrances from time to time, being in or upon the Streets, Roads, or Highways within their respective limits, and to prevent all encroachments in or upon such Streets, Roads, or Highways, and to manage, direct, and execute, all repairs, alterations, and improvements required thereupon, and to make and open new Streets or Highways where the same shall be authorized to be made, and to make and repair all Bridges now or hereafter to be erected, and to enforce, and cause to be observed, all the regulations and provisions by Law in force touching such Bridges or Highways, or the work or labor to be performed thereon, and especially to ask, require, call out, levy, and receive, of and from the several persons inhabiting within their respective limits or jurisdiction, and liable to perform Highway labor, all such sums of money services, Highway work, and labor, and penalties, or compositions therefor, as are hereinafter provided; or shall be hereafter due, payable, or to be performed by any such Inhabitants; and further, to prosecute for all offences committed against the provisions of this or any other Act relating to Highways; and moreover, in the

Duties of Comms.

name of the said Commissioners respectively, to bring any action against any person holding or receiving monies appropriated to the repair of Streets, Roads, or Highways, or refusing or neglecting to pay or satisfy any fine or penalty appropriated thereto, or his proportion of any rate or assessment of monies for Highway work, or commutation or compensation therefor, or refusing or neglecting to perform his proportion of Highway labor.

Prosecution of Suits.

XII. *And be it enacted*, That in every suit to be prosecuted, as aforesaid, the Commissioners prosecuting the same, shall have the like process and remedy for the penalty or sum sought to be recovered, as if the amount thereof were a private debt contracted with them, respectively, and such suit shall be heard and determined in the Courts, or before the Justices possessing jurisdiction over suits for debts to the like amount.

Accounts to be kept by Commrs.

XIII. *And be it enacted*, That all Commissioners of Streets now appointed, or hereafter to be appointed in this Province, (except in and for the City of Halifax,) shall respectively keep a regular and exact account of all monies received by them, and of all services performed under their direction, as such Commissioners of Streets within their respective jurisdictions, and shall, on or before the first day of the next General Sessions of the Peace for the County or District, which shall happen first after the day by law limited for the performance of statute labor within such County or District, in each and every year, make and render under their hands, or the hands of the major part of them, to the Clerk of the Peace for the County or District, to be by him laid before the Court of General Sessions of the Peace, a general, regular, and fair account, in writing, of all Monies received and paid by them, in the execution of their duties as such Commissioners of Streets for the past year; to the end, that the said accounts may be audited and passed, by the said Court of Sessions.

Commrs. to repair, alter, &c., Streets and Lanes.

XIV. *And be it enacted*, That the said Commissioners, or the major part of them, shall and may, from time to time, order and direct the Streets and Lanes, or any of them, within their respective wards or divisions, to be cleaned, repaired, raised, sunk, altered, or paved, as they may think best, and also cause to be dug, gathered, and carried out of, or brought into, the said Streets, Lanes, and Roads, such Gravel, Stones, Earth, or other materials, from the Shores of the Harbors within their respective jurisdictions: *Provided* the same be done with as little injury as possible to the proprietors of the soil; and shall and may also employ Boatmen, Carts, and Laborers, and pay and satisfy them for their services, as they shall judge necessary, and conducive to the accomplishing the ends and designs of this Act; and also make contracts with any fit persons for the repairing and paving the Streets, Highways, and Lanes, within their respective jurisdictions, or any part thereof, on the best terms that can be procured for the public, and shall and may, if they think proper, bargain or compound with any of the Inhabitants by the year, for such sum of money as the said Commissioners may think reasonable for the share or proportion of Highway Labor, or payments required by law from such inhabitants, for and towards the repairing, paving, or keeping in repair the said Streets or Highways, provided such composition money be paid in advance; and shall also have power and authority to put up bars or fences, to shut up any Streets or Highways while the same are undergoing repairs by paving or otherwise.

Proviso.

Make Contract for repairs, compound for labor, &c.

Alter Drain Sewers, &c.

XV. *And be it enacted*, That the said Commissioners, respectively, shall have power to raise, sink, alter, or new lay, any Drains, Water Courses, Pipes, or common Sewers, as often, and in such places, as they may think proper: *Provided* the same be done with as little detriment and inconvenience to the neighbors and others as the case will admit of, and the said Commissioners may cause the course or direction of any Gutter, Water Course or Channel, running in or through the said Streets or Highways to be turned or altered as they think proper.

XVI. *And be it enacted*, That every person within the Towns or Villages of Annapolis,

Annapolis Royal, Windsor, Liverpool, Lunenburg, Pictou, New-Glasgow, Bridgetown, Digby, Dartmouth, Antigonishe, Chester, Arichat, Port Medway, Maitland, and Guysborough, shall be obliged to keep the Gutters and Streets before the Houses, Buildings, or Land inhabited or occupied by him, clear and free from dirt, filth, and nuisances of every kind, and that whenever any earth, ashes, manure, stones, bricks, shavings, chips, dirt, filth, offal, or any other thing, shall be found lying, thrown, or placed in any of the said Streets, Lanes, or Highways, the person or persons before or nearest whose House, Building, or Land, the same shall be, shall forfeit and pay a fine of Twenty Shillings, together with the expense incurred by the said Commissioners in removing the same; and the said Commissioners, or any one of them, are hereby authorized to cause such earth, ashes, manure, stones, shavings, rubbish, dirt, filth, or offal, to be instantly removed without giving any notice to the owner, or supposed owner thereof, or being at all answerable for the same: *Provided always*, that no person shall be liable to the said penalty unless he shall have thrown or placed the said nuisance in the said Street, Lane, or Highway, where the same shall be found, or not having thrown or placed the same in the said Street, Lane, or Highway, shall suffer the same to continue for the space of twenty-four hours.

Inhabitants to keep Gutters & Streets free from nuisances.

Penalty.

Proviso.

XVII. *Provided always, and be it enacted*, That any person, by leave of the said Commissioners, may place or deposit in any such Street, Lane, or Highway, stones, bricks, timber, or other materials, for the purpose of building Houses or other work, and may set up or erect posts, bars, or enclosures for the better securing such materials, and continue the same for such time only as the Commissioners, or the major part of them may give leave, and in manner and form as they shall, in writing, direct, and no longer, on pain of forfeiture thereof.

Proviso as to building materials.

XVIII. *And be it enacted*, That it shall and may be lawful for the said Commissioners, or the major part thereof, to cause any wells to be dug or sunk, and pumps to be therein placed in any part of the Streets and Lanes where they shall judge necessary and most convenient for the same to be placed and constructed, in such manner as the said Commissioners may direct.

Comms to sink Wells where necessary.

XIX. *And be it enacted*, That the said Commissioners shall cause all sign-posts, show-glasses, show-boards, porches, steps, fences, cellar-doors, and all and every other material, matter, or thing belonging to any House, Warehouse, Shop, Cellar, or Building, or to any lot of ground or enclosure, which cause or occasion any nuisance, annoyance, encroachment, or obstruction, in any of the Streets, Lanes, or Highways, within the respective jurisdictions of the said Commissioners, to be wholly removed or otherwise to be placed or altered in such manner or form as shall be approved by them, or the Surveyor employed by them, and in case it can be done without any particular inconvenience to the public, shall and may permit and suffer the same to remain: *Provided* the owners or proprietors thereof, or any of them, will give security that the same shall not be repaired or again rebuilt, and also to pay and satisfy to the said Commissioners, or the major part of them, a reasonable yearly Ground Rent for the part of the Street so encroached on, to the satisfaction of the said Commissioners during the continuance of such encroachment.

To cause the removal of Porches, Fences, &c., obstructing Streets.

Proviso.

XX. *And be it enacted*, That every person intending to erect any building upon or close to the line of any Street or Highway within the jurisdiction of such Commissioners respectively, shall, before digging a foundation, or beginning to erect such building, make application to the said Commissioners to cause the line of such Street or Highway to be defined and laid out, and shall dig such foundation and erect such building within the said line, so as to avoid making any encroachment upon such Street or Highway, and if it shall be necessary to employ a surveyor on such occasion, the expense of such surveyor shall be defrayed by the person intending to build, as aforesaid, and if any person shall erect any building upon the line

Persons building to apply to have Street line defined

of any such Street or Highway, without making application, and having the line thereof ascertained as aforesaid, he shall forfeit and pay the sum of Ten Pounds, to be recovered and applied for the purposes of this Act, and shall also remove such building if it shall be found to have encroached upon any such Street or Highway, or otherwise the said Commissioners shall and may proceed to remove the same, or take such other steps as are allowed by law in cases of common nuisances.

XXI. *And be it enacted,* That when and so often as the Commissioners shall have proceeded, as directed by this Act, to ascertain the line of any Street, Lane, or Highway, for any person about to erect any building thereon, and the person about to build shall be dissatisfied with the line pointed out by the said Commissioners, it shall and may be lawful for any Judge of the Supreme Court in Term time, or during vacation, upon the application of the Commissioners, or the person so dissatisfied, to issue a precept to the Sheriff of the County, or his Deputy, to summon a Jury of twelve Freeholders, nowise interested in establishing or altering the line of said Street, to meet at some convenient day therein mentioned, to view and lay out the line of said Street, Lane, or Highway, who shall have an oath administered to them by the Sheriff, well and truly to lay out and fix the line of such Street, Lane, or Highway, according to the best of their skill and judgment, and the witnesses, if any shall be offered by either party, shall be sworn by the Sheriff, or his Deputy, and if the Jurors, or either of the parties, shall require it, a new survey shall be made of the line of such Street, Lane, or Highway, which, being done, the Sheriff, or his Deputy, shall make a return forthwith, under the hands of himself and the Jurors, to the Judge, who, having approved and confirmed the same, shall direct the said return to be filed in the office of the Prothonotary of the Supreme Court, and an exemplification thereof to be deposited in the office of the Surveyor General: *Provided always,* that if the said Judge shall not approve and confirm the said return, a new precept may be issued for the purposes aforesaid, and the said Judge shall direct by whom the costs and expenses of the said proceedings shall be paid, which said costs and expenses shall be taxed, and shall, in no case, exceed Ten Pounds.

XXII. *And be it enacted,* That no person shall be at liberty to dig up or break open the soil of any Street or Highway within the jurisdiction of the said Commissioners, respectively, without first applying to them and obtaining their permission in writing, specifying the purpose for which such breaking of the soil is required; and the said Commissioners may impose such terms upon the person applying as the security of Passengers, by day or night, shall appear to them to require; and any person acting contrary hereto, or to the terms imposed by the said Commissioners, shall forfeit and pay Five Pounds for every such offence.

XXIII. *And be it enacted,* That every person who shall drive any Cart, Truck, or Carriage, or ride with a Horse upon or over any side path or way, or roll heavy articles of any description over, or place the same thereupon, to the injury or obstruction of such side paths or ways, such person so offending shall, for every such offence, forfeit and pay a fine not exceeding Forty Shillings, and not less than Five Shillings—to be recovered, with costs, in the manner and to be applied as aforesaid.

XXIV. *And be it enacted,* That in addition to the rates, duties, and services, by Law imposed for the making and repairing of Streets and Highways within the jurisdiction aforesaid, it shall and may be lawful for the Treasurer of each County for the time being, in which the said Commissioners have jurisdiction, and he is hereby required to pay to the said Commissioners, respectively, out of the County Treasury, quarterly, three fifth parts of the monies arising from the duties from time to time collected on Licensed Houses and Shops, within the respective jurisdictions aforesaid, to be applied by the said Commissioners for the purposes of this Act, and within their jurisdiction.

XXV. *And be it enacted,* That no Action or Suit shall be brought or commenced

against

Proceedings on application of persons dissatisfied with decision of Commrs.

Proviso.

Street not to be dug without permission of Commrs.

Penalty.

Penalty for driving or riding on or obstructing side-paths.

against any person for any thing done in pursuance of this Act, until Twenty days' notice thereof shall be given in writing to one or more of the said Commissioners, or after Six calendar months next after the fact committed for which such Action or Suit shall be brought; and every such Action shall be brought, laid, and tried, in the County within which the Commissioners have jurisdiction, and not elsewhere; and the Defendant in such Suit or Action may tender amends or plead the general issue, and give this Act and the special matter in evidence at any Trial to be held thereupon; and if the matter or thing shall appear to have been done in pursuance of this Act, or if it shall appear that the said Action or Suit was brought before the Twenty days' notice thereof given as aforesaid, or that sufficient amends were tendered, or if the Action or Suit shall not be commenced within the time herein limited, or within the County aforesaid, then the Jury shall find for the Defendant; and if a verdict shall be given for the Defendant, or if the Plaintiff in such Action shall become non-suit, or suffer a discontinuance thereof, or if upon any demurrer in such Action, Judgment shall be given for the Defendant, then, and in either of the cases aforesaid, such Defendant shall recover treble costs, and have Judgment therefor accordingly.

Notice to be given to Comms. before commencement of Action—to be commenced within 6 months, &c.

XXVI. *And be it enacted,* That all Logs, Spars, Bark, Scantling, Boards, Planks, Slabs, Cordwood, Hoop poles, Staves, Laths, Fencing materials, Stones and Timber of any kind, which shall be found in the ditches or track of the Road from Halifax to Sackville, between the Three Mile House Bridge and the Sackville Bridge, shall be forfeited; and it shall and may be lawful for the Commissioners of Streets for the City of Halifax, or any of them, without any suit or process of Law whatsoever, to cause all articles so found to be instantly seized and disposed of in such way as they shall think proper; and if the same shall be sold, the proceeds of such sale shall be applied by the said Commissioners for the repair and improvement of the said Road.

Logs, Spars, &c., on road from Halifax to Sackville forfeited.

XXVII. *And be it enacted,* That the Bridge at Bridgetown shall continue under the direction and control of the Commissioners of Highways for Bridgetown, whose duty it shall be to see to the proper keeping, repair, and condition, of the same; and they are hereby empowered and directed to take such measures for preventing injury to the said Bridge, and for bringing to punishment any person who shall be guilty of wilfully injuring the same, as to such Commissioners may appear proper and expedient.

Bridge at Bridgetown to be under control of Comrs.

XXVIII. *And be it enacted,* That the said Commissioners shall, within their respective jurisdictions, have and exercise all powers and authorities which are now or hereafter may be vested in any Surveyor of Highways, and that no Surveyor of Highways, shall have or exercise any power or authority whatever within the respective places or jurisdictions aforesaid, but the same shall be wholly suspended during the operation of this Act.

Powers of Comrs.

XXIX. *And be it enacted,* That the Act passed in the Forty-first Year of the Reign of His late Majesty King George the Third, entitled, "An Act for the repairing, keeping in repair, cleaning, and paving of the Streets in the Town and Peninsula of Halifax, and for removing obstructions therein, and also to suspend the power and authority vested in the Surveyors of Highways within the Town and Peninsula of Halifax, after the First day of August next, during the operation of this Act," and all Acts since passed in addition to, or alteration or amendment thereof, or to extend the same to any other Town or Village, and every matter, clause, and thing, in the said Acts respectively contained shall be, and the same are hereby repealed, except as to any action or proceeding heretofore commenced or had thereunder, or as to any action or right of action or proceeding to which any person may be entitled under and by virtue thereof.

Act 41, Geo. 3, repealed.

CAP. XLVII.

An Act to shut up a certain Line of Road in the Township of Pictou.

(Passed the 17th day of March, 1847.)

Preamble.

WHEREAS upon the application of certain Freeholders, residing at the Six and Eight Mile Brooks, respectively, so called, in the Township of Pictou, a Committee was by the Court of General Sessions of the Peace for the County of Pictou, appointed to enquire into the necessity and propriety of keeping open both Lines of Road at present connecting the two Settlements, or commenced with that view, which Committee reported that two Roads were altogether unnecessary and uncalled for, and were injurious to the proprietors of the soil, the interests of the Settlements, and of the public at large, inasmuch as the completion of both would involve a large expenditure of public money and statute labour, without any corresponding benefit; and further, that the South branch of such Road was, in their opinion, a very beneficial Road, for various reasons in such report stated, whereas the North branch must terminate not far from Kenneth Munro's, and could not be connected with any other Road or Settlement that might be generally useful, by reason of being intercepted by large mountains and ravines; and they therefore recommended that such last mentioned branch should be shut up—which report has been confirmed by the Court of General Sessions aforesaid, and it is therefore expedient that the recommendation therein contained should be carried out:

Road from Six to Eight Mile Brook to be shut up.

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That all that part of the new Road leading from the Six Mile Brook to the Eight Mile Brook aforesaid, known or designated as the North branch as aforesaid, shall and may be shut up, and the public excluded from the use thereof, and the ownership and legal estate of and in the soil thereof shall be re-vested in the persons respectively to whom the same belonged at the opening of such Road, and their respective heirs, executors, administrators, and assigns, and shall be held and enjoyed by them respectively, in as full and ample a manner as if such Road had never been opened.

CAP. XLVIII.

An Act relating to the Crown Land Department of this Province.

(Passed the 30th day of March, 1847.)

Offices of Sur. Gen. and Comr. of Crown Lands for Nova Scotia and Cape Breton to be held by same person.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That when and so soon as this Act shall come into operation, the respective Offices of Surveyor General and Commissioner of Crown Lands for the Island of Cape Breton shall cease and determine; and thereafter the Offices of Surveyor General and Commissioner of Crown Lands for the whole Province of Nova Scotia, including the said Island of Cape Breton, shall be united in, and held by, one and the same person; and the present Surveyor General and Commissioner of Crown Lands for Nova Scotia proper, shall be, during pleasure, such Surveyor General and Commissioner of Crown Lands for the whole Province, and shall receive, and be paid, for the period of Five years, next ensuing the commencement hereof, or for such part of that time as he shall hold the said Office, an annual salary of Four Hundred and Eighty Pounds Sterling, to be, in the first place, chargeable upon and paid out of the proceeds of the sales of the Crown Lands in every year; and in case of any deficiency of such proceeds to meet the various charges thereon, in any one year, then the balance of such annual salary shall be paid out of the Treasury, by Warrant, drawn in the usual manner.

Annual salary.

II. *And be it enacted*, That in case, during the said term of five years, a vacancy shall occur in the said Office, the person appointed to supply such vacancy shall, during the remainder of such period of five years, be entitled to receive and be paid the annual salary of Four Hundred Pounds Sterling, to be chargeable upon the same Funds, and paid in the same manner, in all respects, as hereinbefore provided, with regard to the payment of the salary of his predecessor.

Salary of Successor.

III. *And be it enacted*, That the allowance for Clerks and Contingencies in the said Office of Surveyor General and Commissioner of Crown Lands, as hereby established, shall, for the said period of five years, be Two Hundred Pounds Sterling, *per annum*, to be chargeable upon the same Funds, and paid in the same manner, in all respects, as hereinbefore provided, with regard to the salary of such Surveyor General and Commissioner of Crown Lands.

Allowance for Clerks and contingencies.

IV. *And be it enacted*, That it shall be lawful for such Surveyor General and Commissioner of Crown Lands, to appoint some competent person to take charge of the Plans, Papers, and Records, in the respective Offices of the Surveyor General, and Commissioner of Crown Lands, in Cape Breton, hereby abolished, for and during the period of two years, next following the commencement hereof, and whose duty it shall be to attend to the various subordinate services theretofore performed in the said Offices respectively, under and subject, in all respects, to the control of the said Surveyor General and Commissioner of Crown Lands, as hereby established; and such person, so appointed, shall receive an annual salary of Eighty Pounds Sterling, to be chargeable upon the same Funds, and paid in the same manner, in all respects, as hereinbefore provided, with regard to other salaries and allowances.

Surv. Gen. to appoint a person to take charge of Plans, Records, &c, in Cape Breton.

V. *And be it enacted*, That during his lifetime, there shall be paid to Thomas Crawley, Esquire, the present Surveyor General of Cape Breton, a retiring allowance of One Hundred Pounds Sterling, *per annum*, without any abatement or deduction on the acceptance of any other Office, which annual allowance shall, in the first place, be chargeable upon and paid out of the Casual and Territorial Revenues of this Province, in every year; and in case of any deficiency, the same shall be paid, by Warrant on the Treasury, in the usual manner.

Salary.

Retiring allowance to Thos. Crawley, Esq.

VI. *And be it enacted*, That during his lifetime, there shall be paid to Henry W. Crawley, Esquire, the present Commissioner of Crown Lands for the Island of Cape Breton, a retiring allowance of Two Hundred and Forty Pounds Sterling, *per annum*, to be chargeable upon and paid out of the same Funds, and in the same manner, in all respects, as the salary of the said Surveyor General and Commissioner of Crown Lands, as hereby established, and hereinbefore provided for,—such annual allowance to cease and determine, however, upon the acceptance, by such Officer, of any Office under the Government of equal or greater emolument than the amount of such retiring allowance.

To Henry W. Crawley, Esq.

VII. *And be it enacted*, That nothing in this Act contained, shall be of any force or effect until Her Majesty's Assent shall be given hereto, and signified by publication thereof in the Royal Gazette, at Halifax, from which time this Act shall come into and be in operation.

Act reserved for Her Majesty's assent.

CAP. XLIX.

An Act in relation to the New Road from Malignant Cove to Antigonish.

(Passed the 17th day of March, 1847.)

WHEREAS, in consequence of the provisions of the Law not having been properly carried out, certain Proprietors of Lands taken for the New Line of Road from Malignant Cove, Gulf Shore, to Antigonish, in the County of Sydney, have

Preamble.

have received no compensation therefor, and it is proper that such compensation should no longer be withheld :

Comr to be appointed to assess damages sustained by Proprietors of Land.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That it shall be lawful for the Governor, with the advice of the Executive Council, to appoint a fit and proper person to be a Commissioner for the purposes of this Act, and such Commissioner shall be, and he is hereby invested with all the powers and authorities conferred upon any Commissioner of Roads by the Act passed in the Eighth year of the Reign of His late Majesty King George the Fourth, entitled, An Act in addition to, and amendment of, the Act relating to Highways, Roads, and Bridges, in relation to the appraisement of Damages sustained by any of the proprietors of Land taken for such Line of New Road aforesaid, who may not have received compensation therefor ; and the said Commissioner shall take all steps in relation to such appraisement by the said Act required, in the same manner, in every respect, as if such appraisement were to be made by the Commissioner appointed to lay out and open such Line of Road in conformity with the said Act, and any appraisement made hereunder shall be acted upon, and the further proceedings in relation thereto had in the same manner as any appraisement made under such Act would be acted upon and proceeded in.

CAP. L.

An Act to provide for the partition of certain Lands in the Township of Barrington.

(Passed the 17th day of March, 1847.)

Preamble.

WHEREAS, by a Grant under the Great Seal of this Province, bearing date in or about the month of November, in the year of our Lord One Thousand Seven Hundred and Sixty-seven, there was granted unto the several persons hereinafter named, a certain Tract of Land, situate in the Township of Barrington, in the County of Shelburne, described as follows, that is to say : Beginning at the First Fall on Cape Negro River ; thence to run North thirty degrees fifteen minutes West, one mile on New Jerusalem ; thence South fifty-six degrees, West fifteen miles, or until it meets the Sea Shore ; thence to be bounded by the Sea Shore to Cape Negro ; thence to be bounded by Cape Negro Harbour and River to the bounds first mentioned, comprehending the Island of Cape Sable, and all other Islands lying West or South of the said limits, within one league of the Shore, containing, with allowance for Roads and sunken Lands, fifty-one thousand two hundred and fifty Acres, in the shares or proportions following, that is to say : To Jonathan Worth, Chapman Swain, Elisha Hopkins, John Coffin, Elisha Swain, Jonathan Crowell, Barnabas Baker, Archelus Smith, Zaccheus Gardner, Heman Kenny, Simeon Crowell, Joshua Atwood, Simeon Gardner, Jonathan Pinkham, Benjamin Folzer, Theodore Harding, Elisha Coffin, Peleg Bunker, Joseph Worth, Solomon Gardner, Nathan Snow, Thomas Crowell, Jonathan Clerk, Eldad Nickerson, Samuel Wood, Solomon Smith, Judah Crowell, Isaac King, Edmund Doane, John Clements, and Lemuel Crosby, each one share and a half share ; to Shubel Folzer, Nathaniel Smith, Nathaniel Smith, junior, Richard Nickerson, Joseph Swain, Solomon Smith, John Davis, Enoch Berry, Simeon Bunker, Isaac Aunible, Thomas Doane, John Porter, Reuben Cohoon, Daniel Kendrick, Zaccheus Gardner, Daniel Hibbert, Solomon Kendrick, Richard Worth, Nathan Kenney, Thomas Crowell, Samuel Hamilton, Jabez Walker, Henry Wilson, David Smith, Elkanah Smith, Ansan Kendrick, Peleg Coffin, James Bunker, Samuel Osborne, Prince Freeman, Thomas West, William Laskey, Robert Laskey,

Laskey, Joshua Snow, Prince Nickerson, Jonathan Crowell, junior, David Crowell, Joshua Nickerson, Judah Crowell, junior, Thomas Smith, Joseph Atwood, Stephen Nickerson, Jonathan Smith, Thomas Pinkham, Benjamin Gardner, George Fish, Edmund Clark, Philip Brown, Jonathan Clark, and Samuel Knowles, each one share; and one share each for the School, for the Glebe for the first Minister, and for a Dissenting Minister; and to John Swain, Zaccheus Brown, Timothy Bryant, and Henry Tracy, half a share each. *And whereas*, under and by virtue of such grant, certain portions of the Lands therein contained were divided and set apart amongst the several grantees therein named, and for the purposes therein mentioned, but a considerable portion of such Lands still remains undivided, and in common; and from the absence from the Province of the representatives of many of such grantees, and from the circumstance of others of such representatives being minors, and from other causes, a partition of such undivided Lands cannot be had in the ordinary Legal Tribunals, and it is desirable that a division thereof among the parties legally interested therein should be made in accordance with the rights of such parties respectively:

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That John Lyle the elder, John Homer, and George Wilson, all of the Township of Barrington aforesaid, shall be and they are hereby constituted Commissioners for making partition of the said undivided Lands—which Commissioners, before entering upon the discharge of their duties, shall be respectively sworn before some Justice of the Peace for the County of Shelburne faithfully and without partiality to perform the same.

Appointment of
Commrs. for par-
tition of Lands.

II. *And be it enacted*, That so soon as may be after such Commissioners are sworn, they shall enter upon the duties of their office, and shall proceed according to the best of their skill and ability to lay off and divide the whole of the said Lands so lying undivided, and in common as aforesaid, into such and so many lots, consisting respectively of shares and a half, shares, and half shares, as there may be persons to whom, and uses for which, such grant was made therein mentioned and expressed, and in the proportion in which such shares and a half, shares, and half shares therein, bear to each other—which said lots shall be by the said Commissioners laid off by metes and bounds, and shall be in proportion to the sizethereof, whether as such shares and a half, shares, or half shares, as aforesaid, of as nearly equal extent and similar shape as the situation, quality, and description of such lands will admit, and when so laid off, such lots shall be plotted down on a plan to be made thereof, and shall be designated with, and by numbers respectively, from number one to number eighty-nine inclusive.

Duties of Commrs.

III. *And be it enacted*, That when and so soon as such lands shall be divided into such lots, and a plan made of such division, and the lots thereon designated, as aforesaid, the said Commissioners shall proceed to assign and apportion, in such manner as may appear to them just and proper, the several lots so laid off, as aforesaid, to and among the several persons interested therein, and for the uses in such Grant expressed, respectively, according to their proportionable rights and interests under the said Grant, whether as holders of shares and a half, shares, or half shares, respectively, as herein mentioned and directed.

Allotment of Lands.

IV. *And be it enacted*, That the said Commissioners, by an award in writing, to be annexed to the plan of such Lands hereinbefore directed to be made, signed by such Commissioners, or any two of them, in the presence of two witnesses, shall designate and specify the Lots so assigned and apportioned, in the form, as near as may be, as follows, that is to say:

Form of Commrs. -
Award.

We, the Commissioners, (or if two only shall sign the same award), We,
and two of the Commissioners appointed under
the Act passed in the Tenth year of the Reign of Her Majesty Queen Victoria,
entitled, "An Act to provide for the partition of certain Lands in the Township of

Barrington," to divide such Lands, do hereby assign and apportion the said Lands to and among the several persons interested therein, and for the uses in the Grant thereof contained, agreeably to the provisions of such Act, in manner and form following, that is to say:

To or for Jonathan Worth, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Chapman Swain, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Elisha Hopkins, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for John Coffin, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Elisha Swain, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Jonathan Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Barnabas Baker, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Archelaus Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Zaccheus Gardner, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Heman Kenny, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Simeon Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Joshua Atwood, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Simeon Gardner, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Jonathan Pinkham, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Benjamin Folger, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Theodore Harding, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Elisha Coffin, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Peleg Bunker, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Joseph Worth, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Solomon Gardner, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Nathan Snow, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Thomas Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Jonathan Clerk, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Eldad Nickerson, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Samuel Wood, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Solomon Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Judah Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Isaac King, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Edmund Doane, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for John Clements, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Lemuel Crosby, or the person or persons now representing him, or the legal owner or owners respectively, of the share and a half granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Shubal Folzer, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Nathaniel Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Nathaniel Smith, Junior, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To

To or for Richard Nickerson, or the person or persons now representing him; or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Joseph Swain, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Solomon Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for John Davis, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed plan.

To or for Enoch Berry, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Simeon Bunker, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Isaac Annible, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Thomas Doane, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for John Porter, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Reuben Cohoon, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Daniel Kendrick, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Zaccheus Gardner, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Daniel Hibbert, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Solomon Kendrick, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Richard Worth, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number or the annexed Plan.

To or for Nathan Kenney, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Thomas Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Samuel Hamilton, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Jabez Walker, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Henry Wilson, or the person or persons now representing him or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for David Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Elkanah Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Ansan Kendrick, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Peleg Coffin, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for James Bunker, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Samuel Osborne, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Prince Freeman, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Thomas West, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for William Laskey, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands, marked Number on the annexed Plan.

To or for Robert Laskey, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Joshua Snow, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Prince Nickerson, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Jonathan Crowell, junior, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for David Crowell, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Joshua Nickerson, or the person or persons now representing, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Judah Crowell, junior, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Thomas Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Joseph Atwood, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Stephen Nickerson, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Jonathan Smith, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Thomas Pinkham, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for Benjamin Gardner, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

To or for George Fish, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Edmund Clark, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Philip Brown, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Jonathan Clark, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Samuel Knowles, or the person or persons now representing him, or the legal owner or owners respectively, of the share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for the uses and purposes to and for which the one share in the said Grant expressed to be made for the use of the School is legally applicable, or the legal owner or owners respectively, of such share, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for the uses and purposes to and for which the one share in the said Grant expressed to be made for the Glebe is legally applicable, or the legal owner or owners of such share respectively, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for the uses and purposes to and for which the one share in the said Grant expressed to be made for the First Minister is legally applicable, or the legal owner or owners of such share respectively, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for the uses and purposes to and for which the one share in the said Grant expressed to be made for a Dissenting Minister is legally applicable, or the legal owner or owners respectively, of such share, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for John Swain, or the person or persons now representing him, or the legal owner or owners respectively, of the half share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Zaccheus Brown, or the person or persons now representing him, or the legal owner or owners respectively, of the half share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Timothy Bryant, or the person or persons now representing him, or the legal owner or owners respectively, of the half share granted to him, the Lot of and in the said Lands marked Number on the annexed Plan.

To or for Henry Tracey, or the person or persons now representing him, or the legal owner or owners respectively, of the half share granted to him, the Lot of and in the said Lands marked number on the annexed Plan.

Which said Lots respectively, assigned and allotted as aforesaid, we do hereby award and direct shall be hereafter held in severalty by the person or persons, and to and for the uses and purposes respectively, to whom, or to which the same are hereby respectively assigned and allotted, agreeably to the provisions of the said Act.

Witness our hands this day of in the year of our Lord One Thousand Eight Hundred and Forty

Signed and published by the said and the said Commissioners, in presence of

V. *And be it enacted*, That when and so soon as such award and plan shall be made, signed, and attested, as hereinbefore directed, the same shall be registered at the office of the Registry of Deeds for the County of Shelburne, and in the same manner, upon the oath of one of the attesting witnesses, as any Deed or Conveyance is by law required to be registered, and when so registered, the original plan and award shall be filed in the office of the Prothonotary of the Supreme Court for the County of Shelburne, to be there kept and recorded as any writ of partition or proceeding had in partition would be filed and recorded: *Provided always*, that for the proof of such award and plan in any Court, the production of the original in any such Court, by the Prothonotary of the Supreme Court, or his Deputy, or by the officer in charge of the office of Prothonotary at Shelburne, with the certificate of registry thereon, shall, without proof thereof, by the subscribing witnesses, or either of them, always be sufficient; and in case of loss of such original, on proof of such loss duly made, an examined copy from the registry shall in such case be, and be held to be, sufficient evidence of the said award and plan.

Award and Plan to be registered at Registry of Deeds and Original filed at Pothys Office, Cy. of Shelburne.

Proviso.

VI. *And be it enacted*, That after such award so made with the plan annexed, and signed and registered as aforesaid, the several lots of the said lands shall be had and held by the several person or persons, or for the uses respectively, to or for whom, or which such Lots of the said Lands shall be assigned and apportioned by the respective numbers designated in such award, according to the several rights, estates, shares, and interests therein respectively, or the uses thereunder respectively, precisely as if the several Lots so to be assigned or apportioned, to or for the said respective original grantees, or their representatives, or for such uses, had been originally included in such grant, and been thereby granted separately and distinctly, to or for the said respective original grantees, or for the uses in such grant contained respectively.

After Award Lands to be held as apportioned.

VII. *And be it enacted*, That the said Commissioners, or any two of them, signing such award as aforesaid, shall make up an account of all charges and expenses by them in any way incurred in and about the performance of the duties of such their office, as aforesaid, including therein a fair and reasonable charge for their services as such Commissioners, and shall assess the amount thereof in due proportion on the several Lots in said award and Plan mentioned, according to the respective value of such Lots, and shall return such account and assessment to the next Court of General Sessions of the Peace, to be held in and for the said County of Shelburne, which said Court of General Sessions of the Peace shall confirm, alter, or amend, such account and assessment as may seem proper.

Commrs. expenses to be assessed on Lands.

VIII. *And be it enacted*, That copies of such assessment, so confirmed, altered,
or

Assessment to be published, and Lands sold if Assessment thereon not paid in 6 months.

or amended, shall be posted up, and kept and continued so posted up, in at least Ten of the most public places in the said Township of Barrington, for at least Six Months after the same shall have been finally agreed to by such Court of General Sessions of the Peace; and if, at the expiration of that period, the sum expressed in such assessment as assessed against any Lot therein designated, shall not be paid in to the Clerk of the Peace for the County of Shelburne, it shall and may be lawful for the said Commissioners to sell any such Lot upon which the assessment shall so remain unpaid, or such part thereof as may be necessary, for the purpose of liquidating such assessment, and the expenses attending such sale at Public Auction, having first given 'Twenty Days' notice thereof by advertisements posted up in at least Four of the most public places in the said Township of Barrington, and to execute a Deed or Deeds thereof respectively, to the purchaser or purchasers respectively, at any such sale, and every such Deed, so made, shall be sufficient in Law to convey to such purchaser or purchasers the Lands therein mentioned and described, and the purchase money shall, in all such cases, after first deducting thereout the expenses attending such sale and incurred in and about the same, be by such Commissioners paid over to the said Clerk of the Peace for the County of Shelburne.

Application of monies arising from Sales

IX. *And be it enacted*, That the said Clerk of the Peace for the County of Shelburne, shall, from and out of such monies so to be by him received as aforesaid, pay over to such Commissioners the amount of their account so confirmed by such Court of General Sessions of the Peace as aforesaid, and if any balance shall remain thereof, the same shall be paid over to the person or persons legally interested in the Lands respectively, upon the sale of which the balance respectively shall have accrued, and in default of the application of such persons respectively, for any such balance for the space of Six Months after the monies so respectively shall have been paid in, the same shall be applied by the said Court of General Sessions of the Peace for the use of the Roads and Bridges in the said Township of Barrington.

Act to cease on Comrs. declining to proceed.

X. *Provided always, and be it enacted*, That if the said Commissioners, or a majority of them, shall at any time, after having so entered upon the execution of their office as aforesaid, from the nature and variety of the interests to be by them adjudicated upon or settled, or from any other cause whatsoever, find it impracticable or deem it inexpedient to proceed further in the discharge of their duties, it shall and may be lawful for such Commissioners to decline any further proceeding therein—and in such case, this Act shall cease to be of any force or effect.

No share to be assigned to Grantees already in possession

XI. *Provided always, and be it enacted*, That in case any of the said Grantees shall have already received possession of their full shares and proportions under the said Grant, then no share or proportion shall be assigned or apportioned to such Grantees by the said Commissioners.

Act not to defeat legal rights adverse to rights of Grantees.

XII. *And provided also, and be it enacted*, That nothing herein contained shall extend, or be construed to extend, to abridge, alter, or defeat any rights, titles, claims, or interests, possessory, or otherwise, which by Law any person or persons may now have, in and to the said Lands, or any portion thereof, independently of, or adverse to, the rights of the said original Grantees, or to the uses in the aforesaid Grant expressed, or of any person or persons having title by, through, or under them, or some or one of them, their heirs, successors, trustees, and assigns, but that the rights, titles, claims, and interests of such persons respectively, shall remain and be in force as if this Act had not been passed.

CAP. LI.

An Act to Incorporate the Londonderry Mining Company of Nova-Scotia.

(Passed the 17th day of March, 1847.)

WHEREAS, John Ross is the Owner and Proprietor of certain Lands, Tenements, and Hereditaments, with certain Coal Mines, Minerals, Mineral Substances, Ores, and other Property of the like description, in Londonderry, in the County of Colchester, in this Province: *And whereas*, certain persons have associated themselves together for the purpose of opening, working, and carrying on Mining operations, and establishing Iron Foundries, Furnaces, Mills, and Machinery on the said premises:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That John Ross, the Honorable William Anderson Black, the Honorable John E. Fairbanks, the Honorable Alexander Keith, James Boyle Uniacke, James Tremain, Andrew McKinlay, John Tempest, Benjamin Etter Black, James Thomson, John Esson, Charles Twining, Thomas Hosterman, Alexander McLeod, William Clark, William Caldwell, John McDougall, John Gibson, William Johns, and John McGregor and all and every such other persons as shall, from time to time, become proprietors of Shares in the Corporation, hereby established, their Successors, and Assigns, shall be, and they are hereby erected into a Company, and declared to be a Body, Politic and Corporate, in deed and in name, under the title and by the name of "The Londonderry Mining Company of Nova-Scotia," and by that name shall and may sue and be sued, defend and be defended, answer and be answered unto, implead and be impleaded, in any Court of Law or Equity, or other place whatsoever, and by that name shall and may prefer, present, and prosecute any indictment, information, or other Criminal proceeding, for or in respect of any Larceny, Felony, Misdemeanor, or other offence done or committed against the said Corporation, its Goods, Chattels, or Property whatsoever, and by that name shall have succession and a Common Seal, with liberty the same to change, alter, break, and make anew, as to them shall seem fit, and by that name may have, hold, purchase, get, receive, take or lease, set up, possess, occupy, and enjoy, Houses, Lands, Tenements, Hereditaments, Mills, Machinery, Foundries, Furnaces, Rents, Profits, and Railways, and may open, dig, work, possess, and enjoy any Property whatsoever, either in fee simple, or for term of years, or otherwise howsoever; and may grant, let, sell, demise, mortgage, convey, and dispose of the same, or any part thereof, from time to time, and at all times, at the will and pleasure of the said Corporation.

The Londonderry Mining Company Incorporated.

II. And be it enacted, That the Capital or Stock of the said Corporation shall consist of Eighty Thousand Pounds Sterling, to be divided into Two Thousand Shares of Forty Pounds Sterling each, to be paid in the manner, at such times, and in such parts or portions, as hereinafter mentioned: *Provided always*, that the said Company shall not go into operation until the sum of Twenty Thousand Pounds Sterling shall have been actually paid up.

Amount of Stock and number of Shares.

Proviso.

And with respect to the Distribution of the Capital of the said Company into Shares—

III. Be it enacted, as follows:

The capital of the Company shall be divided into shares of the number and amount hereinbefore mentioned, and such shares shall be numbered in arithmetical progression, beginning with number one, and every such share shall be distinguished by its appropriate number.

Regulations relative to Distribution of Capital into Shares.

All shares in the undertaking shall be Personal Estate and transmissible as such, and shall not be of the nature of Real Estate.

Every person who shall have subscribed the prescribed sum, or upwards, to the capital

capital of the Company, or shall otherwise have become entitled to a share in the Company and whose name shall have been entered on the Register of Shareholders hereinafter mentioned, shall be deemed a Shareholder of the Company.

The Company shall keep a Book to be called the "Register of Shareholders," and in such Book shall be fairly and distinctly entered from time to time the names of the several Corporations, and the names and additions of the several persons entitled to shares in the Company, together with the number of shares to which such Shareholders shall be respectively entitled, distinguishing each share by its number and the amount of the subscriptions paid on such shares, and the surnames or corporate names of the said Shareholders shall be placed in alphabetical order, and such Book shall be authenticated by the Common Seal of the Company being affixed thereto, and such authentication shall take place at the first ordinary meeting, or at the next subsequent meeting of the Company, and so from time to time at each ordinary meeting of the Company.

In addition to the said Register of Shareholders the Company shall provide a Book to be called the "Shareholders' Address Book," in which the Secretary shall from time to time enter in alphabetical order the corporate names and places of business of the several Shareholders of the Company being Corporations, and the surnames of the several other Shareholders with their respective Christian names, places of abode, and descriptions, so far as the same shall be known to the Company, and every Shareholder, or if such Shareholder be a Corporation, the Clerk or Agent of such Corporation may at all convenient times peruse such Books gratis, and may require a copy thereof, or of any part thereof, and for every hundred words so required to be copied, the Company may demand a sum not exceeding Six pence.

On demand of the holder of any share, the Company shall cause a Certificate of the Proprietorship of such share to be delivered to such Shareholder, and such Certificate shall have the Common Seal of the Company affixed thereto, and such Certificate shall specify the share in the undertaking to which such Shareholder is entitled, and the same may be according to the form in Schedule A. to this Act annexed, or to the like effect, and for such Certificate the Company may demand any sum not exceeding Two Shillings and Six pence.

The said Certificate shall be admitted in all Courts as *prima facie* evidence of the title of such Shareholder, his Executors, Administrators, Successors, or Assigns, to the Share therein specified, nevertheless the want of such Certificate shall not prevent the holder of any Share from disposing thereof.

If any such Certificate be worn out or damaged, then, upon the same being produced at some Meeting of the Directors, such Directors may order the same to be cancelled, and thereupon another similar Certificate shall be given to the party in whom the property of such Certificate, and of the Share therein mentioned, shall be at the time vested; or if such Certificate be lost or destroyed, then, upon proof thereof to the satisfaction of the Directors, a similar Certificate shall be given to the party entitled to the Certificate so lost or destroyed, and, in either case, a due entry of the substituted Certificate shall be made by the Secretary, in the Register of Shareholders, and for every such Certificate so given or exchanged, the Company may demand a sum not exceeding Two Shillings and Sixpence.

And with respect to the Transfer or Transmission of Shares—

IV. *Be it enacted*, as follows :

Transfer of Shares.

Every Shareholder may sell and transfer all or any of his Shares in the undertaking, or all or any part of his interest in the Capital Stock of the said Company, in case such Shares shall, under the provisions hereinafter contained, be consolidated into Capital Stock; and every such transfer shall be, by Deed duly sealed, in which the consideration shall be truly stated, and such Deed may be according to the Form in Schedule B. to this Act annexed, or to the like effect.

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The said Deed of transfer, (when duly executed,) shall be delivered to the Secretary, and be kept by him, and the Secretary shall enter a memorial thereof in a Book to be called the "Register of Transfers," and shall endorse such entry on the Deed of transfer, and shall, on demand, deliver a new Certificate to the purchaser, and for every such entry, together with such endorsement and Certificate, the Company may demand any sum not exceeding Two Shillings and Sixpence, and on the request of the purchaser of any Share, an endorsement of such Transfer shall be made on the Certificate of such Share instead of a new Certificate being granted, and such endorsement being signed by the Secretary shall be considered in every respect the same as a new Certificate, and until such transfer has been so delivered to the Secretary as aforesaid, the vendor of the Share shall continue liable to the Company for any calls that may be made upon such Share, and the purchaser of the Share shall not be entitled to receive any share of the profits of the undertaking, or to vote in respect of such Share.

No Shareholder shall be entitled to transfer any Share after any call shall have been made in respect thereof, until he shall have paid such call, nor until he shall have paid all calls for the time being due on every Share held by him.

It shall be lawful for the Directors to close the Register of transfers for a period not exceeding fourteen days previous to each ordinary meeting, and they may fix a day for the closing of the same, of which seven days' notice shall be given by advertisement in some Newspaper as aftermentioned, and any transfer made during the time when the transfer Books are so closed, shall, as between the Company and the party claiming under the same, but not otherwise, be considered as made subsequently to such ordinary meeting.

If the interest in any Share have become transmitted in consequence of the death or bankruptcy or insolvency of any Shareholder, or in consequence of the marriage of a Female Shareholder, or by any other lawful means than by a transfer according to the provisions of this Act, such transmission shall be authenticated by a declaration in writing as hereinafter mentioned, or in such other manner as the Directors shall require, and every such declaration shall state the manner in which, and the party to whom such Share shall have been so transmitted, and shall be made and signed by some credible person before a Justice, or before a Master or Master Extraordinary of the Court of Chancery, and such declaration shall be left with the Secretary, and thereupon he shall enter the name of the person entitled under such transmission in the Register of Shareholders, and for every such entry the Company may demand any sum not exceeding Five Shillings, and until such transmission has been so authenticated no person claiming by virtue of any such transmission shall be entitled to receive any share of the profits of the undertaking, nor to vote in respect of any such Share as the holder thereof.

If such transmission be by virtue of the marriage of a Female Shareholder, the said declaration shall contain a copy of the Register of such marriage, or other particulars of the celebration thereof, and shall declare the identity of the wife with the holder of such Share, and if such transmission have taken place by virtue of any Testamentary Instrument, or by Intestacy, the Probate of the Will, or the Letters of Administration, or an official extract therefrom, shall, together with such declaration, be produced to the Secretary, and upon such production in either of the cases aforesaid, the Secretary shall make an entry of the declaration in the said Register of transfers.

The Company shall not be bound to see to the execution of any trust, whether express, implied, or constructive, to which any of the said Shares may be subject, and the receipt of the party in whose name any such Share shall stand in the books of the Company, or if it stands in the names of more parties than one, the receipt of one of the parties named in the Register of Shareholders shall, from time to time, be a sufficient discharge to the Company for any dividend or other sum of money

money payable in respect of such Share, notwithstanding any trusts to which such Share may then be subject, and whether or not the Company have had notice of such trusts, and the Company shall not be bound to see to the application of the money paid upon such receipt.

And with respect to the payment of subscriptions, and the means of enforcing the payment of calls—

V. *Be it enacted*, as follows :

Payment of Sub-
scriptions.

The several persons who have subscribed any money towards the undertaking, or other legal Representatives respectively, shall pay the sums respectively so subscribed, or such portions thereof as shall from time to time be called for by the Company, at such times and places as shall be appointed by the Company, and with respect to the provisions herein contained, for enforcing the payment of calls, the word "Shareholders" shall extend to, and include, the legal personal Representatives of such Shareholders.

It shall be lawful for the Company, from time to time, to make such calls of money upon the respective shareholders in respect of the amount of capital respectively subscribed or owing by them, as they shall think fit: *Provided* that twenty-one day's notice, at the least, be given of each call, and that no call exceed twenty per cent., and that successive calls be not made at less than six months, and that the aggregate amount of calls made in any one year do not exceed Forty per cent., and every shareholder shall be liable to pay the amount of the calls so made, in respect of the shares held by him, to the persons and at the times and places from time to time appointed by the Company.

If before or on the day appointed for payment, any Shareholder do not pay the amount of any call to which he is liable, then such Shareholder shall be liable to pay interest for the same, at the rate allowed by Law from the day appointed for the payment thereof to the time of the actual payment.

It shall be lawful for the Company, if they think fit, to receive from any of the Shareholders willing to advance the same, all or any part of the monies due upon their respective shares beyond the sums actually called for, and upon the principal monies so paid in advance, or so much thereof as from time to time shall exceed the amount of the calls then made upon the shares in respect of which such advance shall be made, the Company may pay interest at such rate, not exceeding the legal rate of interest for the time being, as the Shareholder paying such sum in advance and the Company shall agree upon.

If, at the time appointed by the Company for the payment of any call, any Shareholder fail to pay the amount of such call, it shall be lawful for the Company to sue such Shareholder for the amount thereof, in any Court of Law or Equity having competent jurisdiction, and to recover the same, with lawful interest, from the day on which such call was payable.

In any action or suit to be brought by the Company against any Shareholder to recover any money due for any call, it shall not be necessary to set forth the special matter, but it shall be sufficient for the Company to declare that the Defendant is the holder of one share or more in the Company, (stating the number of shares,) and is indebted to the Company in the sum of money to which the calls in arrear shall amount in respect of one call or more upon one share or more, (stating the number and amount of each of such calls), whereby an action hath accrued to the Company by virtue of this Act.

On the trial or hearing of such action or suit, it shall be sufficient to prove that the Defendant, at the time of making such call, was a holder of one share or more in the undertaking, and that such call was, in fact, made, and such notice thereof given as is directed by this Act; and it shall not be necessary to prove the appointment of the Directors who made such call, nor any other matter whatsoever, and thereupon the Company shall be entitled to recover what shall be due upon such

such call, with interest thereon, unless it shall appear either that any such call exceeds the prescribed amount, or that due notice of such call was not given, or that the prescribed interval between two successive calls had not elapsed, or that calls amounting to more than the sum prescribed for the total amount of calls in one year had been made within that period.

The production of the Register of Shareholders shall be *prima facie* evidence of such Defendant being a Shareholder, and of the number and amount of his shares.

And with respect to the Forfeiture of Shares for non-payment of calls—

VI. *Be it enacted*, as follows :

If any Shareholder fail to pay any call payable by him, together with the interest, if any, that shall have accrued thereon, the Directors at any time after the expiration of two months from the day appointed for payment of such call may declare the share in respect of which such call was payable forfeited, and that whether the Company have sued for the amount of such call or not.

Forfeiture of Shares.

Before declaring any share forfeited the Directors shall cause notice of such intention to be left at or transmitted by the Post to the usual or last place of abode of the person appearing by the Register of Shareholders to be the Proprietor of such share, and if the holder of any such share be abroad, or if his usual or last place of abode be not known to the Directors by reason of its being imperfectly described in the Shareholders' Address Book, or otherwise, or if the interest in any such share shall be known by the Directors to have become transmitted otherwise than by transfer as hereinbefore mentioned, but a declaration of such transmission shall not have been Registered as aforesaid, and so the address of the parties to whom the same may have been transmitted or may for the time being belong, shall not be known to the Directors, the Directors shall give public notice of such intention in the Royal Gazette, and also in some other Newspaper, as after mentioned, and the several notices aforesaid shall be given twenty-one days at least before the Directors shall make such declaration of forfeiture.

The said declaration of forfeiture shall not take effect so as to authorise the sale or other disposition of any share until such declaration have been confirmed at some General Meeting of the Company, to be held after the expiration of two months at the least from the day on which such notice of the intention to make such declaration of forfeiture shall have been given, and it shall be lawful for the Company to confirm such forfeiture at any such meeting, and by an order at such meeting, or at any subsequent General Meeting, to direct the share so forfeited to be sold or otherwise disposed of.

After such confirmation as aforesaid, it shall be lawful for the Directors to sell the forfeited share, either by Public Auction, or private contract ; and if there be more than one such forfeited share, then either separately or together, as to them shall seem fit ; and any Shareholder may purchase any forfeited share so sold.

A Declaration in writing by some credible person not interested in the matter, made before any Justice or before any Master or Master Extraordinary of the Court of Chancery, that the call in respect of a share was made, and notice thereof given, and that default in payment of the call was made, and that the forfeiture of the share was declared and confirmed in manner hereinbefore required, shall be sufficient evidence of the facts therein stated ; and such declaration, and the receipt of the Treasurer of the Company for the price of such share, shall constitute a good title to such share ; and a certificate of proprietorship shall be delivered to such purchaser, and thereupon he shall be deemed the holder of such share, discharged from all calls due prior to such purchase ; and he shall not be bound to see to the application of the purchase money, nor shall his title to such share be affected by any irregularity in the proceedings in reference to such sale.

The Company shall not sell or transfer more of the shares of any such defaulter than will be sufficient, as nearly as can be ascertained at the time of such sale, to

pay

pay the arrears then due from such defaulter on account of any calls, together with interest and the expenses attending such sale, and declaration of forfeiture; and if the money produced by the sale of any such forfeited share be more than sufficient to pay all arrears of calls and interest thereon due at the time of such sale, and the expenses attending the declaration of forfeiture and sale thereof, the surplus shall, on demand, be paid to the defaulter.

If payment of such arrears of calls, and interest, and expenses, be made before any share so forfeited and vested in the Company shall have been sold, such share shall revert to the party to whom the same belonged before such forfeiture, in such manner as if such calls had been duly paid.

And with respect to the Remedies of Creditors of the Company against the Shareholders—

VII. *Be it enacted*, as follows :

Remedies of Creditors of Company against Shareholders.

If any Execution, either at Law or in Equity, shall have been issued against the property or effects of the Company, and if there cannot be found sufficient whereon to levy such Execution, then such Execution may be issued against any of the Shareholders, to the extent of their shares respectively in the Capital of the Company, not then paid up: *Provided always*, that no such Execution shall issue against any Shareholder, except upon an order of the Court in which the Action, Suit, or other Proceeding, shall have been brought or instituted, made upon motion in open Court, after sufficient notice in writing to the persons sought to be charged, and upon such motion such Court may order Execution to issue accordingly; and for the purpose of ascertaining the names of the Shareholders and the amount of Capital remaining to be paid upon their respective shares, it shall be lawful for any person entitled to any such Execution at all reasonable times to inspect the "Register of Shareholders" without fee.

If, by means of any such Execution, any Shareholder shall have paid any sum of money beyond the amount then due from him in respect of calls, he shall forthwith be reimbursed such additional sum by the Directors, out of the funds of the Company.

And with respect to the Borrowing of Money by the Company, on Mortgage or Bond—

VIII. *Be it enacted*, as follows :

Borrowing of Money by Company.

If the Company be desirous of borrowing money on Mortgage or Bond, it shall be lawful for them to borrow such sums of money as shall from time to time, by an order of the General Meeting of the Company be authorised to be borrowed, not exceeding, in the whole, the sum of Ten Thousand Pounds Sterling, and for securing the repayment of the money so borrowed, with interest, to Mortgage the undertaking and the future calls on the Shareholders, or to give Bonds in manner hereinafter mentioned.

If, after having borrowed any part of the money so authorized to be borrowed on Mortgage or Bond, the Company pay off the same, it shall be lawful for them again to borrow the amount so paid off, and so from time to time; but such power of reborrowing shall not be exercised without the authority of a General Meeting of the Company, unless the money be so reborrowed in order to pay off any existing mortgage or bond.

Every mortgage and bond for securing money borrowed by the Company shall be by Deed, under the Common Seal of the Company, and wherein the consideration shall be truly stated, and every such mortgage, deed, or bond, may be according to the form in the Schedule C or D, to this Act annexed, or to the like effect.

The respective mortgagees shall be entitled one with another to their respective proportions of the tolls, sums, and premises, comprised in such mortgages, and of the future calls, payable by the Shareholders, if comprised therein, according to the respective sums in such mortgages mentioned, to be advanced by such mortgagees respectively,

respectively, and to be repaid the sums so advanced, with interest, without any preference, one above another, by reason of priority of date of any such mortgage or of the meeting at which the same was authorized.

No such mortgage (although it should comprise future calls on the Shareholders,) shall, unless expressly so provided, preclude the Company from receiving and applying to the purposes of the Company any calls to be made by the Company.

The respective obligees in such bonds, shall, proportionably, according to the amount of the monies secured thereby, be entitled to be paid out of the tolls or other property or effects of the said Company the respective sums in such bonds mentioned, and thereby intended to be secured, without any preference, one above another, by reason of priority of date of any such bond, or of the meeting at which the same was authorized, or otherwise howsoever.

A Register of mortgages and bonds shall be kept by the Secretary, and within fourteen days after the date of any such mortgage or bond, an entry or memorial, specifying the number and date of such mortgage or bond, and the sums secured thereby, and the names of the parties thereto, with their proper additions, shall be made in such Register; and such Register may be perused at all reasonable times, by any of the Shareholders, or by any mortgagee or bond creditor of the Company, or by any person interested in any such mortgage or bond, without fee or reward.

Any party entitled to any such mortgage or bond may, from time to time, transfer his right and interest therein to any other person, and every such transfer shall be by Deed duly sealed wherein the consideration shall be truly stated, and every such transfer may be according to the form in the Schedule E to this Act annexed, or to the like effect.

Within thirty days after the date of every such transfer, if executed within this Province, or otherwise, within thirty days after the arrival thereof in this Province, it shall be produced to the Secretary, and thereupon the Secretary shall cause an entry or memorial thereof to be made in the same manner as in the case of the original mortgage; and after such entry, every such transfer shall entitle the transferee to the full benefit of the original mortgage or bond in all respects; and no person having made such transfer, shall have power to make void, release, or discharge, the mortgage or bond so transferred, or any money thereby secured, and for such entry the Company may demand the sum of Two Shillings and Six Pence, and until such entry the Company shall not be in any manner responsible to the transferee in respect of such mortgage.

The interest of the money borrowed upon any such mortgage or bond, shall be paid at the periods appointed in such mortgage or bond; and if no period be appointed, half yearly to the several parties entitled thereto, and in preference to any dividends payable to the Shareholders of the Company.

The interest in any such mortgage or bond shall not be transferable, except by deed duly sealed.

The Company may, if they think proper, fix a period for the repayment of the principal money so borrowed, with the interest thereof, and in such case the Company shall cause such period to be inserted in the mortgage, deed, or bond; and upon the expiration of such period, the principal sum, together with the arrears of interest thereon, shall, on demand, be paid to the party entitled to such mortgage or bond, and if no other place of payment be inserted in such mortgage, deed, or bond, such Principal and Interest shall be payable at the Principal Office or place of business of the Company.

If no time be fixed in the mortgage, deed, or bond, for the re-payment of the money so borrowed, the party entitled to the mortgage or bond may, at the expiration of twelve months from the date of such mortgage or bond, demand payment of the principal money thereby secured, with all arrears of interest, upon giving six months' previous notice for that purpose; and in the like case the Company may at

at any time pay off the money borrowed on giving the like notice, and every such notice shall be in writing or print, or both, and if given by a mortgagee or bond creditor, shall be delivered to the Secretary, or left at the Principal Office of the Company; and if given by the Company, shall be given either personally to such mortgagee or bond creditor, or left at his residence; or if such mortgagee or bond creditor be unknown to the directors, or cannot be found after diligent enquiry, such notice shall be given by advertizement in the Royal Gazette, and in some other newspaper as after mentioned. If the Company shall have given notice of their intention to pay off any such mortgage or bond at a time when the same may lawfully be paid off by them, then at the expiration of such notice all further interest shall cease to be payable on such mortgage or bond, unless on demand of payment made pursuant to such notice, or at any time thereafter the Company shall fail to pay the Principal and Interest due at the expiration of such notice or such mortgage or bond.

Where the mortgagees of the Company shall be empowered to enforce the payment of the arrears of Interest, or the arrears of Principal and Interest due on such mortgages by the appointment of a receiver, then, if, within thirty days after the interest accruing upon any such mortgage has become payable, and after demand thereof in writing the same be not paid, the mortgagee may, without prejudice to his right to sue for the interest so in arrear in any of the Superior Courts of Law or Equity, require the appointment of a receiver, by an application to be made as hereinafter provided; and if, within six months after the principal money owing upon any such mortgage has become payable, and after demand thereof in writing, the same be not paid, the mortgagee, without prejudice to his rights to sue for such principal money, together with all arrears of interest in any of the Superior Courts of Law or Equity, may, if his debt amount to the prescribed sum alone, or if his debt does not amount to the prescribed sum, he may, in conjunction with other mortgagees whose debts being so in arrear after the demand as aforesaid, shall, together with his amount to the prescribed sum, require the appointment of a receiver, by an application to be made as hereinafter provided.

Every application for a receiver in the cases aforesaid shall be made to two Justices, and on any such application it shall be lawful for such Justices, by an order in writing, after hearing the parties, to appoint some person to receive the whole or a competent part of the tolls or sums liable to the payment of such Interest, or such Principal and Interest, as the case may be, or until such Principal and Interest, as the case may be, together with all costs, including the charges for receiving the tolls or sums aforesaid, be fully paid; and upon such appointment being made, all such tolls and sums of money as aforesaid shall be paid to, and received by, the person so to be appointed, and the money so to be received shall be so much money received by or to the use of the party to whom such Interest, or such Principal and Interest, as the case may be, shall be then due, and on whose behalf such receiver shall have been appointed; and after such Interest and costs, or such Principal, Interest, and costs, have been so received, the power of such receiver shall cease.

At all seasonable times the books of accounts of the Company shall be open to the inspection of the respective mortgagees and bond creditors thereof, with liberty to take extracts therefrom without fee or reward.

And with respect to the conversion of the Borrowed Money into Capital—

IX. *Be it enacted*, as follows :

Conversion of Borrowed Money into Capital.

It shall be lawful for the Company, if they think fit, unless it be otherwise provided by this Act, to raise the additional sum so authorized to be borrowed, or any part thereof, by creating new shares of the Company, instead of borrowing the same, or having borrowed the same, to continue at interest only a part of such additional sum, and to raise part thereof by creating new shares; but no such augmentation of Capital,

Capital, as aforesaid, shall take place without the previous authority of a General Meeting of the Company.

The Capital so to be raised by the creation of new shares shall be considered as part of the General Capital, and shall be subject to the same provisions in all respects, whether with reference to the payment of calls or the forfeiture of shares or nonpayment of calls, or otherwise, as if it had been part of the original Capital, except as to the times of making calls for such additional Capital, and the amount of such calls which respectively it shall be lawful for the Company from time to time to fix as they shall think fit.

If, at the time of any such augmentation of Capital taking place, by the creation of new shares, the then existing shares be at a premium or of greater actual value than the nominal value thereof, then, unless it be otherwise provided by this Act, the sum so to be raised shall be divided into shares, of such amount as will conveniently allow the same to be apportioned among the then Shareholders, in proportion to the existing shares held by them respectively, and such new shares shall be offered to the then Shareholders, in the proportion aforesaid, and such offer shall be made by letter under the hand of the Secretary, given to, or sent by post, addressed to each Shareholder, according to his address in the Shareholders' address book, or left at his usual or last place of abode.

The said new shares shall vest in and belong to the Shareholders who shall accept the same, and pay the value thereof to the Company, at the time, and by the instalments which shall be fixed by the Company; and if any Shareholder fail for one month, after such offer of new shares, to accept the same, and pay for the instalments called for in respect thereof, it shall be lawful for the Company to dispose of such shares in such manner as they shall deem most for the advantage of the Company.

If, at the time of such augmentation of Capital taking place, the existing shares be not at a premium, then such new shares may be of such amount, and may be issued in such manner, and on such terms as the Company shall think fit.

And with respect to the Consolidation of the Shares into Stock—

X. *Be it enacted*, as follows :

It shall be lawful for the Company, from time to time, with the consent of three-fifths of the votes of the Shareholders present, in person, or by proxy, at any General Meeting of the Company, when due notice for that purpose shall have been given, to convert or consolidate all or any part of the shares then existing in the Capital of the Company, and in respect whereof the whole money subscribed shall have been paid up into a General Capital Stock, to be divided amongst the Shareholders, according to their respective interests therein.

Consolidation of
Shares into Stock.

After such conversion or consolidation shall have taken place, all the provisions contained in this Act which require or imply that the Capital of the Company shall be divided into shares of any fixed amount, and distinguished by numbers, shall, as to so much of the Capital as shall have been so converted or consolidated into stock cease, and be of no effect, and the several holders of such stock may thenceforth transfer their respective interests therein, or any parts of such interest, in the same manner and subject to the same regulations and provisions as, or according to which any shares in the Capital of the Company might be transferred under the provisions of this Act, and the Company shall cause an entry to be made in some book to be kept for that purpose, of every such transfer, and for every such entry they may demand a sum not exceeding Two Shillings and Sixpence.

The Company shall, from time to time, cause the names of the several parties who may be interested in any such stock, as aforesaid, with the amount of the interest therein possessed by them respectively, to be entered in a book to be kept for the purpose, and to be called "The Register of Holders of Consolidated Stock;"

and such book shall be accessible, at all seasonable times, to the several holders of shares or stock in the undertaking.

The several holders of such stock shall be entitled to participate in the dividends and profits of the Company, according to the amount of their respective interests in such stock, and such interests shall, in proportion to the amount thereof, confer on the holders thereof, respectively, the same privileges and advantages for the purpose of voting at meetings of the Company, qualification for the office of Directors, and for other purposes, as would have been conferred by shares of equal amount in the Capital of the Company, but so that none of such privileges or advantages, except in the participation in the dividends and profits of the Company, shall be conferred by any aliquot part of such amount of consolidated stock as would not, if existing in shares, have conferred such privileges or advantages respectively.

Money to be applied
to purposes of
Company.

XI. *And be it enacted*, That all the money raised by the Company, whether by subscriptions of the Shareholders or by Loan or otherwise, shall be applied in carrying the purposes of the Company into execution.

And with respect to the General Meetings of the Company, and the Exercise of the right of Voting by the Shareholders—

Meetings of Compa-
ny and Voting of
Shareholders.

XII. *Be it enacted*, as follows :

The first General Meeting of the Shareholders shall be held as soon after the passing of this Act as a majority of the parties whose names are inserted in this Act shall deem it necessary to call such meeting, by giving Fourteen days' notice at least, in two of the Weekly Newspapers, setting forth the time and place of meeting, and the purposes for which called together.

No matters, except such as are appointed by this Act to be done at any ordinary meeting shall be transacted at any such meeting, unless special notice of such matters have been given in the Advertisement convening such meeting.

Every General Meeting of the Shareholders, other than an ordinary meeting, shall be called an Extraordinary Meeting, and such meetings may be convened by the Directors at such times as they think fit. No extraordinary Meeting shall enter upon any business not set forth in the notice upon which it shall have been convened.

It shall be lawful for twenty or more Shareholders, holding in the aggregate not less than one-tenth of the capital of the Company, by writing under their hands at any time, to require the Directors to call an extraordinary meeting of the Company, and such requisition shall fully express the object of the meeting required to be called, and shall be left at the office of the Company, or given to at least three Directors, or left at their last or usual places of abode ; and forthwith upon receipt of such requisition, the Directors shall convene a meeting of the Shareholders, and if, for twenty-one days after such notice, the Directors fail to call such meeting, the prescribed number, or such other number of Shareholders, qualified as aforesaid, may call such meeting by giving fourteen days public notice thereof. Fourteen days public notice, at the least, of all meetings, whether ordinary or extraordinary, shall be given by advertizement, which shall specify the place, the day, and the hour of meeting ; and every notice of an extraordinary Meeting, or of an ordinary Meeting, if any other business than the business hereby appointed for ordinary Meetings is to be done thereat, shall specify the purpose for which the Meeting is called.

In order to constitute a Meeting, (whether ordinary or extraordinary,) there shall be present, either personally or by proxy, Shareholders, holding in the aggregate, not less than one twentieth of the Capital of the Company, and being, in number, not less than one for every Five Hundred Pounds of such required proportion of Capital, unless such number would be more than twenty, in which case twenty Shareholders, holding not less than one twentieth of the Capital of the Company, shall be a quorum ; and if, within one hour from the time appointed for such Meeting, the said quorum be not present, no business shall be transacted at the Meeting other than declaring of a Dividend, in case that shall be one of the objects of the

Meeting ;

Meeting; but such Meeting shall, except in the case of a Meeting for the election of Directors herein mentioned, be held to be adjourned *sine die*.

At every Meeting of the Company one or other of the following persons shall preside as Chairman, that is to say: the Chairman of the Directors, or in his absence the Deputy Chairman, (if any,) or in the absence of the Chairman and Deputy Chairman, some one of the Directors of the Company to be chosen for that purpose by the Meeting, or in the absence of the Chairman and Deputy Chairman, and of all the Directors, any Shareholder to be chosen for that purpose by a majority of the Shareholders present at such Meeting.

The Shareholders present at any such Meeting shall proceed in the execution of the powers of the Company, with respect to the matters for which such Meeting shall have been convened, and those only; and every such Meeting may be adjourned, from time to time, and from place to place, and no business shall be transacted at any adjourned Meeting, other than the business left unfinished at the Meeting from which such adjournment took place.

At all General Meetings of the Company every Shareholder shall have one vote for every share up to ten, and he shall have an additional vote for every five shares beyond the first ten shares held by him up to one hundred, and an additional vote for every ten shares held by him beyond the first hundred shares: *Provided always*, that no Shareholder shall be entitled to vote at any Meeting unless he shall have paid all the calls then due upon the shares held by him.

The votes may be given either personally or by proxies, being Shareholders authorised by writing, according to the form in the Schedule F. to this Act annexed, or in a form to the like effect under the hand of the Shareholder nominating such proxy, or if such Shareholder be a Corporation, then under their Common Seal, and every proposition at any such Meeting shall be determined by the majority of votes of the parties present, including proxies, the Chairman of the Meeting being entitled to vote, not only as a principal and proxy, but to have a casting vote if there be an equality of votes.

No person shall be entitled to vote as a proxy unless the instrument appointing such proxy have been transmitted to the Secretary of the Company not less than forty-eight hours before the time appointed for holding the Meeting at which such proxy is to be used.

If several persons be jointly entitled to a share, the person whose name stands first in the Register of Shareholders as one of the holders of such share shall, for the purpose of voting at any Meeting, be deemed the sole proprietor thereof, and on all occasions the vote of such first named Shareholder, either in person or by proxy, shall be allowed as the vote in respect of such shares without proof of the concurrence of the other holders thereof.

If any Shareholder be a Lunatic, or Idiot, he may vote by his Committee, and if any Shareholder be a minor, he may vote by his guardian, or any one of his guardians, and every such vote may be given either in person or by proxy.

Whenever in this Act, the consent of any particular majority of votes, at any meeting of the Company, is required, in order to authorize any proceedings of the Company, such particular majority shall only be required to be proved in the event of a poll being demanded at such meeting, and if such poll be not demanded, then a declaration by the Chairman that the resolution authorising such proceeding has been carried, and an entry to that effect in the book of proceedings of the Company shall be sufficient authority for such proceedings, without proof of the number or proportion of votes recorded in favor of or against the same.

And with respect to the Appointment and Rotation of Directors—

XIII. *Be it enacted* as follows:—

The number of Directors shall be Nine, holding stock or shares in the Company to not less than Four Hundred Pounds, sterling, or Ten shares each.

Appointment and
Rotation of Di-
rectors.

It

It shall be lawful for the Company, under and by virtue of this Act, from time to time, in general meeting, after due notice for that purpose, to increase or reduce the number of the Directors within the prescribed limits, and to determine the order of rotation in which such reduced or increased number shall go out of office, and what number shall be a quorum at their meetings.

The Directors appointed by this Act, shall, unless hereby otherwise provided, continue in office until the first ordinary meeting, to be held in the year next after that in which this Act shall have passed, and at such meeting, the Shareholders present, personally, or by proxy, may either continue in office the Directors appointed by this Act, or any number of them, or may elect a new body of Directors, or Directors to supply the places of those not continued in office, the Directors appointed by this Act being eligible as Members of such new body; and at the first ordinary Meeting to be held every year thereafter, the Shareholders present personally, or by proxy, shall elect persons to supply the places of the Directors then retiring from office, agreeably to the provisions hereinafter contained, and the several persons elected at any such Meeting, being neither removed or disqualified, nor having resigned, shall continue to be Directors until others are elected in their stead, as hereinafter mentioned.

If at any Meeting at which an election of Directors ought to take place, the prescribed quorum shall not be present within one hour from the time appointed for the Meeting, no election of Directors shall be made, but such Meeting shall stand adjourned until the following day, at the same time and place—and if at the Meeting so adjourned, the prescribed quorum be not present within one hour from the time appointed for the Meeting, the existing Directors shall continue to act and retain their power until new Directors be appointed at the first ordinary Meeting of the following year.

No person shall be capable of being a Director unless he be a Shareholder, nor unless he be possessed of the number of shares mentioned in this Act, and no person holding an office, or place of trust, or profit under the Company, or interested in any Contract with the Company, shall be capable of being a Director, and no Director shall be capable of accepting any other office, or place of trust, or profit, under the Company, or of being interested in any contract with the Company during the time he shall be a Director.

If any of the Directors, at any time subsequently to his election, accept or continue to hold any other office or place of trust or profit under the Company, or be either directly or indirectly concerned in any Contract with the Company, or participate in any manner in the profits of any work to be done for the Company, or if such Director at any time cease to be a holder of the prescribed number of shares in the Company, then, in any of the cases aforesaid, the office of such Director shall become vacant, and thenceforth he shall cease from voting or acting as a Director:

Provided always, that no person being a Shareholder or Member of any incorporated Joint Stock Company, shall be disqualified or prevented from acting as Director by reason of any contract entered into between such Joint Stock Company and the Company incorporated by this Act; but no such Director, being a Shareholder or Member of such Joint Stock Company, shall vote on any question as to any contract with such Joint Stock Company.

The Directors appointed by this Act, and continued in office as aforesaid, or the Directors elected to supply the places of those retiring as aforesaid, shall, subject to the provision hereinbefore contained for increasing or reducing the number of Directors, retire from office at the times and in the proportions following the individuals to retire, being in each instance determined by ballot among the Directors, unless they shall otherwise agree, that is to say:

At the end of the First year after the first election of Directors, one third of such Directors to be determined by ballot among themselves, unless they shall otherwise agree, shall go out of office.

At

At the end of the Second year, one half of the remaining number of such Directors to be determined in like manner, shall go out of office.

At the end of the Third year, the remainder of such Directors shall go out of office, and in such instance the places of the retiring Directors shall be supplied by an equal number of qualified Shareholders; and at the first ordinary meeting in every subsequent year, one third of the Directors, being those who have been longest in office, shall go out of office, and their places shall be supplied in like manner; nevertheless every Director so retiring from office may be re-elected immediately, or at any future time, and after such re-election, shall, with reference to the going out by rotation, be considered as a new Director: *Provided always*, that the Directors shall, in each case, determine what number of Directors, as nearly one-third as may be, shall go out of office, so that the whole number shall go out of office in three years.

If any Director die or resign, or become disqualified, or incompetent to act as a Director, or cease to be a Director by any other cause than that of going out of office by rotation as aforesaid, the remaining Directors, if they think proper so to do, may elect in his place some other Shareholder, duly qualified to be a Director; and the Shareholder so elected to fill up any such vacancy shall continue in office as a Director so long only as the person in whose place he shall have been elected would have been entitled to continue if he had remained in office.

And with respect to the Powers of the Directors, and the Powers of the Company, to be exercised only in General Meeting—

XIV. *Be it enacted*, as follows:

The Directors shall have the management and superintendance of the affairs of the Company, and they may lawfully exercise all the powers of the Company except as to such matters as are directed by this Act to be transacted by a General Meeting of the Company, but all the powers so to be exercised in accordance with, and subject to, the provisions of this Act, and the exercise of such powers, shall be subject also to the control and regulation of any General Meeting specially convened for the purpose, but not so as to render invalid any act done by the Directors prior to any resolution passed by such General Meeting.

Powers of Directors
and Company in
General Meeting.

Except as otherwise provided by this Act, the following powers of the Company, (that is to say,) the choice and removal of the Directors, except as hereinbefore mentioned, and the increasing or reducing of their number where authorized by this Act, the choice of Auditors, the determination as to the remuneration of the Directors, Auditors, Treasurer, and Secretary, the determination as to the amount of money to be borrowed on mortgage, the determination as to the augmentation of capital, and the declaration of dividends shall be exercised only at a General Meeting of the Company.

And with respect to the Proceedings and Liabilities of the Directors—

XV. *Be it enacted*, as follows:—

The Directors shall hold meetings at such times as they shall appoint for the purpose, and that they may meet and adjourn as they think proper, from time to time, and from place to place, and at any time any two Directors may require the Secretary to call a meeting of the Directors, and in order to constitute a meeting of Directors, there shall be present at least a majority of the Directors, and all questions at any such meeting shall be determined by the majority of votes of the Directors present, and in case of an equal division of votes, the Chairman shall have a casting vote, in addition to his vote as one of the Directors.

Proceedings and Li-
abilities of Direc-
tors.

At the first meeting of the Directors held after the passing of this Act, and at the first meeting of the Directors held after each annual appointment of Directors, the Directors present at such meeting shall choose one of the Directors to act as Chairman, or Deputy Chairman, for the same period, and if the Chairman or Deputy Chairman, die, or resign, or cease to be a Director, or otherwise become disqualified

fied to act, the Directors present at the meeting next after the occurrence of such vacancy, shall choose some other of the Directors to fill such vacancy, and every such Chairman, or Deputy Chairman, so elected, as last aforesaid, shall continue in office so long only as the person in whose place he may be so elected would have been entitled to continue if such death, resignation, removal, or disqualification had not happened.

If at any meeting of the Directors, neither the Chairman or Deputy Chairman be present, the Directors present shall choose some one of their number to be Chairman of such meeting.

It shall be lawful for the Directors to appoint one or more Committees consisting of such number of Directors as they think fit, and they may grant to such Committees, respectively, power on behalf of the Company to do any acts relating to the affairs of the Company which the Directors could lawfully do, and which they shall, from time to time, think proper to entrust to them.

The said Committees may meet, from time to time, and may adjourn from place to place, as they think proper, for carrying into effect the purposes of their appointment—and no such Committee shall exercise the powers entrusted to them, except at a Meeting at which there shall be present a majority of such Committee, and at all Meetings of the Committees one of the members present shall be appointed Chairman, and all questions at any Meeting of the Committee shall be determined by a majority of votes of the members present, and in case of an equal division of votes, the Chairman shall have a casting vote, in addition to his vote as a member of the Committee.

The power which may be granted to any such Committee to make Contracts, as well as the power of the Directors to make Contracts on behalf of the Company, may lawfully be exercised as follows, that is to say: with respect to any Contract which, if made between private persons, would be by Law required to be in writing, and under Seal, such Committee, or the Directors, may make such Contract on behalf of the Company in writing, and under the Common Seal of the Company, and in the same manner may vary or discharge the same.

With respect to any Contract which, if made between private persons, would be by Law required to be in writing, and signed by the parties to be charged therewith, then such Committee, or the Directors, may make such Contract on behalf of the Company in writing, signed by such Committee, or any two of them, or any two of the Directors, and in the same manner may vary or discharge the same.

With respect to any Contract which, if made between private persons, would by Law be valid, although made by parol only, and not reduced into writing, such Committee, or the Directors, may make such Contract on behalf of the Company by parol only, without writing, and in the same manner may vary or discharge the same.

And all contracts made according to the provisions herein contained, shall be effectual in Law, and shall be binding upon the Company and their Successors, and all other parties thereto, their Heirs, Executors, or Administrators, as the case may be, and on any default in the execution of any such Contract, either by the Company or any other party thereto, such actions or suits may be brought either by or against the Company as might be brought had the same Contracts been made between private persons only.

The Directors shall cause notes, minutes, or copies, as the case may require, of all appointments made, or contracts entered into, by the Directors, and of the orders and proceedings of all Meetings of the Company, and of the Directors, and Committees of Directors, to be duly entered in Books to be from time to time provided for the purpose, which shall be kept under the superintendence of the Directors, and every such entry shall be signed by the Chairman of such meeting, and such entry so signed shall be received as evidence in all Courts, and before all Judges,

Judges, Justices, and others, without proof of such respective meetings having been duly convened or held, or of the persons making or entering such orders or proceedings being Shareholders, Directors, or Members of Committee, respectively, or of the signature of the Chairman, or of the fact of his having been Chairman, all of which last mentioned matters shall be presumed until the contrary be proved.

All acts done by any Meeting of the Directors, or of a Committee of Directors, or by any person acting as a Director, shall, notwithstanding that it may be afterwards discovered that there was some defect in the appointment of any such Directors or persons acting as aforesaid, or that they, or any of them, were or was disqualified, be as valid as if every such person had been duly appointed and was qualified to be a Director.

No Director being party to, or executing in his capacity of Director, any contract or other instrument on behalf of the Company, or otherwise lawfully executing any of the powers given to the Directors, shall be subject to be sued or prosecuted, either individually or collectively, by any person whomsoever, and the bodies, or goods, or lands of the Directors shall not be liable to execution of any legal process, by reason of any contract or other instrument so entered into, signed, or executed by them, or by reason of any other lawful act done by them in the execution of any of their powers as Directors; and the Directors, their Heirs, Executors, and Administrators, shall be indemnified out of the Capital of the Company, for all payments made, or liability incurred, in respect of any acts done by them, and for all losses, costs, and damages, which they may incur in the execution of the powers granted to them, and the Directors for the time being, of the Company, may apply the existing Funds and Capital of the Company, for the purposes of such indemnity, and, may if necessary, for that purpose, make calls of the Capital remaining unpaid, if any.

And with respect to the Appointment and Duties of Auditors—

XVI. *Be it enacted*, as follows :

The Company shall, at the first ordinary Meeting after the passing of this Act, elect two Auditors, in like manner as is provided for the election of Directors, and at the first ordinary Meeting of the Company in each year thereafter the Company shall, in like manner, elect an Auditor to supply the place of the Auditor then retiring from office, according to the provision hereinafter contained; and every Auditor elected as hereinbefore provided, being neither removed nor disqualified, nor having resigned, shall continue to be an Auditor until another be elected in his stead.

Appointment and duties of Auditors.

Where no other qualification shall be prescribed by this Act, every Auditor shall have at least one share in the undertaking, and he shall not hold any office in the Company, nor be in any other manner interested in its concerns, except as a Shareholder.

One of such Auditors to be determined in the first instance by ballot, between themselves, unless they shall otherwise agree, and afterwards by seniority, shall go out of office at the first ordinary meeting in each year; but the Auditor so going out shall be immediately re-eligible, and after any such re-election shall, with respect to the going out of office by rotation, be deemed a new Auditor.

If any vacancy take place among the Auditors in the course of the current year, then, at any General Meeting of the Company, the vacancy may, if the Company think fit, be supplied by election of the Shareholders.

The provision of this Act respecting the failure of an ordinary meeting at which Directors ought to be chosen, shall apply "*mutatis mutandis*" to any ordinary Meeting, at which an Auditor ought to be appointed.

The Directors shall deliver to such Auditors the half yearly or other periodical accounts and balance sheet fourteen days, at the least, before the ensuing ordinary meeting, at which the same are required to be produced to the Shareholders, as hereinafter provided.

It

It shall be the duty of such Auditors to receive from the Directors the half yearly or other periodical accounts and balance sheet required to be presented to the Shareholders, and to examine the same.

It shall be lawful for the Auditors to employ such Accountants, and other persons as they may think proper, at the expense of the Company, and they shall either make a special Report on the said accounts, or simply confirm the same, and such Report or confirmation shall be read together, with the Report of the Directors at the ordinary Meeting.

And with respect to the Accountability of the Officers of the Company—

XVII. *Be it enacted*, as follows :

Accountability of
Officers of Com-
pany

Before any person entrusted with the custody or control of Monies, whether Treasurer, Collector, or other Officer of the Company, shall enter upon his Office, the Directors shall take sufficient security from him for the faithful execution of his Office.

Every Officer employed by the Company shall, from time to time, when required by the Directors, make out and deliver to them, or to any person appointed by them for that purpose, a true and perfect account in writing, under his hand, of all Monies received by him on behalf of the Company, and such account shall state how, and to whom, and for what purpose, such Monies shall have been disposed of, and, together with such account, such Officer shall deliver the Vouchers and Receipts for such payments ; and every such Officer shall pay to the Directors, or to any person appointed by them to receive the same, all monies which shall appear to be owing from him upon the balance of such accounts.

If any such Officer fail to render such account, or to produce and deliver up all the Vouchers and Receipts relating to the same in his possession or power, or to pay the balance thereof when thereunto required, or if, for three days after being thereunto required, he fail to deliver up to the Directors, or to any person appointed by them to receive the same, all papers and writings, property, effects, matters, and things in his possession or power relating to the execution of this Act, or belonging to the Company, then, on complaint thereof being made to a Justice, such Justice shall summon such Officer to appear before two or more Justices at a time and place to be set forth in such Summons to answer such charge, and upon the appearance of such Officer, or, in his absence, upon proof that such Summons was personally served upon him or left at his last place of abode, such Justices may hear and determine the matter in a summary way, and may adjust and declare the balance owing by such Officer ; and if it appear, either upon confession of such Officer, or upon evidence, or upon inspection of the accounts, that any monies of the Company are in the hands of such Officer, or owing by him to the Company, such Justices may order such Officer to pay the same ; and if he fail to pay the amount, it shall be lawful for such Justices to grant a Warrant to levy the same by distress, or in default thereof to commit the offender to Gaol, there to remain without bail for a period not exceeding three months, unless the same be sooner paid.

If any such Officer refuse to make out such account in writing, or to produce and deliver to the Justices the several Vouchers and Receipts relating thereto, or to deliver up any books, papers, or writings, property, effects, matters, or things, in his possession or power belonging to the Company, such Justices may lawfully commit such offender to Gaol, there to remain until he shall have delivered up all the Vouchers and Receipts, if any in his possession or power relating to such accounts, and have delivered up all books, papers, writings, property, effects, matter and things, if any in his possession or power belonging to the Company.

Provided always, That if any Director, or any person acting on behalf of the Company, shall make oath that he has good reason to believe upon grounds to be stated in his deposition, and does believe that it is the intention of any such Officer, as aforesaid, to abscond, it shall be lawful for the Justice before whom the complaint

plaint is made, instead of issuing his Summons to issue his Warrant for the bringing such Officer before such two Justices as aforesaid, but no person executing such warrant shall keep such Officer in custody longer than twenty-four hours, without bringing him before some Justice, and it shall be lawful for the Justice before whom such Officer may be brought, either to discharge such Officer if he think there is no sufficient ground for his detention, or to order such Officer to be detained in custody so as to be brought before two Justices at a time and place to be named in such order, unless such Officer give bail to the satisfaction of such Justice for his appearance before such Justices to answer the complaint of the Company.

No such proceeding against, or dealing with any such Officer, as aforesaid, shall deprive the Company of any remedy which they might otherwise have against such Officer, or any surety of such Officer.

And with respect to the Keeping of Accounts, and the Right of Inspection thereof by the Shareholders—

Keeping Accounts
and right of in-
spection thereof.

XVIII. *Be it enacted*, as follows :

The Directors shall cause full and true accounts to be kept of all sums of money received or expended on account of the Company by the Directors, and all persons employed by, or under them, and of the matters and things for which such sums of money shall have been received, or disbursed and paid.

The Books of the Company shall be balanced fourteen days at the least, before each ordinary meeting, and forthwith on the books being so balanced, an exact balance sheet shall be made up, which shall exhibit a statement of the capital, stock, credits, and property of every description, belonging to the Company, and the debts due by the Company at the date of making such balance sheet, and a distinct view of the profits or loss which shall have arisen on the transactions of the Company in the course of the preceding half year, and previously to each ordinary meeting, such balance sheet shall be examined by the Directors, or any three of their number, and shall be signed by the Chairman or Deputy Chairman of the Directors.

The books, so balanced, together with such balance sheet as aforesaid, shall, for fourteen days previous to each ordinary meeting, and for one month thereafter, be open for the inspection of the Shareholders at the principal office or place of business of the Company ; but the Shareholders shall not be entitled at any time except during the period aforesaid, to demand the inspection of such books unless in virtue of a written order, signed by three of the Directors.

The Directors shall produce to the Shareholders assembled at such ordinary meeting the said balance sheet applicable to the period immediately preceding such meeting, together with the Report of the Auditors thereon, as hereinbefore provided.

The Directors shall appoint a Book Keeper, to enter the accounts aforesaid, in books to be provided for the purpose ; and every such Book Keeper shall permit any Shareholder to inspect such book, and to take copies or extracts therefrom during one fortnight before and one month after every ordinary meeting ; and if he fail to permit any such Shareholder to inspect such books, and take copies or extracts therefrom during the periods aforesaid, he shall forfeit to such Shareholder for every such offence a sum not exceeding Five Pounds.

And with respect to the Making of Dividends—

Making of dividends.

XIX. *Be it enacted*, as follows :

Previously to every ordinary meeting at which a Dividend is intended to be declared, the Directors shall cause a scheme to be prepared shewing the profits, if any, of the Company for the period current since the preceding ordinary meeting at which a Dividend was declared, and apportioning the same, or so much thereof as they may consider applicable, to the purposes of Dividend among the Shareholders, according to the shares held by them respectively, the amount paid thereon, and the periods during which the same may have been paid, and shall exhibit such scheme at such ordinary meeting, and at such meeting a Dividend may be declared according to such scheme.

The Company shall not make any Dividend, whereby their Capital Stock will be in any degree reduced : *Provided always*, that the word "Dividend" shall not be construed to apply to a return of any portion of the Capital Stock with the consent of all the Mortgagees and Bond Creditors of the Company, due notice being given for that purpose at an extraordinary meeting to be convened for that object.

Before apportioning the profits to be divided among the Shareholders, the Directors may, if they think fit, set aside thereout such sums as they may think proper, to meet contingencies, or for enlarging, repairing, or improving the works connected with the undertaking, or any part thereof, and may divide the balance only among the Shareholders.

No Dividend shall be paid in respect of any share, until all calls then due in respect of that and every other share held by the person to whom such Dividend may be payable shall have been paid.

Making of Bye
Laws.

And with respect to the making of Bye Laws—

XX. *Be it enacted*, as follows ;

It shall be lawful for the Company from time to time to make such Bye Laws as they think fit, for the purpose of regulating the conduct of the Officers and Servants of the Company, and for providing for the due management of the affairs of the Company in all respects whatsoever, and from time to time to alter or repeal any such Bye Laws and make others : *Provided* such Bye Laws be not repugnant to the Laws of this Province, or to the provisions of this Act ; and such Bye Laws shall be reduced into writing, and shall have affixed thereto the common seal of the Company, and a copy of such Bye Laws shall be given to every Officer and Servant of the Company affected thereby.

It shall be lawful for the Company by such Bye Laws to impose such reasonable penalties upon all persons being Officers or Servants of the Company offending against such Bye Laws, as the Company think fit, not exceeding Five Pounds for any one offence.

All the Bye Laws to be made by the Company shall be so framed as to allow the Justice before whom any penalty imposed thereby may be sought to be recovered, to order a part only of such penalty to be paid, if such Justice shall think fit.

The production of a written or printed copy of the Bye Laws of the Company, having the common seal of the Company affixed thereto, shall be sufficient evidence of such Bye Laws in all cases of prosecution under the same.

Settlement of Dis-
putes by Arbitra-
tion.

And with respect to the Settlement of Disputes by Arbitration—

XXI. *Be it enacted*, as follows :

When any dispute authorized or directed by this Act to be settled by arbitration shall have arisen, then, unless both parties shall concur in the appointment of a single Arbitrator, each party on the request of the other party shall, by writing under his hand, nominate and appoint an Arbitrator to whom such dispute shall be referred ; and after any such appointment shall have been made, neither party shall have power to revoke the same without the consent of the other, nor shall the death of either party operate as any such revocation, and if for the space of fourteen days after any such dispute shall have arisen, and after a request in writing shall have been served by the one party on the other party to appoint an Arbitrator, such last mentioned party fail to appoint such Arbitrator, then, upon such failure, the party making the request, and having himself appointed an Arbitrator, may appoint such Arbitrator to act on behalf of both parties, and such Arbitrator may proceed to hear and determine the matters which shall be in dispute, and in such case the award or determination of such single Arbitrator shall be final.

If, before the matters so referred shall be determined, any Arbitrator appointed by either party die, or become incapable, or refuse, or for seven days neglect to act as Arbitrator, the party by whom such Arbitrator was appointed may nominate and appoint in writing some other person to act in his place, and if, for the space of seven

days

days after notice in writing from the other party for that purpose, he fail to do so, the remaining or other Arbitrator may proceed, *ex parte*, and every Arbitrator so to be substituted as aforesaid, shall have the same power and authorities as were vested in the former Arbitrator at the time of such his death, refusal, or disability, as aforesaid.

Where more than one Arbitrator shall have been appointed, such Arbitrators shall, before they enter upon the matters referred to them, nominate and appoint by writing under their hands, an Umpire, to decide on any such matter on which they shall differ, and if such Umpire shall die, or refuse, or for seven days neglect to act, they shall forthwith after such death, refusal, or neglect, appoint another Umpire in his place, and the decision of every such Umpire on the matters so referred to him shall be final.

The said Arbitrators or their Umpire may call for the production of any documents in the possession or power of either party, which they or he may think necessary for determining the question in dispute, and may examine the parties or their witnesses on oath, and administer the oaths necessary for that purpose.

Except where by this Act it shall be otherwise provided, the costs of and attending every such Arbitration shall be in the discretion of the Arbitrators or their Umpires, as the case may be.

The submission to any such Arbitration may be made a rule of any of the Superior Courts on the application of either of the parties.

And with respect to the Giving of Notices—

Giving of Notices.

XXII. *Be it enacted*, as follows :

Any summons or notice, or any writ or other proceedings at law, or in equity, requiring to be served upon the Company, may be served by the same being left at or transmitted through the Post, directed to the principal office of the Company, or one of their principal offices; where there shall be more than one, or being given personally to the Secretary, or in case there be no Secretary, then, by being given to any one Director of the Company.

Notices requiring to be served by the Company upon Shareholders, may, unless expressly required to be served personally, be served by the same being transmitted through the Post, directed according to the registered address or other known address of the Shareholder, within such period as to admit of its being delivered in the due course of delivery, and in proving such service it shall be sufficient to prove that such notice was properly directed, and that it was so put into the Post Office.

All notices directed to be given to the Shareholders, shall, with respect to any share to which persons are jointly entitled, be given to whichever of the said persons shall be named first in the Register of Shareholders, and notice so given shall be sufficient notice to all the proprietors of such share.

All Notices required by this Act to be given by Advertisement, shall be advertised in the Royal Gazette, and in a Newspaper circulating in the District within which the Company's principal place of business shall be situated.

Every Summons, Notice, or other such document, requiring authentication by the Company, may be signed by two Directors, or by the Treasurer, or by the Secretary of the Company, and the same may be in writing, or in print, or partly in writing or partly in print.

XXIII. *And be it enacted*, That if any person against whom the Company shall have any claim or demand, become Bankrupt, or take the benefit of any Act for the relief of Insolvent Debtors, it shall be lawful for the Secretary or Treasurer of the said Company, in all proceedings against the Estate of such Bankrupt or Insolvent; or under any fiat, sequestration, or Act of Insolvency against such Bankrupt or Insolvent, to represent the Company, and act in their behalf in all respects as if such claim or demand had been the claim or demand of such Secretary or Treasurer, and not of the Company.

Proceedings against
Estate of Bank-
rupts or Insol-
vents.

Tender of amends
and payment into
Court by party
committing irre-
gularity in execu-
tion of Act.

XXIV. And be it enacted, That if any party shall have committed any irregularity, trespass, or other wrongful proceeding in the execution of this Act, or by virtue of any power or authority thereby given, and if before action brought in respect thereof, such party make tender of sufficient amends to the party injured, such last mentioned party shall not recover in any such action, and if no such tender shall have been made, it shall be lawful for the Defendant, by leave of the Court where such action shall be pending at any time before issue joined, to pay into Court such sum of money as he shall think fit, and thereupon such proceedings shall be had as in other cases where Defendants are allowed to pay money into Court.

Recovery of Dam-
ages and penalties.

And with respect to the Recovery of Damages not specially provided for, and Penalties,

XXV. Be it enacted, as follows :

In all cases where any damages, costs or expenses, are by this Act directed to be paid, and the method of ascertaining the amount, or enforcing the payment thereof, is not provided for, such amount, in case of dispute, shall be ascertained and determined by two Justices ; and if the amount so ascertained be not paid by the Company, or other party liable to pay the same, within seven days after demand, the amount may be recovered by Distress of the Goods of the Company, or other party liable as aforesaid, and the Justices by whom the same shall have been ordered to be paid, or either of them, on application, shall issue their or his Warrant accordingly.

If sufficient Goods of the Company cannot be found whereon to levy any such damages, costs, or expenses payable by the Company ; the same may, if the amount thereof do not exceed the sum of Twenty Pounds, be recovered by Distress of the Goods of the Treasurer of the Company, and the Justices aforesaid, or either of them, on application, shall issue their or his Warrant accordingly ; but no such Distress shall issue against the Goods of such Treasurer, unless seven days previous notice in writing, stating the amount so due, and demanding payment thereof, have been given to such Treasurer, or left at his residence, and if such Treasurer pay any money under such Distress as aforesaid, he may retain the amount so paid by him, and all costs and expenses occasioned thereby, out of any money belonging to the Company coming into his custody or control, or he may sue the Company for the same.

Where in this Act any question of compensation, expenses, charges, or damages is referred to the determination of any one Justice, or more, it shall be lawful for any Justice, upon the application of either party, to summon the other party to appear before one Justice, or before two Justices as the case may require, at a time and place to be named in such summons ; and upon the appearance of such parties, or in the absence of any of them, upon proof of due service of the summons, it shall be lawful for such one Justice, or such two Justices, as the case may be, to hear and determine such question, and for that purpose to examine such parties, or any of them, and their witnesses, on oath, and the costs of every such enquiry shall be in the discretion of such Justices, and they shall determine the amount thereof.

The Company shall publish the short particulars of the several offences for which any penalty is imposed by this Act, or by any Bye Law of the Company, affecting other persons, than the Shareholders, Officers, or Servants of the Company, and of the amount of every such penalty, and shall cause such particulars to be painted on a board, or painted upon paper and pasted thereon, and shall cause such board to be hung or affixed on some conspicuous part of the principal place of business of the Company, and where any such penalties are of local application, shall cause such boards to be affixed in some conspicuous place in the immediate neighborhood to which such penalties are applicable or have reference, and such particulars shall be renewed as often as the same, or any part thereof, is obliterated or destroyed ;

be

and no such penalty shall be recoverable unless it shall have been published, and kept published, in the manner hereinbefore required.

If any person pull down or injure any board put up or affixed, as required by this Act, for the purpose of publishing any Bye Law or Penalty, or shall obliterate any of the letters or figures thereon, he shall forfeit, for every such offence, a sum not exceeding Five Pounds, and shall defray the expenses attending the restoration of such board.

Every Penalty or Forfeiture imposed by this Act, or by any Bye Law made in pursuance thereof, the recovery of which is not otherwise provided for, may be recovered by summary proceedings before two Justices—and on complaint being made to any Justice, he shall issue a Summons requiring the party complained of to appear before two Justices, at a time and place to be named in such Summons, and every such Summons shall be served on the party offending, either in person, or by leaving the same with some inmate at his usual place of abode, and upon the appearance of the party complained against, or in his absence, after proof of the due service of such Summons, it shall be lawful for two Justices to proceed to the hearing of the complaint, and that although no information in writing or in print shall have been exhibited before them, and upon proof of the offence, either by the confession of the party complained against, or upon the oath of one credible witness, or more, it shall be lawful for such Justices to convict the offender, and upon such conviction to adjudge the offender to pay the penalty or forfeiture incurred, as well as such costs attending the conviction, as such Justices shall think fit.

If forthwith, upon any such adjudication, as aforesaid, the amount of the penalty or forfeiture, and of such costs as aforesaid, be not paid, the amount of such penalty and costs shall be levied by Distress, and such Justices, or either of them, shall issue their or his Warrant of Distress accordingly.

It shall be lawful for any such Justice to order any offender, so convicted as aforesaid, to be detained and kept in safe custody until return can be conveniently made to the Warrant of Distress to be issued for levying such penalty and forfeiture and costs, unless the offender give sufficient security by way of recognizance, or otherwise, to the satisfaction of the Justice for his appearance before him on the day appointed for such return, such day not being more than eight days from the time of taking such security; but if, before issuing such Warrant of Distress, it shall appear to the Justice by the admission of the offender, or otherwise, that no sufficient Distress can be had within the jurisdiction of such Justice whereon to levy such penalty or forfeiture and costs, he may, if he thinks fit, refrain from issuing such Warrant of Distress, and in such case, or if such Warrant shall have been issued, and upon the return thereof, such insufficiency, as aforesaid, shall be made to appear to the Justice, then such Justice shall, by Warrant, cause such offender to be committed to Gaol, there to remain without bail for any term not exceeding Three Months, unless such penalty or forfeiture and costs be sooner paid and satisfied.

Where in this Act any sum of money, whether in the nature of penalty, or otherwise, is directed to be levied by Distress, such sum of money shall be levied by Distress and Sale of the Goods and Chattels of the party liable to pay the same, and the overplus arising from the Sale of such Goods and Chattels, after satisfying such sum of money, and the expenses of the Distress and Sale, shall be returned on demand to the party whose Goods shall have been Distrained.

No Distress levied by virtue of this Act shall be deemed unlawful, nor shall any party making the same be deemed a Trespasser on account of any defect or want of form in the Summons, Conviction, Warrant of Distress, or other proceeding relating thereto, nor shall such party be deemed a Trespasser, *ab initio*, on account of any irregularity afterwards committed by him; but all persons aggrieved by such defects or irregularity, may recover full satisfaction for the special damage, in an action upon the case.

The Justice by whom any such penalty or forfeiture shall be imposed, may, where the application thereof is not otherwise provided for, award no more than one half thereof to the Informer, and shall award the remainder to the Overseers of the Poor of the Township or District in which the offence shall have been committed, for the benefit of the Poor of such Township or District.

No person shall be liable to the payment of any penalty or forfeiture imposed by virtue of this Act, for any offence made cognizable before a Justice, unless the complaint respecting such offence shall have been made before such Justice within six months next after the commission of such offence.

If, through any act, neglect, or default, on account whereof any person shall have incurred any penalty imposed by this Act, any damage to the property of the Company shall have been committed by such person, he shall be liable to make good such damage, as well as to pay such penalty, and the amount of such damage shall, in case of dispute, be determined by the Justices by whom the party incurring such penalty shall have been convicted, and on non-payment of such damages on demand, the same shall be levied by Distress, and such Justices, or one of them, shall issue their or his Warrant accordingly.

It shall be lawful for any Justice to summon any person before him as a Witness in any matter in which such Justice shall have jurisdiction under the provisions of this Act, at a time and place mentioned in such Summons, and to administer to him an Oath to testify the truth in such matter, and if any person so summoned, shall, without reasonable excuse, refuse or neglect to appear at the time and place appointed for that purpose, having been paid or tendered a reasonable sum for his expenses, or if any person appearing shall refuse to be examined upon Oath or give evidence before such Justice, every such person shall forfeit a sum not exceeding Five Pounds for every such offence.

It shall be lawful for any Officer or Agent of the Company, and all persons called by him to his assistance, to seize and detain any person who shall have committed any offence against the provisions of this Act, and whose name and residence shall be unknown to such Officer or Agent, and convey him with all convenient dispatch before some Justice, without any Warrant, or other authority than this Act, and such Justice shall proceed with all convenient despatch to the hearing and determining of the complaint against such offender.

The Justice before whom any person shall be convicted of any offence against this Act, may cause the conviction to be drawn up according to the form in the Schedule "G," to this Act annexed.

If any party shall feel aggrieved by any determination or adjudication of any Justice with respect to any penalty or forfeiture under the provision of this Act, such party may appeal to the Supreme Court for the County or place in which the cause of appeal shall have arisen, but no such appeal shall be entertained unless it be made within Four Months next after the making of such determination or adjudication, nor unless Ten days notice in writing of such appeal, stating the nature and grounds thereof, be given to the party against whom the appeal shall be brought, nor unless the appellant forthwith, after such notice, enter into recognizances with two sufficient sureties before a Justice, conditioned duly to prosecute such appeal, and to abide the order of the Court thereon.

At the Supreme Court for which such notice shall be given, the Court shall proceed to hear and determine the appeal in a summary way, or they may, if they think fit, adjourn it to the following Term—and upon the hearing of such appeal the Court may, if they think fit, mitigate any penalty or forfeiture, or they may confirm or quash the adjudication, and order any money paid by the appellant, or levied by distress upon his goods, to be returned to him, and may also order such further satisfaction to be made to the party injured as they may judge reasonable; and they may make such order concerning the costs, both of the adjudication and of the appeal, as they may think reasonable.

And

And with respect to the Provision to be made for Affording Access to this Act by all parties interested—

XXV. *Be it enacted*, as follows :

The Company shall at all times after the expiration of Six Months after the passing of this Act, keep in their principal Office of Business a copy of this Act, printed by the Printer to Her Majesty, and shall also, within the space of such Six Months deposit in the Office of the Clerk of the Peace of the County of Colchester a copy of this Act, so printed as aforesaid, and the said Clerk of the Peace shall retain the said copy, and shall permit all persons interested therein to inspect the same, and make extracts or copies therefrom.

Provision for Access
to Act.

If the Company shall fail to keep or deposit as hereinbefore mentioned, any of the said copies of this Act, they shall forfeit Twenty Pounds for every such offence ; and also, Five Pounds for every day afterwards, during which such copy shall be not so kept or deposited.

SCHEDULES REFERRED TO BY THE FOREGOING ACT.

A. *Form of Certificate of Share.*

THE LONDONDERRY MINING COMPANY OF NOVA-SCOTIA.

Number

This is to certify that A. B. of _____, is the Proprietor of the Share Number _____ of the "Londonderry Mining Company of Nova-Scotia," subject to the regulations of the said Company.

Given under the Common Seal of the said Company,
the _____ day of _____ in the year of our Lord

B. *Form of Transfer of Shares or Stock.*

I, _____ of _____ in consideration of the sum of _____, paid to me by _____ of _____ do hereby transfer to the said Share (or Shares), numbered _____ in the undertaking called the "Londonderry Mining Company of Nova-Scotia," or _____ Pounds consolidated Stock, in the undertaking called "The Londonderry Mining Company of Nova-Scotia," standing, (or part of the Stock standing) in my name in the Books of the Company, to hold unto the said _____, his Executors, Administrators, and Assigns, (or Successors and Assigns,) subject to the several conditions on which I held the same at the time of the execution hereof ; and I, the said _____ do hereby agree to take the said Share (or Shares), or Stock, subject to the same conditions.

As Witness our Hands and Seals, the _____ day of _____

C. *Form of Mortgage Deed.*

THE LONDONDERRY MINING COMPANY OF NOVA-SCOTIA.

Mortgage Number

£

By virtue of (here name the special Act) We, "the Londonderry Mining Company of Nova-Scotia," in consideration of the sum of _____ Pounds, paid to us by A. B. of _____ do assign unto the said A. B. his Executors, Administrators, and Assigns, the said undertaking, [and (in case such loan shall be in anticipation of the Capital authorized to be raised) all future calls on Shareholders,] and all the Tolls and sums of money arising by virtue of the said Act, and all the Estate, Right, Title, and Interest of the Company in the same, to hold unto the said A. B., his Executors, Administrators, and Assigns, until the said sum of _____ Pounds, together with interest for the same, at the rate of _____ for every One Hundred Pounds, by the year, be satisfied [the principal sum to be repaid at the end of _____ years from the date hereof,] (in case any period be agreed upon for that purpose,) at _____ or any place of payment other than the principal Office of the Company. Given under our Common Seal, this _____ day of _____ in the year of Our Lord

D.

D. *Form of Bond.*

THE COMPANY.

Bond Number £

By virtue of [here name the special Act.]
 We, "The Londonderry Mining Company of Nova-Scotia," in consideration of the sum of Pounds to us in hand, paid by A. B. of do bind ourselves and our successors unto the said A. B., his Executors, Administrators, and Assigns, in the penal sum of Pounds.

The condition of the above obligation is such, that if the said Company shall pay to the said A. B., his Executors, Administrators, or Assigns, at (in case any other place of payment than the principal Office of the Company be intended) on the day of which will be in the year One Thousand Eight Hundred and , the principal sum of Pounds, together with interest for the same, at the rate of Pounds per centum per annum, payable half yearly on the day of , and day of Then the above written obligation is to become void, otherwise to remain in full force.

Given under our Common Seal, this day of One Thousand Eight Hundred and

E. *Form of Transfer of Mortgage or Bond.*

I, A. B., of in consideration of the sum of , paid to me by G. H., of do hereby transfer to the said G. H., his Executors, Administrators, and Assigns, a certain Bond, (or Mortgage,) Number , made by "The Londonderry Mining Company of Nova-Scotia, to , bearing date the day of for securing the sum of and interest, (or if such transfer be by endorsement, the within security) and all my Right, Estate, and Interest, in and to the money thereby secured, (and if the transfer be of a Mortgage,) and in and to the Tolls, Money, and Property thereby assigned.

In witness whereof I have hereunto set my Hand and Seal, this day of , One Thousand Eight Hundred and

F. *Form of Proxy.*

A. B., one of the Proprietors of "The Londonderry Mining Company of Nova-Scotia," doth hereby appoint C. D. of to be the proxy of the said A. B. in his absence, to vote in his name upon any matter relating to the undertaking proposed, at the Meeting of the Proprietors of the said Company, to be held on the day of next, in such manner as he, the said C. D., doth think proper.

In witness whereof the said A. B. hath hereunto set his Hand (or if a Corporation say the Common Seal of the Corporation) the day of One Thousand Eight Hundred and

G. *Form of Conviction.*

Be it Remembered that on the day of in the year of our Lord A. B. is convicted before us, C. D. two of Her Majesty's Justices of the Peace for the County of (here describe the offence generally, and the time and place when and where committed) contrary to the (here name the Special Act.)

Given under our Hands and Seals, the day and year first above written.

C.
D.

CAP.

CAP. LII.

An Act to Incorporate the Nova-Scotia Fire Insurance Company.

(Passed the 17th day of March, 1847.)

WHEREAS, it is expedient to Incorporate such persons as may be willing to unite and form a Capital or Joint Stock for the purpose of insuring Houses, Buildings, Goods, Wares, and Merchandize, from loss or damage by Fire, to prevent the necessity of applying for such purpose to Foreign Corporations, and thereby sending large sums of money out of the Province :

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That all such persons as shall from time to time become proprietors or shareholders in the Corporation hereafter mentioned and hereby established, and their Successors, Executors, Administrators, and Assigns, shall, as soon as this Act shall come into operation, be, and they are hereby united into a Company, and declared to be one Body, Politic and Corporate, by the name of "The Nova-Scotia Fire Insurance Company," and by that name shall have succession and a common seal, with power the same to change, alter, and make anew, as they shall see fit, and by that name shall and may sue and be sued, plead and be impleaded in Law or in Equity, and be able and capable in Law to have, hold, purchase, get, receive, take possession of, and enjoy, Houses, Lands, Tenements, Hereditaments, and Rents, in fee simple or otherwise, and also Goods and Chattels, and all other things, real, personal, or mixed, to any amount not exceeding Ten Thousand Pounds; and also to give, grant, mortgage, demise, set, let, assign, or convey the same, or any part thereof, and to do, manage, transact, and execute all other things in and about the same, which shall and may be thought necessary and proper for the benefit or advantage of the said Company : *Provided always,* that until One Thousand Shares of Twenty-five Pounds per share shall be subscribed and paid in, or secured, this Act shall not go into operation, but when the said number of shares shall have been subscribed and paid in, or secured, this Act shall and may go into operation.

II. *And be it enacted,* That the Capital or Joint Stock of the said Company shall not be less than Fifty Thousand Pounds, to consist of Two Thousands shares of Twenty-five Pounds each, of lawful money of Nova-Scotia, not less than Ten Thousand Pounds of which shall be deposited and secured in the British or Provincial Funds, or in Stock of Banks doing business in Nova-Scotia, and the remainder shall be secured in the British or Provincial Funds, or by mortgage on real estate in the Province of Nova-Scotia, or Bonds with two sufficient sureties to the satisfaction of the Directors.

III. *And be it enacted,* That as soon as conveniently may be after the passing of this Act, the persons intending to form the said Company, shall, by an Advertisement to be published in at least two of the public Weekly Newspapers printed in Halifax, give notice that Subscription Books for taking shares in the said Company, will be opened on a certain day, and at a certain place, to be mentioned in such Advertisement, at which time and place proper Books shall be opened for the purpose of receiving and taking the subscriptions of all persons who shall desire to become Proprietors of shares in, and Members of, such Company; and an entry shall be made of the number of shares taken by each Subscriber : *Provided always,* that during the space of sixty days from first opening the said Books, no person shall subscribe for or take any greater number than Twenty shares; *Provided also,* that if during the said space of sixty days, the whole number of Two Thousand shares shall not be subscribed for or taken, then it shall be lawful for any Shareholder or Shareholders to take any additional number of shares, not exceeding in the whole, Eighty shares.

Inspection of Securities of Company.

IV. *Provided always, and be it enacted*, That it shall be the duty of the said Company, between the First and the Thirty-first days of December in each year, to petition the Governor to appoint Inspectors to investigate the securities of the said Company, and the Governor is hereby authorised thereupon to commission three persons for such purpose ; and it shall be the duty of such persons immediately to examine the securities held by the said Company, under the provisions of this Act, and to report upon the same, with their opinion thereof, to the Governor, to be laid before the General Assembly at its next Sitting ; and if, in the opinion of the said Commissioners, or of the Governor, with the advice of Council, or of the Legislative Council, or of the House of Assembly, declared by Resolution of such Legislative Council or House of Assembly, the said remainder of the said Capital Stock is insufficiently secured, notice of the defects or deficiency complained of in such securities shall be given to the President and Directors, who shall, within thirty days thereafter, improve or supply such defects or deficiencies, and report to the Governor the alterations made ; and the Governor shall again cause the securities of the Company to be inspected, and a report thereof made and laid before the Assembly as aforesaid ; and if the said Company shall at any time fail to petition or to make good their securities to the satisfaction of the Governor and Council, or of the Legislative Council, or of the House of Assembly, according to the provisions of this Act, it shall and may be lawful for the Governor, with the advice of Council on the resolution of the Legislative Council or of the House of Assembly, by Proclamation in the Royal Gazette, to declare the operation of this Act to be suspended forever, or for such time and under such conditions as the Governor, with the advice of Council ; may see fit to appoint, and upon the publication of any such Proclamation in the Royal Gazette, this Act shall thenceforth, as regards all the privileges and powers of the said Company, be suspended, and become inoperative, and shall so continue for the time and under the conditions that may be expressed in such Proclamation : *Provided*, that notwithstanding such suspension the said Company shall continue to be liable to be sued, and shall be answerable for all debts and liabilities as if such suspension had not occurred : *And provided*, that the said Company shall from time to time pay such reasonable fees and charges in and about such inspections and other acts connected with, or resulting therefrom, as shall, by the Governor, with the advice of Council, be sanctioned and deemed reasonable and proper ; and further, that the report of the said inspectors shall in all cases be laid before the Stockholders of the said Company at their annual meeting in every year.

Nomination of Directors and President.

V. *And be it enacted*, That when and so soon as One Thousand shares shall have been subscribed of the said Capital or Joint Stock of the said Company, it shall and may be lawful for the Subscribers or Shareholders to assemble and meet together, and to nominate, choose, and appoint, five Directors for the said Company, not being Directors of any other Fire Insurance Company, of whom one shall be chosen and elected by the said Directors to be President—which said President and Directors shall be and remain in office until other Directors are elected and substituted in their stead, at the General Meeting hereinafter mentioned.

Annual Meeting of Shareholders.

VI. *And be it enacted*, That from and after the passing of this Act there shall be a General Meeting of the Shareholders and Members of the said Corporation, to be annually holden in the third week of December, in each and every year at Halifax, and to adjourn to any day during said week, at which Annual Meeting there shall be chosen by a majority of the said Shareholders and Members of the said Corporation, five Directors, (not being Directors of any other Fire Insurance Company) who shall annually choose one out of their number as President, and which President and Directors shall continue in office for one year, or until others are chosen in their room, in the choice of which Directors the Shareholders and Members of the said Corporation shall vote according to the rule hereinafter mentioned :

Provided

Provided always, that three only of the Directors in office shall be re-elected at such Annual Meeting, for the next succeeding twelve months.

VII. *And be it enacted*, That the Directors for the time being shall have power to appoint such Officers, Clerks, and Servants, as they, or the major part of them, shall think necessary for executing the business of the said Corporation, and shall allow them such compensation for their services, respectively, as to the said Directors shall appear reasonable and proper; all which, together with the Expenses, Buildings, Office Rents, and all other contingencies, shall be defrayed out of the funds of the Corporation; and the said Directors shall likewise exercise such other powers and authorities for the well regulating the affairs of the said Corporation, as shall be prescribed by the Bye Laws and Regulations of the same: *Provided* Powers of Directors.
always, that the compensation to be allowed by the Directors to any Officer, Clerk, or Servant, of the said Company, shall be subject to the approval of the Shareholders at their next General Meeting. Proviso.

VIII. *And be it enacted*, That not less than three Directors shall constitute a Board for the transaction of business, of which the President shall always be one, except in case of sickness or unavoidable absence, in which case the Directors present may choose one of their Board as Chairman in his stead; that the President or Chairman shall vote at the Board as a Director, and in case of their being an equal number of votes for and against any question before them, the President or Chairman shall also have a casting vote. Board of Directors.

IX. *And be it enacted*, That each Shareholder shall be entitled to vote according to the number of shares which he may possess, that is to say, the owner of one share to have one vote; the owner of six shares to have two votes; and the owner of twelve shares, or any greater number of shares, to have three votes, and no more; and all Shareholders may vote by proxy, provided such proxy be a Shareholder, and do produce sufficient written authority from his constituent so to act, and whenever any share shall be held by more than one person, then the person present at the Meeting who is first named in the Stock Certificate, shall vote therefor: *Provided always*, that no person shall have more than three proxies at any one time. Votes of Shareholders.

X. *And be it enacted*, That the Directors shall fill up any vacancy that may be occasioned in the office of President, or in the Board of Directors, by the death, removal, resignation, or absence from the Province for three months, or any incapacity of the said President, or any of its Members; and the person so chosen by the said Directors, shall serve until the next succeeding Annual Meeting of the Shareholders. Directors to fill up vacancies.

XI. *And be it enacted*, That notwithstanding any Real Estate which the said Corporation may at any time own or possess, the shares and interest of and in the Stock, Funds, Property, and Estate of the said Corporation shall be, and shall be held, deemed, and taken to be personal property, to all intents and purposes whatsoever, and may be sold and assigned by the Proprietor, or otherwise, as other personal property may be sold and assigned: *Provided* that the purchasers shall make the payment and give the security hereinbefore prescribed. Shares to be deemed personal property.

XII. *And be it enacted*, That when the said Corporation shall have provided and secured the said Capital or Joint Stock of Fifty Thousand Pounds, as aforesaid, to the satisfaction of the Governor, it shall be lawful for them to cause Insurances to be made on Houses, Buildings, Stores, Goods, Wares, and Merchandize within this Province, from loss and damage by Fire to the value of One Hundred and Fifty Thousand Pounds, and no more, and the whole of the said Capital or Joint Stock shall be pledged and liable to make good all and every loss which may happen upon all or any of the said Policies: *Provided always*, that in case the said Corporation shall at any time during the continuance of this Act, represent to the Governor that the demands for making Insurance on the Corporation exceed the Regulations relative to Capital of Company, Insurances, &c.
the

the sum of One Hundred and Fifty Thousand Pounds, it shall and may be lawful for the Governor, by and with the advice of the Executive Council, to grant permission, under his Hand and Seal, to the said Corporation, for making further Insurances as aforesaid, to the amount of a further sum not exceeding Fifty Thousand Pounds; and in case the said Corporation shall at any time make any Insurances beyond the said sum of One Hundred and Fifty Thousand Pounds, or beyond the further sum of Fifty Thousand Pounds, in case the said Corporation may obtain License as aforesaid, to make such further Insurance, in either case each of the Members shall be liable in his own person and Estate, for his share or proportion of such sum insured beyond the said sum of One Hundred and Fifty Thousand Pounds, or beyond the said sum of Fifty Thousand Pounds in addition thereto, if licensed as aforesaid.

Regulations relative to Insurances under License from Governor.

XIII. *Provided always, and be it enacted*, That in no case shall it be lawful for the said Company to make any Insurance beyond the said sum of One Hundred and Fifty Thousand Pounds, under any such License obtained as aforesaid, until the further sum of Five Thousand Pounds of the Capital Stock of the said Company, in addition to the sum of Ten Thousand Pounds hereinbefore required, shall be paid up and secured in the British or Provincial Funds, or in Stock of Banks doing business in Nova Scotia; but in case of any Insurance beyond the sum of One Hundred and Fifty Thousand Pounds, being so made contrary to this provision, each of the Members shall be liable in his own person and Estate for his share or proportion of such sums so insured beyond the said sum of One Hundred and Fifty Thousand Pounds.

Responsibility of Joint Stock for debts of Corporation.

XIV. *And be it enacted*, That the Joint Stock or property of the said Corporation shall alone be responsible for the debts and engagements of the said Corporation, and that no person who shall or may have dealings with the said Corporation, shall, on any pretence whatsoever, have recourse against the separate property of any Member of the said Corporation, or against his person, further than may be necessary to secure the faithful application of the funds of the said Corporation, unless the said Corporation shall be made liable for any monies under the operation of the respective provisos in the twelfth and thirteenth sections of this Act.

Annual Dividends

XV. *And be it enacted*, That the Directors shall make Annual Dividends of such part of the Profits, Rents, Premiums, and Interest, only as they shall think fit, but not of the Capital or Joint Stock of the said Corporation, payable at such time and place as the Directors shall appoint.

Books, &c., open to Directors.

XVI. *And be it enacted*, That the Books, Papers, Correspondence, and Funds, of the said Corporation, shall at all times be subject to the inspection of the Directors; but no Shareholder, not a Director, shall inspect the same without permission, in writing, from the said Board of Directors.

Books to be balanced &c. Abstract to be produced at Annual Meeting.

XVII. *And be it enacted*, That the said Board of Directors shall have power and authority, and they are hereby strictly required to cause to be balanced the books of the said Corporation on the last day of November in each and every year, or at such other period as any General Meeting of the Shareholders or Members shall require, and the same being so balanced shall be carefully examined, audited, and signed by the Board of Directors, and an abstract of the said balance, shewing clearly and explicitly the state of the debts and credits of the said Corporation, and shewing how many and what part of the Insurances made by the Corporation are determined, or remain undetermined and at risk, and what claims for losses are unsettled, and what deductions or allowances ought to be made thereupon, and also shewing how and in what manner the Capital Stock and other monies of the Corporation are invested or disposed of, and what sums of money are due to the said Corporation; and also shewing and stating such further particulars as by the Bye Laws and Regulations of the said Corporation shall be required, shall, together with the report of the Inspector, made as aforesaid, be produced by them at the Annual General

Meeting

Meeting, for the inspection of the Shareholders and Members of the said Corporation.

XVIII. *And be it enacted,* That Special Meetings of the Shareholders and Members of the said Corporation, shall be summoned by the Directors when they shall deem the same necessary, or whenever a requisition therefor, in writing, shall be delivered to the Board, signed by twelve Shareholders, and specifying the object of such Meeting: *Provided always,* that notice of the day appointed for the Annual or any General or Special Meeting of the said Corporation, shall be given by an advertisement published at least seven days previous thereto in the Royal Gazette, Newspaper, in Halifax.

Calling of Special Meetings.

Proviso.

XIX. *And be it enacted,* That the said Corporation shall have full power and authority, from time to time at any General Meeting, to make, ordain, and put in execution, such Rules, Orders, and Bye Laws, as to them shall seem meet and proper, for regulating the proceedings of the Corporation, the transfer of shares, the proceedings of the Board of Directors, the transaction of the business of the Corporation, the government and regulation of all the Officers and Servants of the said Corporation, and for the superintendance and management of the affairs of the Corporation, in all respects whatsoever; and from time to time to alter and repeal such Rules, Orders, and Bye Laws, or any of them, and to make others as to the Shareholders of said Corporation, at a General Meeting, shall seem meet and expedient; and all Rules, Orders, and Bye Laws, so made as aforesaid, being reduced into writing, and signed by the Chairman present at any such Meeting, and sealed with the seal of said Corporation, shall, in all or any Courts of Law or Equity, be deemed and taken to be the Rules, Orders, and Bye Laws of such Corporation: *Provided always,* that such Rules, Orders, and Bye Laws, be not repugnant to the Laws of this Province, or to the Laws in force within the same, or to the express directions or provisions of this Act: *And provided also,* that such Bye Laws shall not be of any force or effect until approved by the Governor and Council.

Proceedings at General Meeting.

Proviso.

XX. *And be it enacted,* That if any person shall forge or counterfeit the Common Seal of the said Corporation, erected by this Act, or shall forge, counterfeit, or alter any Policy or other instrument under the said Common Seal, or shall offer to dispose of any such forged, counterfeited, or altered Policy, or other Instrument under the said Common Seal, knowing the same to be such, or shall demand the money appearing to be due thereon, from the said Corporation, every such person offending, and being convicted thereof in due form of Law, shall suffer the pains and penalties inflicted by Law upon persons guilty of forgery within this Province.

Penalties for forging Seal, altering Policy, &c.

XXI. *And be it enacted,* That it shall not be lawful for the said Corporation, nor for any person in trust for the said Corporation, to have, take, hold, or enjoy, any Lands or Tenements within this Province, except as aforesaid, and all gifts, grants, or devises of Lands or Tenements to the said Corporation, or to any person in trust, for or to the use of the said Corporation, except as aforesaid, shall be, and the same are hereby declared void.

Corporation not to hold Lands except as authorised by Act, &c.

XXII. *And be it enacted,* That all just demands upon any policy of Insurance of the said Corporation from any losses whatsoever which may happen, shall be paid, satisfied, and discharged, from time to time, according to the tenor of the respective policies, within three months from the time any such loss shall occur and happen.

Just demands to be paid within Three Months.

XXIII. *And be it enacted,* That this Act shall continue for the term of Ten years and no longer, unless the same shall be determined in manner and for the cause hereinbefore expressed.

Duration of Act.

CAP. LIII.

An Act to Incorporate the Alumni of King's College, Windsor.

(Passed the 30th day of March, 1847.)

Preamble.

WHEREAS a number of persons have associated themselves under the name of the Alumni of King's College, Windsor, for the promotion of Education, and have raised, by private contribution, sums of Money which they are desirous to expend in aid of the Funds of the said College, on the promotion of Education in the said College, and the Collegiate School at Windsor connected therewith, in or towards the maintenance and support of the Teachers therein, or in such other way as may best conduce to the end which they have in view, and they are desirous of obtaining assistance from the Legislature by the passing of an Act of Incorporation for enabling them to hold property, and manage their affairs, with greater ease and convenience.

The Alumni of
Kings' College,
Windsor, incorpo-
rated.

I. Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That John T. Twining, James B. Uniacke, Henry Pryor, Hugh Hartshorne, and all and every such other person and 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 Alumni of King's College, Windsor," and by that name have succession and a common seal, and by that name shall sue and be sued, plead 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 or proper; and also shall have, from time to time, and at all times, full power, authority, and license, to constitute, make, and establish such Bye Laws, Rules, and Ordinances, as may be thought necessary for the rule and good management of said Society, the establishing of the 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 objects of the Society: *Provided* such 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 King's College, Windsor, respectively, at the time such Bye Laws, Rules, and Ordinances may be constituted and established, or to the provisions of this Act: *And provided also,* that the said Society shall not hold at any time, Lands, Tenements, Hereditaments, Goods, Chattels, Property, or Effects, of greater value than Ten Thousand Pounds.

Proviso.

Annual subscription
to be paid by
Members.

Proviso.

II. And be it enacted, That all persons paying an annual subscription of Twenty Shillings, or upwards, or making at one time a donation of Twenty Pounds, or upwards, shall be entitled to be Members of the said Society, having been duly admitted pursuant to the Bye Laws thereof: *Provided* that such annual subscription or donation be actually paid into the Funds of the Society, and provided that no person now a Member of the said Society, or who hereafter may become a Member of the same, shall at any time hereafter continue a Member of the same, unless he shall have heretofore paid, or shall hereafter pay at one time into the Funds of the said Society, a donation of at least Twenty Pounds, or shall hereafter annually, and from year to year, pay into the said Funds the sum of Twenty Shillings or upwards, and if such annual subscription, or payment of any such annual Member, shall not be paid on the first day of May in each year, such Member shall thereupon cease to be a Member of the said Society, until such annual subscription

or payment shall be actually paid, or until such person shall otherwise become a Member of the said Society, under some Bye Law or Rule thereof.

III. *And be it enacted*, That the said Society shall be governed, and its affairs managed by a Committee of nine, comprising a President, Vice President, and seven other Members, a Secretary and Treasurer; the said Committee to be henceforth called the Executive Committee, and such other Officers as the said Society from time to time may think proper.

Management of Society.

IV. *And provided, and be it enacted*, That John T. Twining, D. D., now the President of the said Society, shall, after the passing of this Act, be the President of the said Society; that the Honorable Henry Hezekiah Cogswell, now the Vice President of the said Society, be the Vice President of the said Society after the passing of this Act; that Samuel L. Shannon, Esquire, now the Secretary and Treasurer of the said Society, be the Secretary and Treasurer thereof after the passing of this Act; and Samuel P. Fairbanks, Henry Pryor, James B. Uniacke, William J. Almon, Robert Fitzgerald Uniacke, Mather B. Almon, and Charles Twining, now the Managing Committee of the said Society, shall, after the passing of this Act, be the Executive Committee of the said incorporated Society, until an Executive Committee be elected under this Act.

Present Committee to continue in Office until appointment under Act.

V. *And be it enacted*, That all persons, without regard to religious denomination or difference of religious sentiments, may be, and at any time hereafter become Members of the said incorporated Society, being in all other respects entitled to be and become Members of the said Society, and now and at any time hereafter may hold any of the said appointments, or any other offices and appointments in the said incorporated Society, being duly elected and appointed thereto pursuant to the Bye Laws thereof, anything contained herein, or in any Rules, Regulations, or Bye Laws of the said Society, to the contrary notwithstanding.

Persons of all religious denominations eligible as Members.

VI. *And be it enacted*, That the said Society, incorporated as aforesaid, shall have power, from time to time hereafter, to appoint the President, Vice President, and Executive Committee, at some General Meeting of the said Society, by a majority of the Members of the Society present, the whole number present being not less than twenty Members, according to such regulations concerning such appointments as may hereafter be made by any Bye Laws of the said Society, to be made by virtue hereof.

Appointment of President, Vice President, and Committee.

VII. *And be it enacted*, That the Secretary and Treasurer of the said Society, and such other officers as may hereafter be required for the management of its affairs, shall be appointed in such manner as shall be declared by the Bye Laws and Rules of the said Society, to be passed by virtue hereof.

Appointment of Secretary and Treasurer, &c.

VIII. *And be it enacted*, That all donations to the said incorporated Society, to constitute Life Members, or otherwise of not less than Twenty Pounds, shall be invested under the direction of the Executive Committee, as a permanent Fund for the benefit of the said Society, and that the funds of the said incorporated Society shall, from time to time, be paid and applied by the Executive Committee in such way and for such purposes only as any General Meeting of the said Society may direct or appoint; and that the Executive Committee shall be bound, and are hereby required annually to account to the Society for all their acts, receipts, expenditures, and doings whatsoever, in the said office, and to make a report, annually, to the said Society at its General Meeting, of the progress and state of the said Society, and of its affairs generally.

Investment of Donations, and disposal of Funds.

IX. *And be it enacted*, That a General Meeting of the said Society shall be held once, that is to say, some time within the last ten days of the month of June, in each year; and as much oftener as may be directed by any Rule or Bye Law of the said Society.

General Meeting.

X. *And be it enacted*, That the Executive Committee of the said Society shall meet and assemble as often as there may be occasion, and any three Members shall form a quorum.

Meeting of Committee.

CAP. LIV.

An Act to Incorporate the Nova-Scotia Horticultural Society.

(Passed the 17th day of March, 1847.)

Incorporation of
Nova Scotia Horticultural Society.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Honorable Thomas Nickleson Jeffery, Thomas Williamson, William Lawson the younger, William S. More, John Blackmore, John McDonald, James W. Nutting, Andrew McKinlay, the Honorable John E. Fairbanks, Henry Pryor, Andrew Richardson, William Pryor the younger, Hugh Hartshorne and Henry Ince, and such other persons as shall from time to time become proprietors of shares in the Corporation hereby established, their successors and assigns, shall be, and they are hereby erected into a Company, and declared to be a Body, Politic and Corporate, in deed and in name, by the name of "The Nova-Scotia Horticultural Society," and by that name shall have succession and a common seal, and by that name may sue and be sued, implead and be impleaded, answer and be answered unto in any Court of Law or Equity, or place whatsoever, and be able and capable in Law to have, hold, purchase, take, receive, possess, and enjoy, any Lands and Tenements, Goods and Chattels; and also to give, grant, let, assign, or convey the same, or any part thereof, and to do and execute all other things in and about the same, as may be thought necessary and proper for the benefit and advantage of the said Corporation; and also that the said Company, or the major part of them, shall, from time to time, and at all times, have full power, authority, and license, to constitute, ordain, make and establish, change, vary, and alter such Bye Laws, Rules, and Ordinances as may be thought necessary for the good rule and government of the said Corporation: *Provided* such Bye Laws, Rules, and Ordinances be not contradictory or repugnant to the Laws or Statutes of this Province, or those in force within the same: *And provided also*, that such Bye Laws, Rules, and Ordinances, shall not be of any force or effect until the same shall have been approved of by the Governor in Council.

Proviso.

Management of
Company, &c.

II. *And be it enacted*, That the said Company, and its affairs and business, shall be under the management and direction of a President, and such other officers as shall be named and designated by the Bye Laws of the said Company; and the shares thereof shall be assignable and transferable, in such manner and upon such terms as shall be provided and directed by the said Bye Laws.

Votes of Shareholders.

III. *And be it enacted*, That at any Annual or Special Meeting of the Company, each Proprietor or Shareholder having paid up all calls on him made, and then due and payable, shall be entitled to vote according to the number of shares which he may possess, namely, the owner of one share to have one vote; the owner of three shares to have two votes, and the owner of six, or any greater number of shares, to have three votes, and no more, and may give such votes by his proxy, duly constituted according to the Bye Laws—the person applying to vote under such proxy, being a Shareholder and entitled to vote at such Meeting.

Liability of Shareholders.

IV. *Provided always, and be it enacted*, That nothing herein contained shall extend to relieve or discharge the said Company, or any of the present or future Proprietors, or other holders of shares, from any responsibility, contract, duty, or obligation whatsoever, to which by Law they now are, or at any time hereafter may be, or would have been, subject or liable in case this Act had not been passed, as between such Company and any other party whomsoever, in any manner or way howsoever; and the said Proprietors, or holders of shares in the said Company, their Lands, Goods, and Chattels, shall be liable under any execution which may be issued against the said Corporation, in the same manner and to the same extent as if this Act had not been passed.

CAP. LV.

An Act to Incorporate the Givan Wharf Company.

(Passed the 17th day of March, 1847.)

WHEREAS a Pier or Wharf at Givan's Cove, in the Township of Cornwallis, has been commenced, and the completion thereof would be highly advantageous to the Inhabitants of the said Township, and it is expedient to encourage the building of such Pier or Wharf:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That* Alfred Skinner, Nathan Parker, Pelatiah Kinsman, Samuel Beckwith, and such other persons as shall from time to time become Proprietors of shares in the Corporation hereby established, their Successors and Assigns, shall be, and they are hereby erected into a Company, and declared to be a Body, Politic and Corporate, in deed and in name, by the name of "The Givan Wharf Company," and by that name shall have succession and a Common Seal; and by that name may sue and be sued, plead and be impleaded, answer, and be answered unto, in any Court of Law or Equity, or place whatsoever; and be able and capable in Law, to have, hold, purchase, take, receive, possess and enjoy, Houses, Stores, Lands and Tenements, and Real Estate whatsoever, Materials, Goods, Chattels, and all other things, real, personal, or mixed; and also to give, grant, let, assign, or convey the same, or any part thereof; and to do and execute all other things in and about the same, as may be thought necessary and proper for the benefit and advantage of the said Corporation; and also that the said Company, or the major part of them, shall, from time to time, and at all times, have full power, authority, and license, to constitute, ordain, make and establish, change vary, and alter, such Bye Laws, Rules and Ordinances, as may be thought necessary for the good rule and government of the said Corporation: *Provided*, such Bye Laws, Rules, and Ordinances be not contradictory or repugnant to the Laws or Statutes of this Province, or those in force within the same: *And provided also*, that such Bye Laws, Rules, and Ordinances, shall not be of any force or effect until the same shall have been submitted to, and approved by, the Governor in Council, nor until the same shall have been registered in the office of Registrar of Deeds for Kings' County.

Incorporation of the Givan Wharf Company.

Proviso.

II. *Provided always, and be it enacted*, That the said Company shall not have, take, hold, possess, and enjoy, at any one time, Lands, Tenements, or Hereditaments of greater value than Two Thousand Pounds.

Limitation of Real Estate.

III. *And be it enacted*, That the said Company, and its affairs and business, shall be under the management and direction of a President, and such other officers as may be named or designated by the Bye Laws of the said Company; and the Capital of the said Company shall be limited to the sum of Two Thousand Pounds, to be divided into shares of Five Pounds each, and such shares shall be assignable and transferable, in such manner and upon such terms as by the said Bye Laws may be also provided and directed.

Management of Company—Division of Capital, &c.

IV. *And be it enacted*, That it shall be lawful for the said Company to build, erect, and complete a Public Pier or Wharf at Givan's Cove, in the said Township of Cornwallis, upon any Land, or piece of Land covered with water, to which the said Corporation is or may be entitled; and to put up and erect such Stores and Buildings thereon, or contiguous thereto, on any Land to which the said Company is or may be entitled, as they may deem necessary and proper for the accommodation of the public—which said Pier or Wharf, Stores, and Buildings, shall be open and free for the use of all ships and vessels, and persons whomsoever, subject to such rates of Dockage, Wharfage, and Storage, as shall be fixed and established by the said Company, by and with the consent, sanction, and approbation of the Court of General Sessions of the Peace for Kings' County.

Erection of Wharf, &c.

Shares deemed personal property.

V. *And be it enacted*, That for and notwithstanding any Real Estate which the said Company may hold at any time, the shares and interests of the Shareholders of and in the Capital Stock and Funds of the said Company, shall be held and deemed to be personal property, to all intents and purposes whatsoever.

Sale of Real Estate under Execution.

VI. *And be it enacted*, That all such Lands and Real Estate, Stores and Buildings, or so much thereof as may be necessary to satisfy the same, may be taken under any Writ of Execution issuing upon a judgment obtained against the said Corporation, and sold in the same manner as Goods and Chattels may be taken and sold, and the Sheriff shall, immediately after such Sale, make and execute a Deed to the purchaser, which Deed shall convey and transfer all the estate and interest of the said Corporation in the Lands, Stores, or Buildings so taken, sold, and conveyed.

Company not to engage in Banking or Insurance, &c.

VII. *Provided always, and be it enacted*, That nothing herein contained shall be held or construed to give the said Company the privilege of dealing in the lending of money, by way of discount or otherwise, or engaging in any Banking operations whatsoever; or to become Underwriters upon any Insurance of any Ship or Vessel, or Marine risk, or upon any loss by Fire, or upon any Life.

Registration of Members names, &c.

VIII. *And be it enacted*, That the names of all the Members of the said Corporation, and the number of shares owned by them respectively, shall be registered in the office of the Registrar of Deeds in Kings' County, and no transfer of any share in said Corporation shall be final and effectual until the certificate thereof shall have been registered in the said office, to the end, it may be publicly known who are the persons comprising the said Corporation.

Liability of Shareholders.

IX. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be construed to extend, to relieve or discharge the said Corporation, or any of the present or future proprietors, or other holders of shares in the said Company, from any responsibility, contract, duty, or obligation whatsoever, to which by Law such proprietors or holders of shares, now are, or at any time hereafter may be, or would have been subject or liable, had not this Act been passed, as between such Company and any other party whomsoever, in any manner or way howsoever; and every Proprietor or holder of such shares in the said Company, his Lands, Goods, and Chattels, shall be liable under any execution that may be issued against the said Corporation, in the same manner and to the same extent as if this Act had not been passed.

Contributor of £5 deemed a Member.

X. *And be it enacted*, That in every case when any person shall have, before the passing of this Act, actually contributed to the said Pier or Wharf the sum of Five Pounds, or upwards, the said person shall be deemed a Shareholder in the said Corporation, and be entitled to one share for every Five Pounds by him so actually contributed as aforesaid, and also to one vote for every such share.

Act not to affect the rights of Her Majesty, &c.

XI. *Provided always, and be it enacted*, That nothing in this Act contained shall extend, or be construed to extend, to prejudice, or in any manner affect the rights of Her Majesty, her Heirs and Successors, or of any Persons, Bodies, Politic or Corporate, their respective Successors, Executors, Administrators, and Assigns.

Duration of Act.

XII. *And be it enacted*, That this Act shall continue and be in force for eight years, and thence to the end of the then next Session of the General Assembly.

CAP. LVI.

An Act to amend the Act to Incorporate the Dartmouth Water Company.

(Passed the 30th day of March, 1847.)

WHEREAS, in and by an Act of the last Session of the General Assembly, entitled, An Act to Incorporate the Dartmouth Water Company, the Capital Stock of said Company is made to consist of Four Hundred Shares, of Ten Pounds each : *And whereas*, at a late Meeting of the inhabitants of Dartmouth, it was resolved that it would conduce more to the benefit of the Public, if said Act was amended so as to divide said Capital Stock into Eight Hundred Shares, of Five Pounds each :

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That from and after the passing of this Act, the original Capital or Joint Stock of said Company shall be divided into Eight Hundred Shares, of Five Pounds each, instead of Four Hundred Shares, of Ten Pounds each.

Amount and division of Capital.

II. *And be it enacted*, That if any instalments or shares which are duly called for, pursuant to the Bye Laws, Rules, or Ordinances of said Company, as mentioned in the thirteenth clause of said Act, shall remain unpaid after the time limited in the notice for payment thereof, as mentioned in said clause, it shall and may be lawful for the said Company to sue for, and recover, the amount of such calls or instalments, either in the manner specified in the said thirteenth clause of said Act, or provided the same do not exceed the sum of Ten Pounds, by suit or action, before any two of Her Majesty's Justices of the Peace for the County of Halifax.

Recovery by Suit of Instalments.

III. *Provided always, and be it enacted*, That nothing in this Act contained, shall extend, or be construed to extend, to alter or affect the qualification of any Proprietor or Shareholder as a voter at any General Meeting of the said Company, further than to permit the holder of one share of the value of Five Pounds, to vote at such Meeting ; and no person shall be entitled to more than one vote unless he be duly qualified as the holder of Stock to the value expressed or intended, in and by the seventh section of said Act, of which this Act is an amendment.

Effect of Act on Votes of Shareholders.

CAP. LVII.

An Act to continue and alter the Act to Incorporate the Bank of Nova-Scotia, and the Act in amendment thereof.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the second year of the Reign of his late Majesty King William the Fourth, entitled, An Act to Incorporate sundry persons by the name of the President, Directors, and Company, of the Bank of Nova Scotia, except as altered or amended by the Act hereinafter mentioned, or by this Act ; and also the Act passed in the seventh year of the Reign of His said late Majesty, entitled, An Act to amend the Act to Incorporate sundry persons by the name of the President, Directors, and Company, of the Bank of Nova-Scotia, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for ten years, and thence to the end of the then next Session of the General Assembly.

Act of Incorporation of Bank of Nova-Scotia continued.

Returns of state of Bank to be made twice a year.

II. *And be it enacted*, That the Cashier of the said Bank of Nova-Scotia, shall, twice in every year, that is to say, on the Thirty-first day of January, and Thirty-first day of July, make a Return of the state of such Bank as it existed at the closing of the Books on those days respectively, and he shall transmit the same, as soon as may be, not exceeding fifteen days thereafter, to the Provincial Secretary, for the purpose of being laid before the Legislature at its next Session, which Returns respectively shall specify the amount then due from the Bank, designating in distinct columns the several particulars included therein, and shall also specify the resources of the Bank, designating in distinct columns the several particulars included therein, and the said Returns shall be in substance as follows :

State of the Bank of Nova-Scotia on the 31st day of										A. D. 18							
DUE FROM THE BANK.					RESOURCES OF THE BANK.												
Capital Stock,	Bills in circulation,	Net profits on hand,	Balances due to other Banks,	Cash deposited, including all sums whatsoever due from the Bank not bearing Interest, its Bills in circulation, profits, and balances due to other Banks excepted,	Cash deposited bearing Interest,	Total amount due from the Bank,	Gold, Silver, and other coined metals in its Banking House,	Real Estate,	Bills of other Banks incorporated in this Province,	Bills of all other Banks,	Balances due from other Banks,	Amount of all debts due, including Notes, Bills of Exchange, and all stocks and funded debts of every description, excepting the balances due from other Banks,	Total amount of the resources of the Bank,	Rate and amount of the last Dividend,	Amount of reserved profits at the time of declaring the last Dividend.	Amount of debts due to the Bank secured by a pledge of its stock.	Amount of debts due and not paid and considered doubtful.

Which Returns shall be signed by the Cashier of such Bank, who shall make oath before some Justice of the Peace to the truth of every such return according to his best knowledge and belief, and one of the Directors of such Bank shall certify and make oath that the books of the Bank indicate the state of facts so returned by the Cashier, and that he has full confidence in the truth of said Return, and no further or other Returns shall hereafter be required from the said Bank.

Service of Process in Suit against Bank.

III. *And be it enacted*, That in every suit at Law or in Equity hereafter instituted against the said Bank, service of process upon the President or Cashier of the same, for the time being, or at the office of the said Bank, shall, to all intents and purposes be sufficient to compel the said Bank to appear and plead to such suit.

Stockholders may call General Meeting—Notice thereof, &c.

IV. *And be it enacted*, That any number of Stockholders, not less than twenty, who, together, shall be Proprietors of Two Hundred and Fifty shares in the said Bank, shall have power at any time, by themselves or their proxies, to call a General Meeting of the Stockholders for purposes relating to the said Bank, giving at least six weeks notice thereof, in at least two of the Public Newspapers published in the City of Halifax, and specifying in such notice the time and place of such Meeting with the objects thereof.

Act of Incorporation to cease in case of excessive Issue.

V. *And be it enacted*, That if the total amount of all the Notes of the said Bank, issued and in circulation, shall at any one time exceed the amount fixed and determined

mined by the Act of Incorporation of the said Bank, the said Act of Incorporation shall cease and determine from the time when such excessive issue shall have accrued.

VI. *And be it enacted*, That nothing herein contained shall extend, or be construed to extend, to alter, abridge, or in any manner affect the provisions of the Act passed in the fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning certain Notes purporting to be Bank Notes, for restraining the circulation thereof, and for other purposes; but all the provisions of such Act shall remain and continue applicable to the said Bank of Nova Scotia in the same manner as heretofore.

Act not to alter Act of 4th, Wm. 4th.

VII. *And be it enacted*, That this Act shall continue and be in force for Ten years, and thence to the end of the then next Session of the General Assembly.

To be in force Ten Years.

CAP. LVIII.

An Act to Incorporate the Nova-Scotia Electric Telegraph Company.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Honorable Mather Byles Almon, the Honorable Edward Kenny, the Honorable Hugh Bell, Andrew M. Uniacke, George R. Young, William B. Fairbanks, William Stairs, Thomas Williamson, James McNab, Thomas S. Tobin, Joseph Jennings, James N. Shannon, and Frederick Charman, and all other persons who shall from time to time be and become Proprietors of shares in the Corporation hereby established, and their Successors and Assigns, shall be, and are hereby erected into a Company, and declared to be a Body, Politic and Corporate, by the name of "The Nova-Scotia Electric Telegraph Company," and by that name shall have succession and a common seal, and by that name may sue and be sued in any Court of Law or Equity, or place whatever, and be able and capable in law to have and to hold any Lands, Houses, or Tenements, by any legal form of title whatsoever, and also any Goods and Chattels, and also to sell, let, assign, give, grant, or convey the same, or any part thereof, as shall and may be thought necessary and proper, for the benefit and advantage of said Company: *Provided always*, That it shall not be lawful for the said Company to hold or enjoy at one time Lands and Tenements of greater value than the sum of Five Thousand Pounds.

Incorporation of the Nova Scotia Electric Telegraph Co.

II. *And be it enacted*, That the original Capital or Joint Stock of said Company, shall be the sum of Five Thousand Pounds, to be divided into One Thousand shares, of Five Pounds each, and it shall be lawful for the persons first mentioned in this Act, immediately after the passing thereof, to open a Book for subscription of shares to the said Company, and no person shall be entitled to subscribe for more than twenty shares, until thirty days shall have elapsed from the day on which such Subscription Book shall have been opened, and Public Notice, given by advertisement, in at least two of the Newspapers published in Halifax; and if, at the end of ten days after Public Notice so given, the whole number of shares of and in the said Capital Stock, as hereinbefore prescribed, shall not be taken up or subscribed, then any person may subscribe for the residue of such shares, including the previous holders of said Stock, as well as others.

Proviso.

Amount of Capital, - Division into Shares, &c.

III. *And be it enacted*, That when and so soon as the said Company shall be formed, and one fourth of the shares taken up, it shall and may be lawful for the said Company, by a majority of votes at any Meeting to be thereafter held, to appoint a President, Directors, and Officers of the said Company, and to make Bye

Appointment of Officers, making of Bye Laws, &c.

Laws, Rules, and Ordinances for prescribing the duties, powers, and authorities of the President, Directors, and Officers of the said Company; for limiting the number of Directors; for regulating the payment, transfer, registry, and forfeiture of shares; the times of Meetings of the Company, or of the Directors; the right of voting in respect of the number of shares held by each person respectively, or by proxy, whether appointed by writing or otherwise; the making of Dividends of profit, and the keeping of the Accounts, and generally for the good order, conduct, and government of the said Company, its affairs and business, as may be requisite and necessary: *Provided always*, that no Bye Law, Rule, or Ordinance shall be repugnant to this Act, or to the Laws or Acts of this Province, or those in force within the same: *And provided also*, that no Bye Law, Rule, or Ordinance, shall be of any force or effect until approved by the Governor, in Council; and all such Bye Laws, when so approved of, shall be submitted to the House of Assembly within ten days respectively after the first meeting thereof, after the same are so approved of as aforesaid.

Proviso.

Course of Telegraph Line, &c.

IV. *And be it enacted*, That it shall and may be lawful for the said Company to build and construct a Line of Electric Telegraph, beginning at Halifax and running through that County, and the Counties of Hants, Colchester, and Cumberland, in such direction as may be hereafter agreed upon, until it reaches the North Western boundary of the Province of Nova Scotia, at some point situate between the waters of the Bay of Fundy, and those of Bay Verte, until it meets a Line thence to run through the Province of New Brunswick to the Cities of Quebec and Saint Andrews, the due courses of such Lines to be hereafter settled; and also to build and construct such branches, and connected with such Line in the Province of Nova-Scotia, as may hereafter appear necessary and expedient.

Authority to increase Stock of Company, &c.

V. *And be it enacted*, That whenever it shall become necessary to increase the Capital or Joint Stock of the said Company, it shall and may be lawful for the said Company, at any General Meeting to be called agreeably to the Bye Laws, Rules, and Ordinances, to be made as aforesaid, to declare and direct that such increased Capital shall be raised, not exceeding Ten Thousand Pounds, to be divided into shares of the like amount as in respect to the original Capital hereinbefore is prescribed, and such shares shall be sold to the Shareholders, or at Public Auction, after notice in two at least of the Public Papers in Halifax, for at least thirty days, at the option of the Directors, and if sold at any profit, such profit shall be divided and paid equally among the Proprietors, as well of the increased Capital as of the original Capital.

Votes of Directors.

VI. *And be it enacted*, That the mode of voting by the Directors at any Meeting of the Board, shall be regulated by some Bye Law, Rule, or Ordinance of the said Company, to be duly passed by the same, and approved of as aforesaid.

Shares deemed personal property.

VII. *And be it enacted*, That for and notwithstanding any Real Estate which the said Company may hold at any time, the shares and interests of the several Shareholders of and in the Capital Stock and Funds of the said Company, shall be held and deemed to be personal property to all intents and purposes whatsoever.

Company not to engage in Banking operations, &c.

VIII. *And be it enacted*, That nothing herein contained shall be held, or construed to give the said Company the privilege of dealing in the lending of money by way of discount or otherwise; in engaging in any Banking operation, or to underwrite, or make as Underwriters any Insurance upon any Ship or Vessel, or Marine risk, or upon any loss by Fire, or upon any Life.

Payment of Shares.

IX. *And be it enacted*, That the shares subscribed for by any Shareholder in such Company, shall be payable in such manner, by such instalments or calls, and at such times, and upon such notices, as by the Bye Laws, Rules, or Ordinances of the said Company may be ordered and directed, and if such calls or instalments shall not be paid, it shall and may be lawful for the said Company to sue for and

recover

recover such calls or instalments, by suit or action in the Supreme Court, against any Shareholder who shall make default in payment of any call or instalment.

X. *And be it enacted*, That nothing herein contained shall extend, or be construed to extend, or taken to relieve or discharge the said Company, or any of the present or future Shareholders in the said Company, from any responsibility, contract, duty, or obligation whatsoever, to which by Law they now are, or at any time hereafter may be, or would have been subject or liable, had this Act not been passed, as between such Company and any other party or parties whomsoever; and the said Shareholders in the said Company, their Lands, Goods, and Chattels, shall be liable under any execution that may be issued against the said Company, in the same manner and to the same extent as if this Act had not been passed: *Provided always*, that if the Directors of the said Company shall, by any contract or engagement, incur any responsibility for any sum of money beyond the amount of the shares subscribed for, without the sanction of the said Company first had and obtained at some General or Special Meeting of the said Company, to be called and summoned agreeably to the Bye Laws of the said Company, the Directors of the said Company shall themselves be held and deemed personally liable for the amount so by them incurred.

Liability of Shareholders.

Proviso.

XI. *And be it enacted*, That it shall be lawful for the Governor to have and enjoy at all reasonable and proper times, and in preference to all others whomsoever, the right and privilege of using the said Line of Telegraph and Branches for the transmission of information and messages relating to the public service only, whether Imperial or Provincial, from or to any stations in and throughout this Province, and that the rates of charge therefor shall not in any one case or at one time exceed the established and ordinary rates of charge made to private individuals and others for the transmission of like information and messages: *Provided always*, that said information and messages are strictly and solely of a public nature.

Governor to have use of Telegraph in preference to all others.

Proviso.

XII. *And be it enacted*, That it shall and may be lawful for the purposes aforesaid, for the said Company, by their Deputies, Servants, or Agents, to set and erect the said Line of Electric Telegraph along the side line of any of the Public Roads or Highways of this Province, provided the same do not interfere with the free use and the right of travelling thereon, and also to enter into and upon the Lands of any persons, or Bodies, Politic or Corporate, whatsoever, and to survey, set off, and ascertain, such part thereof as they shall think necessary and proper for making the said Line of Electric Telegraph and Branches, and also all such other works, buildings, and conveniences, as they may think necessary for making, completing, or repairing the said Line and Branches as aforesaid, and also to dig, take, and carry, or to build and lay, with all necessary materials which may be found thereon, Posts, Buildings, and other erections necessary for such Line and Branches, and from time to time to alter, improve, repair, or rebuild the same, and do all other matters and things which they shall think convenient and necessary for the making, extending, improving, completing, and easy using of the said intended Telegraphs and Branches, and other works, in pursuance of, and according to the true intent and meaning of this Act, they, the said Company, doing as little damage as may be in the execution of the several powers to them hereby granted, and making satisfaction in manner hereinafter mentioned to the Owners or Proprietors of, or the persons interested in the Lands, Tenements, or Hereditaments respectively, which shall be taken, used, or prejudiced, or for all damages to be by them sustained in or by the execution of all or any of the powers of this Act, and this Act shall be sufficient to indemnify the said Company and their Servants, Agents, or Workmen, and all other persons whatsoever, for what they or any of them shall do by virtue of the powers hereby granted, subject nevertheless to such provisions and restrictions as are hereinafter mentioned.

Authorities vested in Company for erection of Telegraph Line, &c.

XIII. *And be it enacted*, That after any Lands shall be set out and ascertained

in

Conveyances of
Real Estate to Co.

in manner aforesaid, for making and completing the said Line of Telegraph, or branches, and other works, and other the purposes and conveniences hereinbefore mentioned, it shall and may be lawful for all Bodies, Politic or Corporate, Guardians, Executors, Administrators, and all other Trustees or persons whatsoever, not only for and on behalf of themselves, their Heirs and Successors, but also for and on behalf of those whom they represent, whether infants, issue unborn, lunatics, idiots, femmes coverts, or other persons who are or shall be seized, possessed of, or interested in any Lands which shall be so set out and ascertained as aforesaid, or any part thereof, to sell and convey unto the said Company, their Successors and Assigns, all or any part of such Lands, which shall from time to time be let out and ascertained as aforesaid; and that all agreements, sales, conveyances, and assurances so to be made, shall be valid and effectual in Law, to all intents and purposes whatsoever, any Law, usage, or custom, to the contrary thereof in any wise notwithstanding; and all Bodies, Politic or Corporate, and all persons whatsoever so conveying as aforesaid, are hereby indemnified for what they, or any of them shall respectively do by virtue of, or in pursuance of this Act; and that all such agreements, sales, conveyances, and assurances, shall, at the expense of the said Company, and their Successors, be deposited and registered in the office of Registrar of Deeds for the County respectively in which such Lands lie as aforesaid, and true copies thereof, duly certified by said Registrar, shall be allowed to be good evidence in all Courts whatsoever.

Proviso.

XIV. *Provided always, and be it enacted,* That any Body, Politic or Corporation, or other persons whosoever who cannot in common course of Law sell or alienate any Lands so set out and ascertained, shall agree upon a fixed annual rent as an equivalent, and not upon a principal sum to be paid for the Lands so set out and ascertained as necessary for making the said Line of Telegraph, and Branches, and other the purposes and conveniences relative thereto and connected therewith, and in case the amount of such rent shall not be fixed by voluntary agreement or compromise, or by arbitration between the parties, it shall be fixed by a Jury convened and qualified in the manner hereinafter prescribed; and all proceedings and litigations in Courts shall in that case be regulated as is hereinafter prescribed, and for the payment of the said annual rent, and every other annual rent agreed upon or ascertained for the purchase of any Lands or Ground, the said Line of Telegraph, and Branches, and the charges to be levied and collected therefrom, shall be, and are hereby made liable and chargeable, in preference to all other claims or demands thereon whatsoever.

Compensation to
Owners of Land.
Assessment of Damages, &c.

XV. *And be it enacted,* That it shall be lawful for the said Company to apply to the several owners of the Estates and Lands through which such Line of Telegraph, and Branches, are intended to be carried, and to agree with such owners touching the compensation to be paid to them by the said Company for the purchase thereof, and for their respective damages; and in case of disagreement between the said Company and the said owners, or any of them, then all questions which shall arise between the said Company, and the several Proprietors of, and persons interested in any Estates, Lands, or Grounds, that shall or may be taken or prejudiced by the execution of any of the powers hereby granted, or any indemnification for damages which may or shall be at any time sustained by any Bodies, Politic or Corporate, or any other persons respectively, being owners of or interested in any Estate or Lands, for or by reason of the making, repairing, or maintaining the said Telegraph, or other works incidental or relative thereto, or connected therewith, shall and may be settled by agreement of the parties, or by arbitration, or if either of the parties shall not be inclined to make an agreement, or to appoint Arbitrators, or by reason of absence shall be prevented from treating, or through disability by nonage, coverture, or other impediment, cannot treat or make such agreement, or enter into such arbitration, or shall not produce a clear title to the Pre-

mises

mises in which they claim an interest, then; and in every such case, the said Company may make an application to the Supreme Court of Judicature in the County where such Lands lie, or to any Judge thereof, stating the grounds of such application, and such Court or Judge is hereby empowered and required, from time to time, upon such application, to issue a Warrant directed to the Sheriff of said County, commanding such Sheriff to empanel, summon, and return a Jury, qualified according to the Law of this Province to be returned for Trial of Issues joined in Civil Cases in the said Court, to appear before the said Court at such time and place as in such Warrant shall be appointed, and all parties concerned may have the lawful challenge against any of the said Jurymen, but shall not challenge the array; and the said Court is hereby empowered to summon and call before them, all and every such persons as it shall be thought necessary to examine as witnesses, touching the matter in question; and the said Court may authorise and order the said Jury, or any six or more of them, to view the place or matter in controversy, which Jury upon their Oaths (all which Oaths, as well as the Oaths to be taken by any person who shall be called upon to give evidence, the said Court is hereby empowered to administer) shall enquire of, assess, and ascertain the distinct sum of money or annual rent to be paid for the purchase of such Lands or Grounds, or the indemnification to be made for the damage that may or shall be sustained as aforesaid, (but without regard to any contemplated increase of value by reason of such Telegraph, or Branches, being laid) and in so doing the said Jury shall take into consideration the damage or inconvenience which may arise by reason of the said Telegraph or Branches being erected as aforesaid, and may assess separate damage for the same; and the said Jury shall distinguish the value set upon the Lands, and the money assessed or adjudged for damages, separate and apart from each other; and the said Court, or any Judge thereof, shall give judgment for such sum, rent, or indemnification so to be assessed by such Juries, which said verdict, and the judgment so thereupon pronounced, shall be binding and conclusive to all intents and purposes, against all Bodies Politic, Corporate, and all persons whomsoever.

XVI. *And be it enacted*, That in all cases where a verdict shall be given for more money as an indemnification or satisfaction for any Lands, Hereditaments, or Property, or for any damage done to any Lands, Hereditaments, or Property, or for any annual rents of any Lands, Grounds, Hereditaments, or Property, of any person whomsoever, than had previously been offered by or on behalf of the said Company, then all the expenses of summoning such Jury and taking such inquest shall be taxed by the Court and defrayed by the said Company, but if any verdict shall be given for the same or a less sum than had been previously offered by and on behalf of the said Company, or in case no damage shall be given by the verdict when the dispute is for damages only, then, and in every such case, the cost and expenses shall be taxed in like manner by the Court, and be borne and paid by the party with whom the said Company shall have had such controversy, which said cost and expenses having been so taxed shall and may be deducted out of the money so assessed and adjudged when the same shall exceed such costs and expenses, as so much money advanced to and for the use of such person, and the payment and tender of the remainder of such money shall be deemed and taken to all intents and purposes to be a payment or tender of the whole sum so assessed or adjudged as aforesaid.

Expenses of Assessment of Damages, &c., by whom to be borne.

XVII. *Provided always, and be it enacted*, That every person making complaint and requesting such Jury, shall, before the issue of the Warrant for the summoning of such Jury, as aforesaid, enter into a Bond before one of the Judges of the said Supreme Court, or before the Prothonotary or Deputy Prothonotary, in and for the County where such Lands lie, with one sufficient surety to the Treasurer of the said Company, or his Successor, for the time being, in the penalty of Fifty Pounds,

Persons complaining to give security for costs.

Currency, to prosecute his complaint, and to bear and pay the costs and expenses of summoning such Jury and taking such Inquest, in case a verdict shall be given for no more or for a less sum or rent than had been offered by or on behalf of the said Company before the summoning and returning of the said Jury, as an indemnification or satisfaction for any Lands, Grounds, or Hereditaments, or for any annual rent, or for any damage as aforesaid.

Parties in possession deemed the owners of Land unless notice be given to Company.

XVIII. *And be it enacted*, That if any question arise respecting the title to the Lands required as aforesaid by said Company, for the purposes of said Line of Telegraph or Branches, the parties respectively in possession of such Lands, or being the owners thereof, or in the receipt of the rents of such Lands as being entitled thereto at the time of such Lands being purchased or taken, shall be deemed to have been lawfully entitled to such Lands, unless notice to the contrary be duly given to said Company; and unless such notice be given as aforesaid, the parties in possession, and all the parties claiming under them or consistently with their possession, shall be deemed entitled to receive the consideration money or rents to be paid therefor, and the payment of said consideration money or rents until such notice be given shall be a sufficient acquittance and discharge to said Company for and against all claims in respect thereof.

Purchase money how disposed of in absence of owner, &c.

XIX. *And be it enacted*, That if the owner of any Lands purchased or taken by the said Company for the purposes aforesaid, or any interest therein, or tender of the purchase money, or compensation either agreed or awarded to be paid in respect thereof, refuse to accept the same, or neglect or fail to make out a title to such Lands, or to the interest therein claimed by him to the satisfaction of the said Company, or if he refuse to convey or release such Lands as directed by the said Company, or if any such owner be absent from the said Province, or cannot after diligent enquiry be found, or fail to appear on the enquiry before the Jury as herein provided for, it shall be lawful for the said Company to deposit the purchase money or compensation payable for such Lands or any interest therein in the Provincial Treasury, to be there kept, invested and disposed of for the benefit of such owner under and by virtue of the provisions of an Act to be hereafter made and passed for such purpose.

Conveyances of Lands to be according to Schedules.

XX. *And be it enacted*, That all conveyances of Land to be taken or purchased by said Company, under the provisions of this Act, and for the purposes aforesaid, may be according to the forms in the Schedule A and B respectively, to this Act annexed, or as near thereto as the circumstances of the case will admit, or by Deed in any other form which the said Company may deem fit; and all conveyances made according to the form in said Schedule, or as near thereto as the circumstances of the case will admit, shall be effectual to vest the Lands thereby conveyed in the said Company, and shall operate to bar and destroy all Estates tail, and all other Estates, Rights, Titles, Remainders, Reversions, Limitations, Trusts, and Interests whatsoever, of and in the Lands comprised in such conveyances, which shall have been purchased or compensated for by the consideration therein mentioned.

On payment of sums agreed on Company to enter upon Lands.

XXI. *And be it enacted*, That upon payment or legal tender of such sum of money, or annual rent, as shall be contracted or agreed for between the parties, or determined by Arbitrators, or assessed by such Juries, in manner respectively as aforesaid, to the Proprietors thereof, or other persons entitled to receive the same, or to the principal officer of any such Body, Politic or Corporate, at any time after the same shall have been so agreed for, determined, or assessed, such Lands, Grounds, and Hereditaments, or Property respectively, may be entered upon and taken possession of by the said Company, and applied to the purpose of making and maintaining the said Telegraph and Branches, and other works and conveniences thereunto appertaining.

XXII. *And be it enacted*, That all agreements, sales, and conveyances, and all determinations by arbitration as aforesaid, and also the said verdicts and judgments thereupon

thereupon shall be transmitted to and kept by the Registrar or Deputy Registrar of Deeds, in and for the County where such Lands lie, to be duly registered and kept according to Law, and the same, or true copies thereof, certified by such Registrar, or Deputy Registrar, in each County as aforesaid, shall be allowed to be good evidence in all Courts whatsoever in this Province, and all persons shall have liberty to inspect the same, paying for such inspection the sum of One Shilling, Currency, and to have and obtain copies thereof, paying for every copy thereof not exceeding one hundred words, the sum of Six-pence, currency, and so in proportion for any number of words; and immediately on such payment of purchase money, or rent, as aforesaid, and entry of such agreements, sales, conveyances, determinations by arbitration, verdicts, judgments, and other proceedings of the said Court and Juries, all the Estate, right, title, interest, use, trust, property, claim, and demand, in Law and Equity, of the person for whose use such money or rent shall be paid into and out of the said Lands, Grounds, Tenements, Hereditaments, and Premises, shall vest in the said Company, and they shall respectively be deemed in Law to be in actual possession and seisin of the same, to all intents and purposes whatsoever, as fully and effectually as if every person having an Estate therein had been able to convey, and had actually conveyed the same to them by the most effectual legal conveyance, and such payment shall bar all right, title, interest, claim, and demand, of the person to whose use the same shall be made, or Bodies, Politic or Corporate, women subject to marital authority, minors, interdicted persons, or absentees, who may have, or claim to have, any right, title, interest, claim or demand therein, and of every person whomsoever, even for dower, or otherwise, any Law to the contrary notwithstanding.

Agreements, &c. to be kept by Registrar, &c.—Charge for inspecting and copying same, &c.

XXIII. *And be it enacted,* That application to the said Court for indemnity for any damage or injury sustained by reason of the powers and authority given by this Act, shall be made within six months next after the time of such supposed damage sustained, or in case there shall be a continuation of damage, then within six months next after the doing or committing such damage shall cease, and not afterwards; and the Defendant may plead the general issue, and give this Act, and the special matter, in evidence at any Trial to be had thereupon, and may aver that the same was done in pursuance and by authority of this Act.

Application for indemnity to be within 6 months.

XXIV. *And be it enacted,* That if any person shall by any means, or in any manner or way whatsoever, obstruct or interrupt the free use of the said Telegraph and Branches, or other works incidental or relative thereto, or connected therewith, such person shall for every such offence incur a forfeiture or penalty of not less than Five Pounds, nor exceeding Ten Pounds, Currency, one half of which penalty or forfeiture to be recovered before one or more Justices of the Peace for the County, shall go to the prosecutor or informer, and the other half shall be paid into the hands of the Treasurer, and be applied for the public uses of such County.

Penalty for obstructing Telegraph.

XXV. *And be it enacted,* That if any person shall wilfully and maliciously, and to the prejudice of the said Telegraph and Branches, authorised to be made by this Act, break, throw down, damage, or destroy the same, or any part thereof, or any of the Houses, Posts, Wires, Buildings, Batteries, Machinery, or other works or devices incidental and relative thereto, or connected therewith, or do any other wilful hurt or mischief, or wilfully and maliciously obstruct or interrupt the free use of the said Telegraph, or Branches, or obstruct, hinder, or prevent the carrying or completing, supporting and maintaining, the said intended Telegraph, or Branches, such person shall be adjudged guilty of felony, and the Court by and before whom such person shall be tried and convicted, shall have power and authority to cause such person to be punished in like manner as felons are directed to be punished by the Laws in force in this Province, or in mitigation thereof, to award such sentence as the Law directs in cases of simple larceny, as to such Court shall seem fitting.

Breaking Houses, Posts, &c. deemed felony.

Levying and disposal of Fines, &c.

XXVI. *And be it enacted*, That all fines and forfeitures inflicted by this Act, shall, upon proof of the offence before any one or more Justice or Justices of the Peace for the County, either by the confession of the parties, or by the oath or affirmation of any one credible witness, (which oath or affirmation such Justice or Justices are hereby empowered and required to administer, without fee or reward,) be levied by distress and sale of the offenders Goods and Chattels, by warrant under the hand and seal or hands and seals of such Justice or Justices, and all such respective fines, forfeitures, or penalties, by this Act imposed and inflicted, the application whereof is not hereinbefore particularly directed, shall be paid into the hands of the Treasurer or Receiver of the Monies to be raised by virtue of this Act, and shall be applied and disposed of for the use of the said Telegraph or undertaking, and the overplus of the money raised by such distress and sale, after deducting the penalty and the expenses of the levying and recovering thereof, shall be rendered to the owner of the Goods so distrained and sold, and for want of sufficient Goods and Chattels whereof to levy the said penalty and expenses, the offender shall be sent to the Common Gaol for the County where such judgment is given, there to remain without bail or mainprize for such term not exceeding one month, as such Justice or Justices shall think proper, unless such penalty or forfeiture and all expenses attending the same, shall be sooner paid and satisfied.

Appeal from decision of Justice.

XXVII. *And be it enacted*, That if any person shall think himself aggrieved by any thing done by any Justice of the Peace in pursuance of this Act, every such person may appeal to the Supreme Court at the next term of such Court thereafter to be holden in and for the County wherever such Judgment has been given.

Actions to be brought within 6 months, &c.

XXVIII. *And be it enacted*, That if any action or suit shall be brought against any person for any thing to be done in pursuance of this Act, or in the execution of the powers and authorities, or the orders and directions hereinbefore given or granted, every such action or suit shall be brought or commenced within six months next after the fact committed, or in case there shall be a continuation of damage, then, within six months next after the doing or committing such damage shall cease, and not afterwards; and the Defendant in such action or suit may plead the general issue and give this Act and the special matter in evidence at any trial to be held thereupon, or plead generally, that the same was done in pursuance and by the authority of this Act; and if it shall appear to have been so done, or if any action or suit shall be brought after the time so limited for bringing the same, or if the Plaintiff shall be nonsuit, or discontinue his action or suit after the Defendant shall have appeared, or if judgment shall be given against the Plaintiff, the Defendant shall have full costs, and shall have such remedy for the same as any Defendant hath for costs of suit in any other cases as is by law provided.

Account to be submitted to Legislature.

XXIX. *And be it enacted*, That the said Company shall annually submit to the three branches of the Legislature, within the first fifteen days after the opening of each Session of the Provincial Parliament, a detailed and particular account, attested upon oath, of the monies by them received and expended, under and by virtue of this Act, with a statement of the amount of income and profits, gross and nett receipts received by them for the use of said Telegraph on each year respectively.

Act not to affect rights of Her Majesty, &c.

XXX. *And be it enacted*, That nothing herein contained shall affect, or be construed to affect, in any manner or way whatsoever, the rights of Her Majesty, Her Heirs and Successors, or of any Person, or of any Body, Politic or Corporate, such only excepted as are herein mentioned.

To be deemed a public Act

XXXI. *And be it enacted*, That this Act shall be deemed and taken to be a public Act, and as such shall be judicially taken notice of by all Judges, Justices of the Peace, and others, without being specially pleaded.

Regulations relative to annual profits of Company.

XXXII. *And be it enacted*, That out of the net profits arising from the said line of Electric Telegraph and Branches, assigned to or divisible amongst the Shareholders in the said Company in every year, no greater amount shall be divided amongst

amongst

amongst and paid to such Shareholders in any one year in the whole than Twelve Pounds per cent. of the Capital Stock of the said Company then paid up; and in addition to such Twelve per cent., it shall be lawful for the said Company, if the net profits shall permit, to retain a further amount at and after the rate of Four Pounds per cent. on such paid up Capital, which shall be added to and form part of the Capital Stock of said Company, for the purposes of this Act; and if in any year the net profits aforesaid shall exceed the said sum of Sixteen Pounds per cent., then such overplus shall be subject to the control and disposal of the Legislature of this Province, under any Act to be passed in relation thereto, if deemed advisable.

XXXIII. *And be it enacted*, That if at any time it shall be deemed expedient by the Governor in Council, that the Line of Electric Telegraph, and Branches, established hereunder, should be transferred to, and vested in, the Government of this Province, it shall be lawful for the Governor to cause a written notice to be given said Company, by service on the President, or any other principal Officer thereof, or by leaving the same with any Officer or Clerk in the principal office of such Company in Halifax, which notice shall state that the Government have decided upon becoming the holders of the said Line and Branches, and shall require a statement of the actual outlay and expenses which the Company have made or incurred in and about such Works—such statement to be authenticated in such manner as by the Governor in Council, shall be required; and upon the expiration of Three months from the service of such notice, all and singular the Lands, Tenements, and Hereditaments, Line of Electric Telegraph, and Branches, Batteries, Posts, Wires, Buildings, Machinery, and all other things whatsoever, then owned, held, or possessed, by such Company, under and by virtue of the provisions of this Act, or for the purposes thereof, and all the right, title, and interest, of such Company, in and to the same respectively; and all Title Deeds, and Conveyances thereof, shall become and be transferred to, and absolutely vested in, the Government of this Province, and shall thereafter be held by such Government, and for its use and benefit absolutely free and discharged from any control or claim of such Company, or any person whomsoever; and it shall thereupon be lawful for the Governor to draw a warrant on the Treasury for the payment to such Company of the actual outlay and expenses so made or incurred by them, as aforesaid, together with an addition of Twenty Pounds per cent. thereto.

Line of Telegraph may be transferred to Government on payment of the actual outlay and expenses with twenty per cent thereon.

A.

FORM OF CONVEYANCE.

I of in consideration of the sum of paid to me by the (Company,) pursuant to the Act of [title to be inserted here,] passed by the Assembly of this Province, incorporating said Company, do hereby convey to the said Company, their Successors and Assigns, all [describing the Premises conveyed,] together with all ways, rights, and appurtenances thereto belonging, and all such estate, right, title, and interest, in and to the same as I am or shall become entitled to, or possessed of, or am by the said Act of Incorporation empowered to convey, to hold the said Premises to the said (Company,) their Successors and Assigns, according to the true intent and meaning of the said Act. In witness whereof I have hereunto set my hand and seal, the day of in the year of our Lord

Signed, &c.,

B.

FORM OF RENT CHARGE.

I of in consideration of the rent charge to be paid to me, my Heirs and Assigns, as hereinafter mentioned, by Company, (title here,) pursuant

pursuant to the Act _____ passed by the Legislature of this Province, do hereby convey to the said Company, their Successors and Assigns, all [describing the Premises,] together with all ways, rights, and appurtenances thereunto belonging, and all my estate, right, title, and interest, in and to the same, and any part thereof, to hold the said Premises to the said Company, their Successors and Assigns, forever, according to the true intent and meaning of said Act—they, the said Company, their Successors and Assigns, yielding and paying unto me, my Heirs and Assigns, one clear yearly rent of [sum] by [quarterly or otherwise,] payments henceforth on the [day of payment] clear of all taxes and deductions.

In witness whereof, I hereunto set my hand and seal, the _____ day of _____

in the year of our Lord
Signed, &c.,

CAP. LIX.

An Act relative to the Sittings of the General Sessions of the Peace in the County of Digby.

(Passed the 30th day of March, 1847.)

WHEREAS, by an Act passed in the first year of her present Majesty's Reign, entitled, An Act to establish the County or Shire Town in the County of Digby, it is among other things provided, that when a Sessions House should be provided in the Township of Clare, there should be annually held therein, at such times as should be appointed during that or any future Session of the General Assembly, one Term or Sessions of the Court of General Sessions of the Peace in such Township of Clare: *And whereas*, such Sessions House, in the said Township of Clare, has now been provided, and is in a fit state to be occupied, and it is therefore desirable that the time of holding a Term of the General Sessions of the Peace there, should be appointed; and also that the times by Law established for the sittings of the General Sessions of the Peace in the said County of Digby should be altered:

Preamble

Court of Sessions to be held at Clare and Digby.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That* the Court of General Sessions of the Peace for the County of Digby, instead of the times and places by Law established for the Sittings thereof, shall hereafter be held at the times and places following, that is to say: At the Session House in Clare in the said County on the last Tuesday of April, and at Digby, in the same County, on the first Tuesday of November, in every year.

Grand Jury to appear at both Sessions.

II. *And be it enacted, That* the Grand Jury for the said County shall be summoned and bound to appear at both Terms or Sittings of the General Sessions of the Peace, as hereby established, to the end that the Town Officers for the said Township of Clare, and other Township business, may be appointed and transacted at the said Term hereby established at Clare; and all Writs, Process, Recognizances, Complaints, or other proceedings whatsoever, which are now or shall be made returnable, or which ought to have been returned, at the next July Term of the said General Sessions of the Peace at Digby, in case this Act had not been passed, shall be returned, and be held and deemed to be returnable, at the said next April Term, at Clare, as hereby established; and all parties, witnesses, officers, and persons, who are summoned or bound to appear, or who ought to have appeared at the said next July Term or Sittings of the said General Sessions of the Peace at Digby, had this Act not been passed, shall be held and obliged to appear at the said next April Term or Sittings thereof, at Clare.

CAP. LX.

An Act for establishing separate Boards of School Commissioners in the County of Cumberland.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That hereafter the County of Cumberland shall be divided into two separate Districts, for the support of Schools within the same: the one thereof to comprehend the Township of Parrsborough, and also all such other portions of the said County of Cumberland as lie South of a line to be drawn from the North-west corner of Franklin Manor to the centre of Sand Cove, in the Cumberland Bay; and the other District to comprise all the remaining part of the said County.

Cumberland to be divided into two School Districts.

II. *And be it enacted*, That it shall be lawful for the Governor in Council, to appoint and commission a separate Board of School Commissioners, in and for each of such Districts respectively; and that in future there shall be allotted and apportioned to the Board of School Commissioners in and for the said District, comprehending the Township of Parrsborough, and the other portions of the said County of Cumberland thereto attached as aforesaid, out of the sums by Law applied and distributable for the support of Schools within the said County, as follows, that is to say: out of the sum applicable for two or more Grammar Schools, the sum of Twenty Pounds; and out of the further sum of Five Hundred and Forty Pounds, appropriated for the support of other Schools, the sum of One Hundred and Eight Pounds; and the balance of such sums respectively shall be allotted and apportioned to the Board of Commissioners in and for the remaining District of the said County, as hereby established.

A separate Board of Comrs. to be appointed for each District.

III. *And be it enacted*, That this Act shall come into operation on the first day of May next, and shall continue and be in force for Two years from the time the same shall come into operation, and thence until the end of the then next Session of the General Assembly.

To continue two years.

CAP. LXI.

An Act in addition to, and alteration of, the Acts for establishing Regulations for the disposal of Crown Lands within this Province.

(Passed the 30th day of March, 1847.)

WHEREAS, by an Act passed in the sixth year of her present Majesty's Reign, entitled, An Act to continue and amend the Act to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova-Scotia, it is enacted, that it shall be lawful for the Governor, with the advice of the Executive Council, to determine the price to be paid for ungranted and wilderness Lands in this Province, such price not being less than One Shilling and Nine-pence sterling, per acre, and thereupon any subject of Her Majesty might become purchaser at such regulated price, of so much of said Lands as the Governor, by such advice, should see fit to dispose of: *And whereas*, the said minimum price has been found, in many cases, to be too high, and it would promote the settlement and improvement of the Country, by the native youth of the Province, as well as assist and encourage the emigrant, were the said minimum price placed at One Shilling, sterling, instead of One Shilling and Nine-pence, sterling:

Preamble.

I. *Be it therefore enacted*, by the Lieutenant-Governor, Council, and Assembly, That

Governor to settle the price of ungranted land not to be less than 1s. 6d. per acre.

That it shall and may be lawful for the Governor, with the advice and consent of the Council, to determine and settle, from time to time, by such orders in that behalf as may be necessary, the price to be paid for ungranted or escheated and wilderness Lands in this Province, such price not being less than One Shilling, sterling, per acre, in the same manner as if such minimum price had been declared to be One Shilling, sterling, per acre, in the said Act.

Purchasers of more than 200 acres to pay not less than 1s. 9d. per acre.

II. *And be it enacted*, That no one person shall be permitted to purchase a greater quantity of such ungranted and wilderness Land than Two Hundred acres, at a less price than One Shilling and Nine-Pence, sterling, per acre.

Proviso.

III. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be construed to extend, to alter or in any manner affect the provisions of an Act passed in the sixth year of her present Majesty's Reign, entitled, An Act to repeal the Act for settling Titles in a certain tract of Land in Cape Breton, called the Mire Grant, and to substitute other provisions in lieu thereof.

Subject to H. M. assent.

IV. *And be it enacted*, That this Act shall not go into operation until Her Majesty's assent shall have been given thereto.

To continue 2 years.

V. *And be it enacted*, That this Act, if assented to by Her Majesty, shall continue and be in force for Two years from the passing thereof, and thence to the end of the then next Session of the General Assembly.

CAP. LXII.

An Act for regulating the Commons at Sydney, in the County of Cape-Breton.

(Passed the 17th day of March, 1847.)

Preamble.

WHEREAS, a certain tract of Land, known as the East Common of the Town of Sydney, in the County of Cape-Breton, situated on the east side of the Mire Road, and on the south side of the old St. Peter's Road, and estimated to contain Seven Hundred and Thirty-six acres, or thereabouts; and also, a certain tract of Land, known as the West Common of the said Town of Sydney, situated on the west side of the said Mire Road, adjoining the rear or east side of the Glebe, and south side of the said old St. Peter's Road, or reservation for a road, and estimated to contain Six Hundred acres or thereabouts—both of which tracts are marked as such Commons respectively, on the Plans in the Office of the Surveyor General at Sydney aforesaid; but neither of the said tracts has been permanently set apart as a Common for the said Town of Sydney, and trespassers have been from time to time encroaching upon the said Commons, and committing depredations thereon, and it is therefore advisable to establish such Commons, and place them under the direction and supervision of Trustees thereof:

East and West Commons of Sydney.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That the whole of the said hereinbefore mentioned two tracts of Land, known respectively as the East and West Commons of the Town of Sydney aforesaid, shall be, and the same are hereby set apart, and permanently appropriated as and for Commons respectively, for the use and purposes of the Inhabitants of the said Town of Sydney, under and subject to the control and supervision over the same hereinafter mentioned, and also subject to such apportionment of any part thereof as may be made hereunder.

Master to be appointed.

II. *And be it enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, with the advice of the Executive Council, to nominate, appoint, and commission, five fit and proper persons, inhabitants of the said Town of Sydney, to be Trustees of the said Commons; and in case of any vacancy among such Trustees, by death, resignation, removal

removal

removal from office, or permanent absence, from time to time, to supply every such vacancy ; and such Trustees and their Successors in office for the time being, shall be, and are hereby declared to be, a Body Politic and Corporate, in name and in deed, under the name of "The Trustees of the Sydney Commons," and by that name shall have succession and a common seal, and by that name shall and may sue and be sued, implead and be impleaded, defend and be defended, in any Court of Law or Equity, or place, whatsoever.

III. *And be it enacted*, That the legal estate and title of and in the said hereinbefore mentioned tracts of land respectively, and of every part thereof, with the appurtenances, shall be, and the same are hereby absolutely vested in the said Trustees for the time being, for the benefit of the Inhabitants of the said Town of Sydney ; and such Trustees shall have the exclusive management and control thereof, and shall and may execute any Lease or Leases thereof, as may be deemed expedient, and shall and may apply the rents thereof respectively, or such parts thereof as they may deem advisable, to the improvement of the remainder of the said Commons : *Provided always*, that nothing herein contained shall extend, or be construed to extend, to deprive any person or persons, or Body Politic or Corporate, of any interest, possession, property, or right, which may have been acquired by such person or persons, Body Politic or Corporate, under and by virtue of the several Statutes of Limitations, or any of them in force previous to the passing of this Act : *And provided also*, that such Trustees shall not have power to execute any Conveyance or Lease of such Lands, or any part thereof, other than for the purposes hereinafter mentioned, for any longer period than Twenty-one years.

The title, &c., to the Commons to vest in the Trustees.

Proviso.

IV. *And be it enacted*, That it shall and may be lawful for such Trustees, from time to time, to lay off and apportion gratuitously, so much and such parts of the said Lands as they may deem proper, as and for Cemeteries or Burial Grounds in connection with the different religious denominations in the said Town of Sydney, or as and for a Public Cemetery or Burial Ground for the use of such Town ; and to make and execute a Deed or Deeds of Conveyance, in fee simple, of any such Lands so laid off and apportioned, to such person or persons as may be appointed for that purpose by such different religious denominations, or such declaration or declarations of trust in relation to the same, as may be necessary to convey and assure such Lots respectively, for the purposes for which they may have been so laid off and apportioned : *Provided*, that no greater quantity of Land shall be so laid off as and for a Cemetery for any one religious denomination, or as and for such Public Cemetery, than Five Acres for any such purposes respectively.

Trustees authorized to lay off Cemeteries.

V. *And be it enacted*, That the said Trustees shall annually submit an account of all monies received and paid by them under and by virtue of this Act, to the General Sessions of the Peace for the County of Cape-Breton, for their approval ; and such General Sessions of the Peace shall and may, if they shall think proper so to do, order and direct any balance, from time to time, in the hands of such Trustees, to be applied to such purposes as they may think proper for the benefit of the Inhabitants of the said Town of Sydney.

Trustees to account.

CAP. LXIII.

An Act to amend the Act to Incorporate the Trustees of Saint Matthew's Church in Halifax.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That nothing contained in an Act passed in the last Session of the General Assembly, entitled, an Act to Incorporate the Trustees of Saint Matthew's Church in Halifax, shall

Act of last Session only to affect persons mentioned therein.

shall extend, or be construed to extend, to affect, alter, remit, or defeat, any right of Her Majesty, Her Heirs, or Successors, or any right, title, or interest of any Body, Politic or Corporate, or any person, save and except such only as are mentioned in the said Act and those claiming from, by, or under them, or any of them.

CAP. LXIV.

An Act to establish the Boundary Line between the Counties of Cape Breton and Richmond.

(Passed the 30th day of March, 1847.)

Division Line between Cape Breton & Richmond.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That in future the division Line between the Counties of Cape Breton and Richmond, shall be as follows, that is to say: Beginning on the sea shore on the Eastern side of Havre Forcher, or Forked Harbor, thence extending Northwardly in a straight line to the Eastern side of Boylan's Brook, at Irish Cove, on the South side of the Bras d'Or Lake, and thence South-westerly in a straight line to the point where the said County of Cape Breton is joined by the County of Inverness, as at present established.

CAP. LXV.

An Act to repeal the Acts for preventing Persons leaving the Province without a Pass.

(Passed the 17th day of March, 1847.)

Act 32, Geo. 2, repealed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Thirty-second year of the Reign of his late Majesty King George the Second, entitled, An Act for preventing Persons leaving the Province without a Pass, and all Acts since passed in addition to, or amendment thereof, shall be, and the same are hereby respectively repealed.

CAP. LXVI.

An Act to repeal the Acts to prevent the Forestalling, Regrating, and Monopolizing of Cord Wood in Halifax.

(Passed the 17th day of March, 1847.)

Acts 18 and 38, Geo. 3, repealed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighteenth year of the Reign of His late Majesty King George the Third, entitled, An Act to prevent the Forestalling, Regrating, and Monopolizing of Cord Wood in the Town of Halifax; and also the Act passed in the Thirty-eighth year of His said late Majesty's Reign, to amend and render more effectual the said first mentioned Act, and every matter, clause, and thing in the said Acts contained, shall be, and the same are hereby repealed.

CAP. LXVII.

An Act to make perpetual the Act concerning Malicious Injuries to Property.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Second year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning Malicious Injuries to Property, and every matter, clause, and thing therein contained, shall be, and the same are hereby made perpetual.

Act 2, Wm. 4, made perpetual.

CAP. LXVIII.

An Act to repeal the Act to empower the Supreme Court at their stated Sittings in the Town of Halifax, to try Offenders who may be guilty of Felonies in other Counties in this Province.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth and Ninth years of the Reign of His late Majesty King George the Third, entitled, An Act to empower the Supreme Court at their stated Sittings in the Town of Halifax, to try Offenders who may be guilty of Felonies in other Counties in this Province, and every matter, clause, and thing therein contained, shall be, and the same are hereby repealed.

Acts 8 and 9, Geo. 3, repealed.

CAP. LXIX.

An Act to make perpetual the Act for making regulations to prevent Dogs going at large, in certain cases.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act passed in the Fourth year of Her present Majesty's Reign, entitled, An Act for making regulations to prevent Dogs going at large, in certain cases, and every matter, clause, and thing therein contained, shall be, and the same are hereby made perpetual.

Act 4, Vic. made perpetual.

CAP. LXX.

An Act to make perpetual the Act to amend the Act for determining differences by Arbitration, and to render references to Arbitration more effectual.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act to amend the Act for determining differences by Arbitration, and to render references to Arbitration more effectual, and every matter, clause, and thing therein contained, shall be, and the same are hereby made perpetual.

Act 8, Vic. made perpetual.

CAP. LXXI.

An Act to continue the several Acts for the Prevention of Smuggling.*(Passed the 30th day of March, 1847.)*

Acts 4 and 5, Wm.
4, except 4th
clause—and Act
8. Vic continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the prevention of Smuggling, which Act will continue in force until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing, in the said Act contained, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the fifth year of the Reign of his said late Majesty King William the Fourth, entitled, An Act to continue and amend the Act for the prevention of Smuggling, which will also continue in force until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven; and every matter clause and thing in the said last mentioned Act contained, except the fourth clause or section thereof, and also except as altered or amended by the Act hereinafter mentioned, and also, the Act passed in the eighth year of the Reign of her present Majesty Queen Victoria, entitled, An Act to continue and amend the several Acts for the prevention of Smuggling, which will also continue in force until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven; and every matter, clause and thing in the said last mentioned Act contained, shall remain thenceforth in operation, and be further continued, and the said several Acts, except as aforesaid, are hereby respectively further continued from the said Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. LXXII.

An Act to continue the Acts for the Regulation of Juries.*(Passed the 30th day of March, 1847.)*

Acts 1, 3, 7, 8, 9.
Vic continued

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the First year of the Reign of Her present Majesty, entitled, An Act for the regulation of Juries, except the fourth, seventh, and eighth clauses thereof, and also, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Third year of Her present Majesty's reign, entitled, An Act to continue and amend the Act for the regulation of Juries, and to render valid the proceedings of certain Grand Juries, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Seventy ear of Her present Majesty's Reign, to continue and amend the said Acts, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act to amend the Act for the regulation of Juries; and also, the Act passed in the Ninth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Acts for the regulation of Juries, shall be continued, and the said several Acts, and every matter, clause, and thing therein contained, shall be before excepted, are hereby respectively continued for One Year, and thenceforth until the end of the then next Session of the General Assembly.

CAP. LXXIII.

An Act to continue the Acts for granting Duties on Licenses for the sale of Spirituous Liquors, and Sales by Auction in Halifax.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of the Reign of his late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction in Halifax, which Act will continue in operation until the Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-seven, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Second year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the sale of Spirituous Liquors, and for Sales by Auction in Halifax, which Act will also continue in operation until the Thirty-first day of March in this year of our Lord One Thousand Eight Hundred and Forty-seven, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Sixth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the sale of Spirituous Liquors, and Sales by Auction in Halifax, which last mentioned Act will also continue in operation until the Thirty-first day of March in this year of our Lord One Thousand Eight Hundred and Forty-seven, shall be continued, and the said several Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby respectively further continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

Act 7, Wm. 4, Acts 2 and 6, Vic. continued.

CAP. LXXIV.

An Act to continue the Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses, in certain cases.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of Her present Majesty's reign, entitled, An Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses, in certain cases, which Act will continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing in the said Act contained, shall remain thenceforth in operation, and be further continued until the Fifth day of July, which will be in this same year of our Lord One Thousand Eight Hundred and Forty-seven, and thence in case the Act passed during the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs," shall not have previously come into operation, until the day when the same shall come into operation, or until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, whichever shall first happen, and no longer.

Act 7, Vic. continued.

CAP. LXXV.

An Act to continue the Act concerning the Support and Regulation of Light Houses.*(Passed the 30th day of March, 1847.)*Act 8, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth year of her present Majesty's Reign, entitled, An Act concerning the support and regulation of Light Houses, which Act will continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing, in the said Act contained, shall remain thenceforth in operation, and the same are hereby further continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-eight, and no longer.

CAP. LXXVI.

An Act to continue the Acts in force relative to the Inspection of Pickled Fish.*(Passed the 30th day of March, 1847.)*Acts 9 and 10, Geo.
4, and Act 7, Wm.
4, continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Ninth year of the Reign of his late Majesty King George the Fourth, entitled, An Act for the more effectually enforcing the Inspection, and encouraging the exportation of Pickled Fish, and every matter, clause and thing, therein contained, except so far as the same may be altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Tenth year of his said late Majesty's Reign, in amendment of the said Act, and every matter, clause and thing, therein contained, except so far as the same may be altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Seventh year of the Reign of his late Majesty King William the Fourth, entitled, An Act to continue, alter, and amend the several Acts now in force relative to the Inspection of Pickled Fish, and every matter, clause, and thing, therein contained, except as altered or amended by the Act passed in the Second year of her present Majesty's Reign, entitled, An Act respecting Inspectors of Pickled Fish and Guagers of Fish Oil, shall be continued, and the same, except as before excepted, are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. LXXVII.

An Act to continue the Acts for Regulating the Militia.*(Passed the 17th day of March, 1847.)*Act 4 and 9, Vic.
continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the reign of Her present Majesty, Queen Victoria, entitled, An Act for regulating the Militia, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Ninth year of Her present Majesty's reign, entitled, An Act to continue and amend the Act, entitled, An Act for regulating the Militia, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. LXXVIII.

An Act to continue the Act for Regulating the Exportation of Red or Smoked Herrings.*(Passed the 30th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of his late Majesty King William the Fourth, entitled, An Act for regulating the exportation of Red or Smoked Herrings, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 3, Wm 4, continued.

CAP. LXXIX.

An Act to continue the Acts now in force relating to Trespasses.*(Passed the 30th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of His late Majesty King George the Fourth, entitled, An Act for consolidating and reducing into one Act all the Acts heretofore made relating to Trespasses; also, the Act passed in the Fourth and Fifth year of His said late Majesty's Reign, to alter, amend, and continue the said Acts; also, the Act passed in the Ninth year of His said late Majesty's Reign, to alter and continue the said Acts; also, the Act passed in the Second year of the Reign of His late Majesty King William the Fourth, to amend and continue the said Acts; also, the Act passed in the Third year of the Reign of His said late Majesty King William the Fourth, entitled, An Act in further amendment of the Acts relating to Trespasses; also, the Act passed in the Sixth year of the Reign of His said late Majesty King William the Fourth, entitled, An Act further to amend the Act relating to Trespasses; and also, the Act passed in the Second year of the Reign of Her present Majesty, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses; and every matter, clause, and thing, in the said Acts contained, except in so far as the provisions of the said Acts, or any of them, may be altered or amended by any other of the said Acts subsequent thereto, shall be continued, and the same, except as aforesaid, are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

Acts 3, 4, 5, and 9, Geo. 4, and 2, 3, and 6, Wm 4, and 2, Vic. continued.

CAP. LXXX.

An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.*(Passed the 30th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth year of the Reign of His late Majesty King William the Fourth, entitled, An Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, except the Eighth Clause or Section thereof,

Acts 5 (with exceptions) and 6, Wm. 4, and 1 and 2, Vic. continued.

thereof, and also, except as hereinafter excepted; also, the Act passed in the Sixth Year of the Reign of His said late Majesty, entitled, An Act to amend the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes; also, the Act passed in the First Year of the Reign of Her present Majesty, entitled, An Act to continue the Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Act in amendment thereof; and also the Act passed in the Second year of Her present Majesty's Reign, entitled, An Act to continue and further amend the Acts to direct and ascertain the mode of assessing County and District Rates, and for other purposes, and the Act in amendment thereof, save and except so far as the said Acts, or any of them, may be altered or amended by any other of the said Acts subsequent thereto, shall be continued, and the said several Acts, and every matter, clause and thing therein contained, except as before excepted, are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXI.

An Act to continue the Act relating to the Courts of Probate, and to the Settlement and Distribution of the Estates of Deceased Persons.

(Passed the 17th day of March, 1847.)

Acts 5, 6, and 7, Vic.
continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of Deceased Persons, except so far as the same may be altered or amended by the Acts passed in the Sixth year of Her present Majesty's Reign, entitled respectively, An Act in addition to, and in amendment of, the Act relating to the Courts of Probate, and to the settlement and distribution of the Estates of Deceased Persons; and An Act to regulate the practice of the Courts of Probate within this Province, or by either of the said Acts; or by the Act passed in the Seventh year of Her present Majesty's Reign, entitled, An Act in relation to the Law concerning Courts of Probate, shall be continued, and the said first mentioned Act, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXII.

An Act to continue the Act for dividing the Township of Douglas into separate Districts for the support of the Poor.

(Passed the 17th day of March, 1847.)

Act 8, Vic. continu
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act for dividing the Township of Douglas into separate Districts for the support of the Poor, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Two Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXIII.

An Act to continue the Acts for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof, which Act will continue in operation until the Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-seven, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Ninth year of Her present Majesty's Reign to continue and amend the said first mentioned Act, which will also continue in operation until the same Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-seven, and every matter, clause, and thing in the said Acts contained, except as before excepted, shall remain thenceforth in operation, and be further continued until the Fifth day of July, which will be in this same year of Our Lord One Thousand Eight Hundred and Forty-seven; and thence in case the Act passed in the present Session of the General Assembly, entitled, "An Act to repeal certain Duties of Customs" shall not have previously come into operation, until the day on which the same shall come into operation, or until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-eight, whichever shall first happen, and no longer.

Acts 8 and 9, Vic. continued.

CAP. LXXXIV.

An Act to continue the Act to extend to the Town of Dartmouth, the Act to amend the Act to regulate the Assize of Bread.

(Passed the 30th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth year of Her present Majesty's Reign, entitled, An Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 6, Vic. continued.

CAP. LXXXV.

An Act to continue the Act to prevent Damage to the Nets of Fishermen in Chedabucto Bay.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to prevent damage to the Nets of Fishermen in Chedabucto Bay, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 7, Vic. continued.

CAP. LXXXVI.

An Act to continue the Act to enable the Union Marine Insurance Company of Nova-Scotia to compensate their Directors and Auditors.

(Passed the 17th day of March, 1847.)

Act 6, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to enable the Union Marine Insurance Company of Nova-Scotia to compensate their Directors and Auditors, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Nine Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXVII.

An Act to continue the Act in relation to the Gathering of Sea Manure, in Queen's County.

(Passed the 17th day of March, 1847.)

Act 3, Wm. 4, con-
tinued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act to authorise the Sessions of the Peace for the County of Queen's County to make regulations for the gathering of Sea Manure in the said County, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXVIII.

An Act to continue the Acts to divide the Township of Maxweltown into separate Districts for the support of the Poor.

(Passed the 17th day of March, 1847.)

Acts 6 and 9, Vic.
continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act to divide the Township of Maxweltown into separate Districts for the support of the Poor, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Ninth year of Her present Majesty's Reign, to amend the said first mentioned Act, shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby continued for Two Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXIX.

An Act to continue the Acts for dividing the Township of Pictou into separate Districts for the Support of the Poor.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for dividing the Township of Pictou into separate Districts for the support of the Poor, except as altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Eighth year of Her present Majesty's Reign, to amend the said first mentioned Act, shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby continued for Two Years, and thence to the end of the then next Session of the General Assembly.

Acts 7 and 8, Vic.
continued.

CAP. XC.

An Act to continue the Act relating to the gathering of Sea Manure in the County of Halifax.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of the Reign of Her present Majesty, Queen Victoria, entitled, An Act to authorise the Sessions of the Peace for the County of Halifax to make regulations for the gathering of Sea Manure in the said County, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years and thence to the end of then the next Session of the General Assembly.

Act 7, Vic., con-
tinued.

CAP. XCI.

An Act to continue and amend the Acts to Regulate the Pilotage of Vessels at the Port of Halifax.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eleventh year of the Reign of His late Majesty King George the Fourth, entitled, An Act to regulate the Pilotage of Vessels at the Port of Halifax; and the several Acts passed in the First and Second years, respectively, of the Reign of His late Majesty King William the Fourth, in amendment of, and additional to, the said Act, except so far as the same may be altered or amended by the Act hereinafter mentioned, or by this Act; and also, the Act passed in the Eighth year of Her present Majesty's Reign, to continue and amend the said Acts, except as altered by this Act, shall be continued, and the said several Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Acts 11, Geo. 4, 1
and 2, Wm. 4, &
8, Vic. continued.

II. And be it enacted, That hereafter on every Vessel entering the Port of Halifax, spoken by a Licensed Pilot southward of Herring Cove and Thram Cap, and

Rate of Pilotage.

now

now by Law liable to pay a proportion of Pilotage when so spoken, when his services are not accepted, the Licensed Pilot who has first hailed her shall hereafter during the months of November, December, January, February, and March, be entitled to two-thirds of the Pilotage by Law established, instead of the proportions of such Pilotage as heretofore allowed.

III. *And be it enacted*, That this Act shall continue and be in force for One Year, and thence to the end of the then next Session of the General Assembly.

To be in force 1
year.

CAP. XCII.

An Act to continue the Act in relation to the expenditure of Public Monies on the Highways.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Ninth year of Her present Majesty's Reign, entitled, An Act in relation to the expenditure of Public Monies on the Highways, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 9, Vic con-
tinued

CAP. XCIII.

An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth year of the Reign of His late Majesty King William the Fourth, entitled An Act to prevent damage to the Nets of Fishermen by Coasting Vessels, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 4, Wm 4, con-
tinued

CAP. XCIV.

An Act to continue the Act to enable the Proprietors of Land in the rear Blocks or Divisions of Lands in the Township of Guysborough, to open Roads through the same.

(Passed the 17th day of March, 1847.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King George the Fourth, entitled, An Act to enable the Proprietors of Land in the rear Blocks or Divisions of Land in the Township of Guysborough to open Roads through the same, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Five Years, and thence to the end of the then next Session of the General Assembly.

Act 4, Geo 4, con-
tinued

CAP. XCV.

An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.*(Passed the 30th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth year of Her present Majesty's Reign, entitled, An Act to revive the Act to amend the Act to regulate the Assize of Bread, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 5 Victoria, continued

CAP. XCVI.

An Act to continue the Act to provide against the occurrence of Diseases from the Bite of Animals.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act to provide against the occurrence of Diseases from the Bite of Animals, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Five Years, and thence to the end of the then next Session of the General Assembly.

Act 3, Wm. 4, continued

CAP. XCVII.

An Act to continue the several Acts to provide for the Accommodation and Billeting of Her Majesty's Troops, or of the Militia, when on their March from one part of the Province to another.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Forty-eighth year of the Reign of His late Majesty King George the Third, entitled, An Act to provide for the Accommodation and Billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another; and also, the Acts passed in the Fifty-first and Fifty-third years of His said late Majesty's Reign, in addition to and amendment thereof, and every matter, clause, and thing, in the said Acts contained, except so far as the same may be altered or amended by the Act hereinafter mentioned; and also, the Act passed in the Sixth year of the Reign of Her present Majesty Queen Victoria, to continue and amend the said Acts, and every matter, clause, and thing, therein contained, shall be continued, and the same, except as before excepted, are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

Acts 46, 51, and 53, Geo. 3rd, and 6th Vic., continued.

CAP. XCVIII.

An Act to continue the Act to encourage the Killing of Bears, Loup-Cerviers, and Wild Cats.*(Passed the 17th day of March, 1847.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act to encourage the killing of Bears, Loup-Cerviers, and Wild Cats, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Five Years, and thence to the end of the then next Session of the General Assembly.

Act 3, Wm 4, continued.



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TO

ACTS OF THE GENERAL ASSEMBLY

OF THE

PROVINCE OF NOVA-SCOTIA.

ANNO DECIMO VICTORIÆ REGINÆ.

1847.

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