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Page 51 is incorrectly numbered page 5.

1833.

Anno Tertio Gvilielmi IV.

C. I.

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday, the Seventh day of February, 1833, in the Third Year of the Reign of our Sovereign Lord WILLIAM the Fourth by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Third Session of the Fifteenth General Assembly, convened in the said Province.*

* In the time of Thomas N. Jeffery, President; B. Halliburton, Chief-Justice, and President of the Council; Samuel George William Archibald, Speaker of the Assembly; Sir Rupert D. George, Bart. Secretary of the Council; and John Whidden, Clerk of Assembly.



CAP. I.

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

MAY IT PLEASE YOUR HONOR,

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

1. *Be it enacted, by the President, Council and Assembly,* That, by or out of such Monies as now are, or from time to time shall be and remain, in the Public Treasury of this Province, there shall be paid the sum of 200l. to the Speaker of the House of Assembly, for his services during the present Session.

200l. Speaker of Assembly

And a further sum of 160l. in addition to the salary of the Speaker for the present year.

160l. Speaker of Assembly

And a further sum of 222l. 4s. 5d. to the Attorney-General, for his services for the present year.

222l. 4s. 5d. Attorney-General

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

100l. Solicitor General

And a further sum of 600l. to the Treasurer of the Province, for his salary, and as Comptroller and Auditor of Public Accounts, and in lieu of office rent, clerks, and all other contingent expences, for the same year.

600l. Treasurer of Province

And.

100l. Clerk of Council

And a further sum of 100l. to the Clerk of the Council in General Assembly, and as Clerk of His Majesty's Council, for his services in the same year.

200l Clerk of Assembly

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

30l. Expences of Council

And a further sum of 30l. for defraying the Expenses of Council in General Assembly for the same year, to be paid on the Certificate of the President of the Council, and not otherwise.

25l. Archdeacon Willis

And a further sum of 25l. to the Venerable Archdeacon Willis, D. D. for his services as Chaplain to His Majesty's Council during the present Session.

25l. Fitzgerald Uniacke

And a further sum of 25l. to the Reverend Fitzgerald Uniacke, for his services as Chaplain to the House of Assembly during the present Session.

100l. Deputy Clerk of Council

And a further sum of 100l. to the Deputy-Clerk of the Council, for his services for the present Session.

100l. Assistant Clerk of Assembly

And a further sum of 100l. to the Assistant-Clerk of the House of Assembly, for his services for the present Session.

40l. Messenger of Council

And a further sum of 40l. to the Messenger of the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and His Majesty's Council, as well in their Legislative capacity as otherwise, for the present year.

50l. Matthew Forrester

And a further sum of 50l. to Matthew Forrester, for his services as Serjeant at Arms to the House of Assembly during the present Session.

30l. Alexander Boyle

And a further sum of 30l. to Alexander Boyle, for his services as Assistant-Sergeant at Arms to the House of Assembly, during the present Session,

30l John Gibbs

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

235l. Guager and Weigher

And a further sum of 235l. to the Guager and Weigher, for the Collector of Impost and Excise for the District of Halifax, for his services for the present year.

Excise Waiters

And a further sum to be paid on the certificate of the Commissioners of the Revenue, at the rate of Seven Shillings and Six-pence per day, to such Person or Persons as shall be employed during the year aforesaid, by the Collector of Impost and Excise, for the District of Halifax, as extra Waiter or Waiters for the Port of Halifax, and Five Shillings per day to such extra Waiter or Waiters when unemployed; and at the rate of Five Shillings per day to temporary Waiters.

45l. Revenue Clerk

And a further sum of 45l. to the Clerk of the Commissioners of the Revenue, for his services for the present year.

And

1833.

Anno Tertio Gvilieimi IV:

C. I.

3

And a further sum of 20l. to the Secretary of the Province, for Stationary, on account of Warrants to be drawn on the Treasury, for the present year. 20l. Secretary of Province

And a further sum of 10l. to the Trustees of the Law Library, to be disposed of in such way as they may think proper for the advantage of the said Library. 10l. Law Library

And a further sum of 250l. to defray such contingent expenses as may arise during the present year, to be drawn by Warrant from the Governor, Lieutenant-Governor, or Commander in Chief for the time being. 250l. Contingent Expenses

And a further sum of 600l. for the support of the Transient Poor for the present year; to be paid to the Commissioners of the Poor at Halifax. 600l. Transient Poor

And a further sum of 20l. to the Person who has the care of the Gunpowder at Halifax, for his services for the present year. 20l. Keeper of Gunpowder

And a further sum of 400l. to the Commissioners of the Island of Sable, for the support of that Establishment for the present year. 400l. Commissioners of Isle of Sable

And a further sum of 150l. to the Adjutant-General of the Militia, in full for his services, and the payment of his Clerk, Stationary and Postage, for the present year. 150l. Adjutant General of Militia

And a further sum of 1,700l. for the several Roads within the District of Halifax, to be applied and expended agreeably to a Resolution passed in the House of Assembly, during the present Session, on the second day of April, in the present year, and agreed to by His Majesty's Council. 1,700l. Roads in District of Halifax

And a further sum of 1,475l. for the several Roads within the District of Colchester, to be applied and expended as aforesaid. 1,475l. District of Colchester.

And a further sum of 1,775l. for the several Roads within the District of Pictou, to be applied and expended as aforesaid. 1,775l. District of Pictou

And a further sum of 1,850l. for the several Roads in the County of Annapolis, to be applied and expended as aforesaid. 1,850l. County of Annapolis

And a further sum of 1,750l. for the several Roads within the County of Shelburne, to be applied and expended as aforesaid. 1,750l. County of Shelburne

And a further sum of 1,700l. for the several Roads in the County of Sydney, to be applied and expended as aforesaid. 1,700l. County of Sydney

And a further sum of 1650l. for the several Roads in the County of Lunenburg, to be applied and expended as aforesaid. 1,650l. County of Lunenburg

And a further sum of 1300l. for the several Roads in the County of Cumberland, to be applied and expended as aforesaid. 1,300l. County of Cumberland

And

- 1,300l. County of Queen's County
And a further sum of 1300l. for the several Roads in the County of Queen's County, to be applied and expended as aforesaid.
- 1,500l. County of Hants
And a further sum of 1500l. for the several Roads in the County of Hants, to be applied and expended as aforesaid.
- 1,700l. County of King's County
And a further sum of 1700l. for the several Roads in the County of King's County, to be applied and expended as aforesaid.
- 2,300l. County of Cape-Breton
And a further sum of 2300l. for the Great and Cross Roads in the County of Cape-Breton, to be applied and expended in such manner as shall be directed by His Honor the President, or Commander in Chief for the time being.
- 16l. 10s. Mary Crane
And a further sum of 16l. 10s. to Mary Crane, pursuant to the prayer of her Petition.
- 50l. Richard Hichins and Edmund Crowell
And a further sum of 50l. to Richard Hichins and Edmund Crowell for the purpose of employing two able-bodied Men to reside with them on Seal Islands for the purpose of assisting shipwrecked Mariners—one half of the said sum to be paid in six months, upon sufficient proof being produced to satisfy His Honor the President, or the Commander in Chief for the time being, that such men have been actually so employed, and the residue at the end of the then ensuing six months upon like proof; and provided also, that like sufficient proof be adduced that it is absolutely necessary that the said Richard Hichins and Edmund Crowell should be so employed.
- 50l. Fox Island Fisheries
And a further sum of 50l. at the disposal of His Honor the President, or the Commander in Chief for the time being, for the protection of the Fox Island Fisheries, during the last season.
- 50l. Owners of Packet
And a further sum of 50l. to the Owners of the Packet running between Windsor and Partridge Island: to encourage the running of the said Packet between the said places, under such regulations as may be made and ordered by the Justices in their Sessions for the County of Hants, for the present year.
- 50l. Guysboro' Packet
And a further sum of 50l. at the disposal of His Honor the President or the Commander in Chief for the time being, to be applied in the support and encouragement of a Packet to be employed and run by W. F. Desbarres and others, between Guysborough and Arichat, touching occasionally at Fox Island and Canso, such Packet to be under such Regulations as have been made or may be agreed upon by the General Sessions of the Peace for the Lower District of the County of Sydney.
- 20l. Boat at Shubenacadie
And a further sum of 20l. to aid the Inhabitants of Douglas, at the Mouth of the Shubenacadie, in supporting a suitable Boat to run between Londonderry and that place: the said Boat to be under the regulation of the General Sessions for the County of Hants, and the said sum to be paid by Warrant from His Honor the President or the Commander in Chief for the time being, upon the certificate of the said Sessions that such Boat has been actually running at least four Months to the satisfaction of the said Sessions, under their regulations.
- 20l. Ferry at Shubenacadie
And a further sum of 20l. to assist the Ferry across the mouth of the Shubenacadie River: Ten Pounds to be paid to each of the Ferrymen in Hants and Colchester, to aid

aid them in procuring proper Boats for the said Ferry, to be paid on the Certificate of the Sessions that such Boats are provided.

And a further sum of 20l. to aid the Inhabitants of Cape-Breton in supporting a suitable Boat or Scow, to run between Ship Harbour in Cape Breton and Cape Porcupine, in the County of Sydney, the said Boat or Scow to be placed under the regulation of the General Sessions for the North Western District of the County of Cape-Breton.

20l. Ferry at Casco

And a further sum of 50l. to the Right Reverend Bishop Fraser, to enable him to compensate the Clergyman in charge of the Indians of Cape-Breton, for his Religious Instructions bestowed upon them.

50l. Rev. Bishop Fraser

And a further sum of 50l. to the Right Reverend Bishop Fraser, towards the support of a School under his charge.

50l. Bishop Fraser

And a further sum of 25l. 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. Commissioners of Poor

And a further sum of 100l. to the Reverend R. F. Uniacke, to enable him to defray the expences incurred to support the School for poor Children in the North Suburbs of the Town of Halifax.

100l. F. Uniacke

And a further sum of 300l. to the Managing Committee of the Horton Academy, in aid of that Institution the present year.

300l. Horton Academy

And a further sum of 196l. to the Trustees of the Pictou Academy, to enable them to discharge the debt due by that Institution to Stephen Lowry, Esq.

190l. Pictou Academy

And a further sum of 150l. to the Trustees of the Yarmouth Academy, in aid of that Institution for the present year.

150l. Yarmouth Academy

And a further sum of 100l. to the Trustees of the Annapolis Academy, in aid of that Institution for the present year.

100l. Annapolis Academy

And a further sum of 50l. to the Ladies, Managers of the Infant School at Halifax, for the support and promotion of that undertaking.

50l. Infant School

And a further sum of 50l. to the Inhabitants of Barrington, to aid them in building a Grammar School-House, according to their Petition, to be paid when it shall be certified that the Inhabitants have raised, by private subscription, and expended, an equal sum for the like purpose.

50l. School House at Barrington

And a further sum of 50l. to the Trustees for building the School-House at Bridgetown, when it shall be certified to His Honor the President, by the Clergyman and Magistrates of that place, that the said School-House is completed.

50l. School House at Bridgetown

And a further sum of 100l. to assist the Inhabitants of Arichat in the erection of a School-House at that place, to be drawn from the Treasury when it shall be certified that a like sum has been raised by subscription and expended for that purpose.

100l. School House at Arichat

And a further sum of 100l. to the Trustees of the National School of Lunenburg, to assist them in the support and maintenance of that Institution.

100l. School at Lunenburg

And a further sum of 50l. to the Trustees of the Grammar School at Truro, to aid in.

50l. School at Truro.

in building a Grammar School House, as soon as it is certified to His Honor the President that the sum of 100l. of private subscription has been expended on the same object.

20l. Chapel
Hubbard's
Cove

And a further sum of 20l. to John Dophinie and others, Inhabitants of Hubbard's Cove, in aid of their exertions in building a Chapel and School House there, according to the prayer of their Petition.

50l. School at
Chester

And a further sum of 50l. to assist the Inhabitants of the Town of Chester to finish the School House in the said Town, not to be drawn until it shall be certified that the School House is finished.

86l. Schools at
Cape-Breton

And a further sum of 86l. to the Commissioners of Schools for the North-Eastern District of Cape-Breton, agreeably to the report of the Committee.

50l. S. Lawlor

And a further sum of 50l. to the Reverend Simon Lawlor, for his services in superintending and instructing the Indians in Cape-Breton, in the year 1829, and for which he has not been paid.

500l. Light-
House at Pic-
tou

And a further sum of 500l. for the erection of a Light-House, at or near the entrance of Pictou Harbour, agreeably to the Plan and Estimate submitted to the House of Assembly by His Honor the President.

270l. 2s. 10½
Light-House at
Low Point

And a further sum of 270l. 2s. 10½d. to the Secretary of the Province, to repay the above sum advanced by His Excellency the Lieutenant-Governor, to defray the over-expenditure on building the Light-House at Low Point, in the County of Cape Breton.

200l. Cross Is-
land Light-
House

And a further sum not exceeding 200l. to the Commissioners appointed for building the Light-House on Cross Island, for the purchase of Lamps, Reflectors, Glass and Iron Lantern, and for completing the same.

50l. Beacon at
Isle of Hope

And a further sum of 50l. to provide for the erection of a Beacon on the Isle of Hope, between Liverpool and Shelburne, and likewise for the erection of a Humane House, on said Island.

26l. 5s. Bea-
con at Louis-
bourg

And a further sum of 26l. 5s. to the Secretary of the Province, to defray the expence of the erection of a Beacon at Louisbourg, last year.

23l. Buoy at
Barrington

And a further sum of 23l. to provide a Buoy, to be placed on the west ledge at Barrington, from time to time, to shift and replace the Buoy already provided, and also to defray the balance due on the said Buoy, furnished in the last year.

50l. Pier at
Hall's Harbor

And a further sum of 50l. to assist the Inhabitants in completing the Pier at Hall's Harbour, in the County of King's County, to be paid when it shall be made satisfactorily to appear to His Honor the President or the Commander in Chief for the time being, that the said Inhabitants have raised, by private subscription, and expended a like sum in the said work.

50l. Pier at
Hall's Harbour

And a further sum not exceeding 50l. additional, to aid the Inhabitants of Hall's Harbour, in the completion of the proposed Pier or Wharf at Hall's Harbor, the same not to be paid, unless needed for the completion of the work, in addition to the sum of 50l. already granted this Session, and the 50l. raised by subscription, such additional sum, or such part thereof as may be so wanted for the completion of the work, to be drawn from the Treasury, when it shall be certified to the satisfaction of His Honor the President, or the Commander in Chief for the time being, that the whole sum required has been faithfully expended.

And a further sum of 9l. to Charity Daley, in conformity with the report of the Committee. 9l. C. Daley

And a further sum of 37l. 13s. 4d. to Daniel Drea, agreeably to the report of the Committee to whom his Petition was referred. 37l. 13. 4d. D. Drea

And a further sum of 50l. in aid of the Dispensary in Halifax, and that the Managers thereof be required therefrom to provide and keep a sufficient supply of Virus or Matter for Vaccination, to preserve the same within the Province, for distribution to the Medical Practitioners therein. 50l. Halifax Dispensary

And a further sum of 20l. to Alexander W. Haire in full of all services, agreeably to the report of the Committee. 20l. A. W. Haire

And a further sum of 500l. to the Commissioners of the Poor at Halifax, towards the support of the Transient Poor, to be accounted for at the next Session of the Provincial Parliament. 500l. Transient Poor

And a further sum of 30l. 18s. to Obadiah Wilson, and others, Overseers of the Poor for the Township of Barrington, to enable them to defray the expense incurred in the relief of Edward Stanley, a Shipwrecked Mariner, to be applied agreeably to the report of the Committee, that is to say, to T. Geddes, Surgeon, 14l. to William Brown, 12l. and to Thomas Middleton, 4l. 18s. 30l. 18s. Wilson and others

And a further sum of 8l. to Archibald Smith and others, Overseers of the Poor for the Township of Newport, for remunerating them for expences incurred in the support of a transient Pauper. 8l. Archibald Smith

And a further sum of 50l. to the Secretary of the Province, to repay him that amount expended this year, for the relief of the poor Black Settlers of Preston and Hammond Plains, pursuant to the Vote of Credit of the House of Assembly therefor. 50l. Secretary of Province

And a further sum of 100l. at the disposal of His Honor the President, or Commander in Chief for the time being, to provide seed Potatoes for the Poor Black Settlers at Hammonds Plains, Preston and Beech Hill, 10l. of the said sum to be applied in the same way, towards relieving the Black Settlers at Panuke in the County of Hants. 100l. Black Settlers in Hammonds Plains, &c.

And a further sum of 25l. at the disposal of His Honor the President, or Commander in Chief for the time being, to provide seed Potatoes for the Poor Black Settlers in Queen's County. 25l. Black Settlers in Queen's County

And a further sum of 250l. at the disposal of His Honor the President, or Commander in Chief for the time being, to enable him to defray the amount expended on the alteration of the Road for avoiding the Hills near Mount Uniacke, pursuant to the Resolution of the House of Assembly of the last Session. 250l. Hills near Mount Uniacke

And a further sum of 30l. 11s. 2d. at the disposal of the Secretary of the Province, to repay him that sum, being a balance due for an over-expenditure on Surveys in the County of Cape-Breton. 30l. 11s. 2d. Surveys in Cape-Breton

And a further sum of 33l. 9s. to George Wightman, for the expences incurred by him in two surveys of the line of road from Fultz's to Fletcher's, and the plans and returns of the same, as per account. 33l. 9s. G. Wightman

And a further sum of 8l. 5s. to Peter Crerar, for his services in a survey of the road from Fletcher's to Sackville, as per account. 8l. 5s. P. Crerar

And

- 14l. 15s. 3d. E. Duckett
And a further sum of 14l. 15s. 3d. to Edward Duckett, Junior, for repaying certain expences incurred in Establishing a Savings' Bank.
- 52l. 5s. 6. J. B. Hadley
And a further sum of 52l. 5s. 6d. to James B. Hadley, being the amount of Duties paid or secured by him on certain Goods destroyed by Fire.
- 15l. A. Mc Donald
And a further sum of 15l. to Allan McDonald, being the amount of certain Provincial Treasury Notes in his possession, destroyed by Fire.
- 98l. 11s. 10d. A. McDonald
And a further sum of 98l. 11s. 10d. to Allan McDonald, being the amount of Duties on certain Goods destroyed by Fire.
- 4l. 4s. D. Alexander
And a further sum of 4l. 4s. being a Drawback of Duties on certain quantities of Spirits exported, to Duncan Alexander, pursuant to the report of the Committee on his application.
- 18l. 11s. 7d. Western Stage Coach
And a further sum of 18l. 11s. 7d. to the Western Stage Coach Company, being the amount paid by them at the Custom-House, upon the Importation of a Coach, and that the Excise Officer at Halifax be directed to cancel the Bond for 13l. given by their Committee on the same Account.
- 41l. 10s. N. Crowell
And a further sum of 41l. 10s. to Nehemiah Crowell and others, being the Return of Duties paid on certain damaged Flour, which was consumed in the Fisheries of this Province, agreeably to the prayer of their Petition.
- 10l. D. O'Connor
And a further sum of 10l. to Dennis O'Connor, to recompense him for the Land occupied by the Eastern Post Road, agreeably to the report.
- 30l. R. Kempton
And a further sum of 30l. to Richard Kempton and others, Inhabitants of Harmony, in Queen's County, to enable them to complete an Oatmill in said County.
- 20l. T. Cochran
And a further sum of 20l. to Terence Cochran, to remunerate him for his attendance on the House of Assembly, in the years 1827 and 1828, in obedience to the Orders of the House.
- 200l. W. A. Chipman
And a further sum of 200l. to William Allen Chipman and others, Commissioners of Sewers for the Township of Cornwallis, to reimburse them in part for the Law Expences and Charges incurred by them as Public Officers, it being understood that no future claim for the residue of said Expences shall be made upon the Public Funds.
- 225l. Mary Chipman
And a further sum of 225l. to Mrs. Mary Chipman, Widow of the deceased Jared Ingersoll Chipman, Esquire, late first Justice of the Inferior Court of Common Pleas, for the Eastern Division, towards assistance and the support of herself and children, being the Salary of that Office to the end of the year in which he died.
- 50l. Custom House Clerks
And a further sum not exceeding 50l. at the disposal of His Honor the President, or Commander in Chief for the time being, to compensate certain Clerks in the Custom-House, for preparing certain Returns heretofore required to be made to the House of Assembly.
- 38l. 19s. 2d. Secretary of Province
And the following sums that is to say; the sum of 38l. 19s. 2d. to repay the Secretary of the Province, for so much advanced by him for expences of witnesses attending from the Island of Cape-Breton; the sum of 22l. 9s. 4d. to the Registrar of the Court of Vice,

Vice-Admiralty ; the sum of 25l. to the Attorney-General ; the sum of 12l. 10s. to the Solicitor-General ; and the sum of 7l. 15s. to the Sheriff of the County of Halifax, being the expences incurred on the Trial of Patrick Crave for Murder on the High Seas.

And a further sum of 60l. to Clement H. Belcher, to pay him for forty numbers of the second Volume and forty numbers of the third Volume of the Province Laws, supplied for Members of the Legislature, under a Resolution of the House of Assembly.

60l. C. H. Belcher

And a further sum of 100l. at the disposal of His Honor the President, or the Commander in Chief for the time being, to be applied in such way as he may deem most proper, for the relief of the Indians of this Province.

100l. Indians

And a further sum of 1198l. 12s. 9d. to the Commissioners of Light-Houses, to discharge the balance due them as reported by the Committee of Public Accounts,

1198l. 12s. 9d. Commissioners of Light Houses

And a further sum of 25l. to aid the Inhabitants of Antigonishe, in repairing the Tow Path from the Canoe landing, to Payzant's or Peabody's Point, the same to be paid when it shall be certified, to the satisfaction of His Honor the President, or Commander in Chief for the time being, that the said Inhabitants have subscribed and expended a similar sum for the same purpose.

25l. Tow path at Antigonishe

And a further sum of 100l. to build a Bridge near the Chapel at Margaree, in the County of Cape-Breton.

100l. Bridge at Margaree

And a further sum of 75l. to the Trustees of the Grammar and Common School in the Township of Newport, to enable them to pay off the debt already incurred, and to finish the building: to be drawn for when it shall be certified, to the satisfaction of His Honor the President, or the Commander in Chief for the time being, that the building is completed.

75l. Newport School

And a further sum of 100l. to the Inhabitants of Clare, to aid them in extending the Pier or Breakwater at Billivieu's Cove, to be paid when it shall be certified to His Honor the President, or the Commander in Chief for the time being, that they have expended in Labour, Materials and Money, an equal sum of Money.

100l. Breakwater at Billivieu's Cove

And a further sum of 75l. to the President and Officers of the Mechanics' Institute at Halifax, in aid of the objects of that Institution, of which 25l. shall be applied to the Mechanics' Library, and 15l. be paid to Titus Smith, to assist him in making a collection of specimens of Geology, Botany and Mineralogy, to be deposited in the Museum of the said Institute.

75l. Mechanics Institute

And a further sum of 100l. at the disposal of the Executive, to enable him to assist the Inhabitants on the Gulf Shore to make repairs on the Arasaig Pier, and to be paid when a similar sum shall be contributed by the Inhabitants in Labor and Materials.

100l. Arisaig Pier

And a further sum of 75l. to the Committee of the Acadian School, to assist in paying the debt of that Establishment.

75l. Acadian School

And a further sum of 20l. to assist in rebuilding a Bridge over the Nine Mile River on the main road leading to Saint Margaret's Bay, and many other important Settlements, which bridge has been carried away by a late freshet.

20l. Bridge over Nine Mile River

And a further sum of 80l. for building a Bridge over Watson's Creek, in the North West Arm of Spanish River, in the County of Cape-Breton.

80l. Bridge over Watson's Creek

And a further sum of 83l. 2s. 6d. to the Managers of the Eastern Stage Coach Company,

83l. 2s. 6d. Eastern Stage Coach

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pany, to repay them to the extent of one half the sum expended by that Company in the carriage of the Mail for seven months in the year One thousand eight hundred and thirty, for which service they received no pay from the public.

251. Herring Cove Bridge

And a further sum of 251. for the purpose of repairing the Herring Cove Bridge, on the main post road between Lunenburg and Liverpool.

5001. Scatarie Light-House

And a further sum of 5001. to build a Light-House on Scatarie Island, in the County of Cape-Breton, to be expended when His Honor the President, or Commander in Chief for the time being, shall have ascertained that the Governments of Lower Canada, New-Brunswick and Newfoundland, or His Majesty's Government, or either of such Governments, will contribute an equal proportion of the expences of such Light-House.

24361. Cholera claims

And a further sum of 2,4361. at the disposal of His Honor the President, or the Commander in Chief for the time being, to discharge the several claims for expences incurred in preventing the introduction and spreading of Cholera, agreeably to the report of the Committee.

2891. 6s. 2d. Provincial Maps

And a further sum of 2891. 6s. 2d. to defray the balance due for the preparation of the Provincial Maps, as reported by the Committee.

2211. 15s. 7d. Commissioners of Public Buildings

And a further sum of 2211. 15s. 7d. to the Commissioner of Public Buildings, to pay the balance due to sundry persons on account of Public Buildings, as reported by the Committee of Public Accounts.

401. Conveyance of Judges

And a further sum of 401. at the disposal of His Honor the President or the Commander in Chief for the time being, to defray the expence of conveying the Judges of His Majesty's Supreme Court to Cape-Breton during the present year, to preside at the several Circuit Courts in that Island.

1001. Secretary of Province

And a further sum of 1001. to the Secretary of the Province, for extra services in preparing Road Commissions and Warrants, School Acts, &c. for the year 1832.

2001. Commissioners of Bridewell

And a further sum of 2001. to the Commissioners of the Bridewell in the Town of Halifax, for the support of that Establishment for the present year.

7001. Inspecting Field Officers

And a further sum of 7001. at the disposal of His Honor the President, or Commander in Chief for the time being, to enable him to provide for the Inspecting Field-Officers of Militia, for one year, from the 31st day of December next, as heretofore.

2501. J. Bainbridge

And a further sum of 2501. to John Bainbridge, Esquire, the Agent of the Province in London, for his services during the present year.

11501. Post Communication

And a further sum of 11501. for defraying the expenses of a Post Communication for the year 1833, agreeably to the Report of the Committee appointed on that subject.

2701. Howe & Son

And a further sum of 2701. to Messrs. John Howe and Son, Printers, for printing for Government and the General Assembly, for the present year.

801. Howe & Son

And a further sum of 801. additional to Messrs. John Howe and Son, Printers, for printing for Government and the General Assembly for the present year, pursuant to the prayer of their Petition, and the report of the Committee thereon.

931. Howe & Son

And a further sum of 931. to Mersrs. John Howe and Son, for extra printing for the year One thousand eight hundred and thirty-two, per account rendered by them.

And

And a further sum of 50l. to the Keeper of the Assembly House and Council Chamber, for the present Session. 50l. Keeper of Assembly

And a further sum of 40l. to be drawn by the Speaker of the House of Assembly, for contingent Expenses. 40l. Speaker of Assembly

And a further sum of 165l. to defray the expense of extra Messengers to the Council and House of Assembly, and for Fuel and sundry other Articles and Services for the Council and House, according to Estimate, said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the President of the Council and Speaker of the House of Assembly. 165l. Expenses of Assembly

And a further sum not exceeding 75l. to the Clerk of the House of Assembly, to defray the expense of Stationary, and binding of Journals and Laws for the Council and House of Assembly, during the present Session. 75l. Clerk of Assembly

And a further sum of 10l. to J. J. Sawyer, Esquire, High Sheriff of the County of Halifax, for his expences as such Sheriff at the opening and closing of the present Session of the General Assembly. 10l. J. J. Sawyer

And a further sum of 20l. to the Chairman of the House of Assembly, for his services as Chairman, to be added to the usual pay Ticket. 20l. Chairman of Assembly

And a further sum of 100l. each to the Clerk and Assistant Clerk of the House of Assembly, for their extra services during the present Session. 100l. each Clerks of Assembly

And whereas, the alteration which has been commenced on the Great Western Road, for avoiding the Hills near Mount Uniacke, will require for its completion, as appears by the Report of the Commissioners, the sum of 350l; And whereas, the present state of the Old Road, which that alteration is intended to change, is such as to render it essential that the New Line should be completed. 350l. Road Mount Uniacke

II. Be it therefore enacted, That the sum of 350l. be granted and paid for the purpose of completing the said alteration.

III. And be it further enacted. That, for encouraging the prosecution of the Fishery for Whales and other Animals, living in the Sea, in the Southern and Pacific Oceans, by Vessels from this Province, and to induce its Inhabitants to engage in, and acquire a practical knowledge of, and experience in, the business of that Fishing, so as to qualify themselves to become Officers of Whale Ships, there be granted a sum of money not exceeding in the whole Two Thousand Pounds, to be paid as Bounties to the first six Vessels, which shall hereafter fit out for the said Fishery, and to be paid under the following conditions, that is to say: Whale Fishery Bouny

The Vessel to be of the Registered Burthen of at least Two Hundred Tons, to be fitted out and owned in this Province, to cross the Equator, in the prosecution of such Whaling Voyage, and to be actually engaged therein for a period not less than two years, unless previously full.

The Bounty to be paid to the Owner of such Ship or Vessel, on satisfactory proof made of her being so engaged during two years, or upon her return to this Province.

The first Vessel to be fitted out within one year, and the Bounty to attach in the order in which the Vessels sail.

The Bounty to be Two Pounds per Ton of the Registered Tonnage.

Out of the said Bounty of Two Pounds per Ton, a sufficient sum to be reserved to pay for the encouragement of such Individuals, being natives of this Province, as shall proceed as Seamen on board of such Vessel, the sum of Seven Pounds and Ten Shillings to be paid on returning from the first Voyage; and Fifteen Pounds on returning from the second Voyage performed by them respectively. Provided each Seamen, claiming such Bounty, shall produce satisfactory Certificates and Evidence of good conduct during such Voyage,

Voyage, and of having diligently exerted himself to acquire a competent knowledge of seamanship and the business of the said Fishery, towards qualifying him to serve as an officer on board a whale-ship, and provided that the bounty be only paid to the ten best seamen in the ship.

If the several Vessels first fitted out shall so far exhaust the full amount of Bounty hereby allowed, as to leave for the succeeding Ship a sum less than 2l. per Ton, then only the balance remaining of the said 2000l. shall be paid to the Owners thereof.

Continuation
of Grant to
Western Stage
Coach

IV. *And be it further enacted*, That the present annual Grant to the Western Stage Coach Company shall be further continued for three years, from the expiration of the present allowance, under the restrictions and provisions, and upon the same terms, as at present.

Relief afforded
Eastern Stage
Company

And whereas, the Eastern Stage Coach Company, by the terms of the Provincial Grant of the year 1829, to become entitled thereto, are bound to run their Carriages with three Horses each, and it sometimes happens that it is extremely difficult or impossible to run with three or four Horses the whole time:

V. *Be it therefore enacted*, That at such times as may be necessary in the Winter Season, on account of the state of the Roads, the said Company shall be at liberty to run their Carriages on such line or such part thereof as may be requisite, with two or more Horses, without prejudice to their right to receive any Grant from the Treasury, in the same manner as if they had run their said Carriages with three or four Horses.

40l. Road in
Clare

VI. *And be it further Enacted*, That the sum of 40l. heretofore appropriated and unexpended and undrawn for the road from Como's to Yarmouth in the Township of Clare, County of Annapolis, be now re-appropriated for the Road from the French Chapel to the New Yarmouth Road in said Town and County.

10l. Road in
Granville

VII. *And be it further enacted*, That the sum of 10l. granted in the year 1832, to repair the Road leading from the Main Road in Granville to the Bay of Funday, called the Rickerson Road, and remaining undrawn and unexpended, be now applied to repair the Mountain Road, between the Covert Road and the Rickerson Road in Granville.

Vote for Wal-
lace Bridge

And it appearing from the Report of Mr. Peter Crerar, transmitted by His Honor the President, that if the sum granted for building the Bridge over Wallace River, were payable in the course of the current year, the work would be facilitated and the expense of erecting the said Bridge considerably diminished:

VIII. *Be therefore enacted*, That the sum of 750l. granted at the last Session, for building the same, be drawn from the Treasury as soon as that sum shall be expended for such purpose.

And whereas, the sum of 30l. granted in the year 1830, to John Pernette, Esquire, Keeper of LaHave Ferry, to enable him to furnish an additional Horse Boat, and to erect a Pier or Slip on the east side of the said Ferry, is directed to be paid when it shall be certified by the General Sessions that such additional Boat has been provided, and such Pier or Slip erected; *And whereas*, it has been found impracticable to erect such Pier or Slip on the east side of the said River, in consequence of the ice therein, by reason whereof the said sum of 30l. remains undrawn; *And whereas*, the said John Pernette has erected a Pier on the western side of said River, for the purposes of such Ferry,

30l. J. Pernette

IX. *Be it therefore enacted*, That the said sum of 30l. be paid to the said John Pernette, Esquire, on its being certified, by any Special Sessions of the Peace, that such additional Boat has been provided and the Ferry properly kept.

12l. 10s. Peter
Crerar

X. *And be it further enacted*, That, out of the sum of 50l. formerly granted to improve the Harbour of Tracadie, and remaining undrawn, there be paid to Peter Crerar, the sum of 12l. 10s. to remunerate him for the Plan and Estimate of said Harbour; and, the sum of 37l. 10s. being the balance of the said sum of 50l. appropriated and remaining undrawn as aforesaid, be laid out on the New Road, called Henry's line, from Big Tracadie Bridge to Pomket River.

37l. 10s. road
on Henry's line

XI. *And be it further enacted,* That such a sum be granted and paid to the Secretary of the Province, as will enable him to pay 5l. to each of the Clerks of the Peace to whom His Excellency the Lieutenant-Governor directed Road Commissions, with the Bonds to be executed, during the past year.

5l. Clerks of Peace

XII. *And be it further enacted,* That if any accident shall happen to any of the Bridges on the Main Roads in this Province, or any unforeseen obstructions to travelling shall arise, from the fall of trees or otherwise, it shall and may be lawful for His Honor the President, or Commander in Chief for the time being, to order a Commissioner or Commissioners to repair or rebuild such Bridges, or to remove such obstructions, and it shall and may be further lawful for the President, or Commander in Chief for the time being, to draw Warrants on account, and in favor of such Commissioner or Commissioners. *Provided,* the same shall not exceed the sum of 500l.

Road Emergencies

XIII. *And be it further enacted,* That the Commissioners of the Revenue, for the time being, be, and they are hereby, authorized and empowered to allow a Drawback upon all Wines imported for, or consumed by, the Commissioned Officers of His Majesty's Army, composing the several Regimental Messes of the Garrison at Halifax, or to relinquish the duties upon all such Wines, upon proof being made, to the satisfaction of the said Commissioners, that the Wines, whereon a Drawback or relinquishment of duties is claimed, were actually imported for, or consumed by, such Officers of the Army. *Provided* that the whole amount do not exceed the sum of 300l. in any one year.

Drawback on Wines

XIV. *And be it further enacted,* That the sum of 1l. per day be paid to each and every of the Members of the House of 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-two days attendance.

Members' Allowance

XV. *And be it further enacted,* That the Collector of Impost and Excise at the Port of Halifax shall, and he is hereby required and directed to, keep a distinct account of all Duties collected by him upon the Importation, from the United States of America, of Live Stock, Apples, Onions, Fruit, Biscuit and Bread, under the Act of the General Assembly, passed in the last Session, entitled, *An Act for the further Increase of the Revenue, by imposing a Duty upon Articles imported from Foreign Countries,* and that the said Duties, upon the above specified Articles, during the present year, shall be paid Quarterly to the Commissioners of the Poor, for the use of the Poor of the Town of Halifax; *Provided,* such payment do not exceed the sum of 1000l. during the present year.

Duties payable to Commissioners of Poor

XVI. *And be it further enacted,* That the ninth, twelfth, sixteenth, eighteenth and nineteenth Sections, or Clauses of the Act, made and 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, shall be revived, and be and continue in full force and virtue until the Thirty-First day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Thirty-Four, in as full and ample a manner as the same Clauses would be were they again repeated word for word.*

Sections of Act 41 Geo. III. continued

CAP. II.

An Act to continue the Act to provide for the regulation and management of the Grammar School or Academy at Annapolis.

(PASSED THE 30th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the Ninth Year of His late Majesty's Reign, entitled, *An Act to provide*

Act 9. Geo IV continued

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vide for the regulation and management of the Grammar School or Academy at Annapolis, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. III.

An Act in further amendment of the Acts relating to Trespasses.

(PASSED THE 30th DAY OF MARCH, 1833.)

Preamble

WHEREAS, the provisions for punishing persons guilty of Pound Breach or Rescue, contained in the fifth Section of the Act, made and passed in the Third Year of His late Majesty's Reign, entitled, An Act for consolidating, and reducing into one Act, all the Acts heretofore made relating to Trespasses, have been found insufficient for the adequate punishment of offences, for remedy whereof:

Persons convicted of rescuing Swine, Horses, &c.

I. BE it enacted, That, upon any conviction, under the said fifth clause or section of said Act, before any Justice or Justices of the Peace, of any person or persons, for rescuing any Swine, Horses, Sheep, Goats or Neat Cattle, from any Hogreave, or other person driving the same to Pound, or for any breach of Pound or delivery of any Animal or Animals aforesaid out of the same, upon and under the Warrant or Execution issuing upon such conviction, the offender or offenders, for want of Goods or Chattles, of him, or them, to be found to satisfy the amount specified in such Warrant or Execution, with the Fees thereon, shall be committed to Gaol, there to remain until he or they shall pay such amount and Fees, or otherwise be discharged by the order of such Justice or Justices before whom the conviction shall have taken place, and such Warrant or Execution shall specify to that effect.

Relief afforded Offenders

II. And be it further enacted, That it shall and may be lawful for such Justice or Justices to discharge such offender or offenders from Gaol, upon its being made to appear to him or them that such offender or offenders is or are wholly unable to pay such amount and Fees, and hath not been guilty of any Fraud to escape payment thereof.

Continuance of Act

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

CAP. IV.

An Act for continuing the General Assembly in case of the Death or Demise of His Majesty, His Heirs and Successors.

(PASSED THE 30th DAY OF MARCH, 1833.)

Preamble

WHEREAS, the peace, welfare and security, of this Province, might be exposed to great dangers if the General Assembly of this Province should be dissolved by the Death or Demise of the King our Sovereign Lord, (whom God long preserve,) or by the Death or Demise of any of His Majesty's Heirs and Successors, for remedy thereof,

General Assembly continued after Death or Demise of His Majesty

I. BE it enacted by the President, Council and Assembly, That the General Assembly, or any other General Assembly of this Province, which shall have been summoned and called by our present Sovereign Lord King William the Fourth, or His Heirs and Successors, shall not determine or be dissolved by the Death or Demise of His said Majesty, His Heirs and Successors, but such General Assembly shall, and it is hereby enacted to, continue and may meet, convene and sit, proceed and act, notwithstanding

standing such Death or Demise, in the same manner, as if such Death or Demise had not happened. *Provided always, and it is hereby enacted,* That nothing in this Act contained shall extend, or be construed to extend, to alter or abridge the power of the King, His Heirs and Successors, to prorogue or dissolve the General Assembly of this Province. *Provided,* That nothing in this Act contained shall be of any force or effect until His Majesty's Pleasure therein shall be known.

Proviso

CAP. V.

An Act to alter the time of Sitting of the Inferior Court and General Sessions for the Northern or North-Eastern District of the County of Cape-Breton, and to ascertain and establish the designation of said District.

(PASSED THE 30th DAY OF MARCH, 1833)

BE it enacted, by the President, Council and Assembly, That, from and after the passing of this Act, the Inferior Court of Common Pleas and General Sessions of Peace for the Northern or North-Eastern District of the County of Cape-Breton, shall be held at Sydney, on the first Tuesday of May, in each and every year, instead of the second Tuesday of March, as now by Law required.

Time of holding Inferior Court in the Northern District of Capes Breton

And whereas, doubts are entertained whether the legal and proper designation of the said District, is the Northern or North-Eastern District of the County of Cape-Breton :

Designation of District

II. *Be it therefore declared and enacted,* That the said District is, and hereafter shall be called, designated and described, as the North-Eastern District of the County of Cape-Breton, and shall be so named, called and known, in all Writs, Process, Pleadings, Acts, Records, or Proceedings, whatsoever, and wheresoever had or made, whether in any Court or otherwise.

III. *Provided always, and be it further enacted,* That no Writ, Process, Pleadings, Act, Record, or other Proceeding whatsoever, heretofore had or made, shall be, or shall be held or taken to be, erroneous, defective, void, or insufficient, by reason of the said District being therein called and described as the Northern District of the County of Cape-Breton, but such description shall be held and taken to be in any such Writ, Process, Pleading, Record, or other proceeding, heretofore had or made, as a good, valid and legal, description of the said District, any thing herein contained to the contrary notwithstanding.

Writs Process, &c.

CAP. VI.

An Act to extend the Provisions of the Act relating to Commissioners of Highways in Halifax, and certain other Places to the Town of Chester.

(PASSED THE 30th DAY OF MARCH, 1833.)

BE it enacted, by the President, Council and Assembly, That an Act, passed in the seventh year of His late Majesty's Reign, entitled, An Act relating to Commissioners of Highways in Halifax, and certain other Places, and all the regulations and provisions thereof, with every matter, clause and thing therein contained, shall be extended, and the same are hereby extended, to the Town of Chester, in the County

Act, 7, Geo. IV. extended to Chester

Appointment of Commissioners of Highways

of Lunenburg ; and it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint three respectable Inhabitants and Freeholders of the Township of Chester aforesaid to be Commissioners of Highways therein, for the purpose of carrying into effect the provisions and regulations of the said Act, and to proceed to supply any vacancy that may occur amongst such Commissioners, and such appointment to renew when necessary, in the same manner as is pointed out and provided by the said Act.

Powers of Commissioners

II. *And be it further enacted*, That the powers, jurisdiction and authority, of the said Commissioners, when appointed, shall be the same as if the said Township of Chester had been originally named, and mentioned in the said Act, and shall extend over all the Roads and Streets within that part of the said Township called the Townplot of Chester.

Powers of former Commissioners to cease

III. *And be it further enacted*, That, from and after the first day of May next, the authority, powers and jurisdiction, of the Surveyors of Highways within that part of the said Township of Chester, called the Townplot, shall cease and determine, any Law, usage or custom, to the contrary notwithstanding.

CAP. VII.

An Act to preserve and regulate the Navigation of the Harbour of Pugwash.

(PASSED THE 30th DAY OF MARCH, 1833.)

Preamble

WHEREAS, it is found necessary to regulate the Pilots, employed in conducting Vessels into and out of the Harbour of Pugwash, to regulate the anchorage of Ships and Vessels in that Port, and to provide against the injuries done to the Navigation by Ships discharging Ballast in improper situations in that Harbour:

Licensing Pilots for Pugwash

I. *BE it enacted, by the President, Council and Assembly*, That, it shall and may be lawful for the Justices in their General Sessions of the Peace for the County of Cumberland, from time to time, as occasion may require, to license so many fit and proper persons as may be deemed necessary to act as Pilots for the Harbour of Pugwash, and to regulate the Pilotage to be demanded and taken by such Pilots, for their services ; and, from time to time, to make and publish such orders and regulations, for the government and good conduct of such Pilots, and to prevent unqualified persons from acting in that capacity, and to enable such Pilots to receive such pay for their services, as may be fixed and established by Order of Sessions as aforesaid ; and it shall be lawful for the said Justices to annex penalties for the breach of any of the orders and regulations so to be by them made, which penalties shall not exceed, for any one offence, the sum of Five Pounds, and may be sued for and recovered before any two of His Majesty's Justices of the Peace for the County of Cumberland.

Regulations for Pilots

Appointment of Harbour Master for Pugwash

II. *And be it further enacted*, That it shall and may be lawful for the said Justices in their General Sessions, from time to time, to appoint and license a fit and proper person to act and serve as Harbour Master for the said Harbour of Pugwash, and to describe the several duties which he shall be bound to perform ; and also to place the Pilots of said Harbour under the superintendance and direction of the said Harbour Master, and to fix the rate of pay which such Harbour Master shall be entitled to receive from each Vessel ; and also from time to time, to make rules and regulations for the anchorage of Ships and Vessels in said Harbour, and to authorise the said Harbour 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 of such orders and regulations, such penalties not to exceed in any one case the sum of Forty Shillings, and may be sued for and recovered as aforesaid.

Regulations for Harbour Master

III. *And be it further enacted*, That it shall and may be lawful for the said Justices in their General Sessions, to regulate and establish the rate at which the said Harbour 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 Harbour Master to recover the pay which he may be entitled to have and receive, agreeably to such rules and regulations.

Allowance to Harbour Master to be established

IV. *And be it further enacted*, That it shall and may be lawful for the said Justices in their General Sessions to establish and fix such places in the said Harbour of Pughwash 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 conveniencies 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 ballast on such wharves and at such places as the said Justices shall appoint, and shall establish penalties, to be paid by persons transgressing such orders and regulations, and to be recovered as aforesaid, and shall and may establish and fix the rates of wharfage to be paid by Vessels and Ships using such Wharves, for the discharge of their ballast, and such rate or rates of wharfage may be sued for and recovered before any one of His Majesty's Justices for the County of Cumberland; and the said Justices shall also make such rules and regulations for the disposal of the ballast so deposited on such wharves, and may also annex penalties to be paid by persons transgressing such rules and regulations, to be recovered as aforesaid; *Provided always*, that no rule or regulation respecting such ballast shall be made so as to prevent the master, owner or owners, of such Ships or Vessels, from selling or disposing of the ballast, so by them landed on such wharves, within a reasonable time, if they shall think proper, and the said Justices, in General Sessions, 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 of such ballast; and the said Justices, in their General Sessions, may fix and establish penalties, not exceeding in any one case Ten Pounds, to be recovered as aforesaid, against any person or persons refusing to obey or transgressing any of the rules or orders made by the said Justices.

Vessels discharging Ballast at Pughwash

V. *And be it further enacted*, That it shall and may be lawful for any person or persons, who shall think himself or herself aggrieved by all or any of the rules and regulations which the said Justices in their General Sessions shall from time to time make under the authority of this Act, to complain of the same by Affidavit to the Supreme Court, at any of the fixed or stated terms, at Amherst, in the said County of Cumberland; and it shall be lawful for the said Supreme Court to receive and hear such complaint, 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 and may be lawful for the said Court to abrogate and annul any of such rules and regulations, which may be adjudged by the said Court to be illegal, grievous and oppressive, and it shall not be lawful for the said Justices afterwards to execute or carry into effect the order or orders so annulled or abrogated by the said Court, or afterwards to establish any new order or regulation to operate with the like or same effect as any such rule or regulation so annulled or abrogated.

Persons thinking themselves aggrieved

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

Continuation of Act

345.

CAP. VIII.

An Act to continue an Act for the further increase of the Revenue, by imposing a Duty upon Articles imported from Foreign Countries.

(PASSED THE 30th DAY OF MARCH, 1833.)

Act continued

BE it enacted by the President, Council and Assembly, That an Act, passed in the last Session of the General Assembly, entitled, An Act for the further increase of the Revenue, by imposing a duty upon Articles imported from Foreign Countries, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-four, and no longer.

CAP. IX.

An Act for making the setting Fire to Coal Mines Felony.

(PASSED THE 30th DAY OF MARCH, 1833.)

Maliciously setting Fire to Coal Mines

BE it enacted by the President, Council and Assembly, That if any person or persons shall hereafter unlawfully and maliciously set fire to any Mine of Coal or Cannel Coal, within this Province, and shall be thereof legally convicted, such person or persons shall be deemed guilty of Felony, and suffer death as a Felon or Felons, without benefit of Clergy.

Accessories

II. And be it further enacted, That all or any Accessary or Accessories to any such offence, before the offence committed, shall be deemed and taken to be a principal or principals in the said offence, and shall be liable to be indicted, convicted and punished, as principal or principals therein.

CAP. X.

An Act to continue an Act for the Summary Trial of Actions, and the Act in amendment thereof.

(PASSED THE 30th DAY OF MARCH, 1833.)

Act 8. Geo. IV. continued,

BE it enacted, by the President, Council and Assembly, That the Act, passed in the third year of His late Majesty's Reign, entitled, An Act for the Summary Trial of Actions, and also the Act in amendment thereof, passed in the sixth year of His said late Majesty's Reign, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XI.

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

(PASSED THE 30th DAY OF MARCH, 1833.)

Act 58th, Geo. III. continued

BE it enacted, by the President, Council and Assembly, That an Act, passed in the fifty-eighth year of the Reign of His late Majesty King George the Third, entitled, An Act for the better preservation of the Property of the Inhabitants of the Town of Halifax, by providing for a sufficient Watch at Night, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

CAP.

CAP. XII.

An Act concerning Suits against Foreign Bodies, Politic or Corporate.

(PASSED THE 30th DAY OF MARCH, 1833.)

WHEREAS, certain Bodies, Politic or Corporate, not Incorporate under and by virtue of any Statute, Law or Charter, of this Province, have been accustomed to carry on business within this Province, by and through the Agent or Agents of such Bodies, Politic or Corporate; and it is expedient to enable persons who may have, or become entitled to, claims against such Bodies, Politic or Corporate, in the course of their dealings and transactions, within this Province, to prosecute such claims :

Preamble

I. *Be it therefore enacted, by the President, Council and Assembly,* That hereafter whenever any Body, Politic or Corporate, or any person or persons trading or doing business or in the name of a Body, Politic or Corporate, not Incorporate by any Law, Statute, Act, Charter, or Ordinance of this Province, or in force therein, shall carry on any Trade or any Dealings, or Transactions in any Business of any description within this Province, by or through their Agent or Agents, Servant or Servants, and person or persons, shall have or become entitled to any debt, claim or demand, or any Action or Suit against such Body, Politic or Corporate, or other person or persons trading or doing business as, or in the name of, a Body, Politic or Corporate, it shall and may be lawful for any such person or persons to commence and prosecute a Suit or Action in His Majesty's Supreme Court, or in the Inferior Court of Common Pleas, for the County or District wherein such Goods may be, or any such Agent, Factor or Trustee may reside, by attachment against the Goods, Chattles and Estate, of the said Body, Politic or Corporate, or other person or persons trading or doing business as aforesaid, by summons against the Agent, Factor or Trustee, or the Agents, Factors or Trustees, of the said Body, Politic or Corporate, in the same manner as if the said Suit were brought, commenced, sued and prosecuted, against an absent or absconding Debtor; and a declaration shall be filed against the said Body, Politic or Corporate, person or persons, trading or doing business as aforesaid, in such Suit or Action, and every Agent, Factor or Trustee, summoned therein, shall be bound to appear and disclose what Goods, Effects or Credits, of the said Body, Politic or Corporate, person or persons, trading or doing business as aforesaid, were in his hands and possession, or under his management and control at the time of the service of process upon such Agent, Factor or Trustee, and all other proceedings shall be had in such Suit or Action as in case of Action or Suits against absent or absconding Debtors, under and by virtue of the Statutes of this Province now in force respecting absent or absconding Debtors.

Liability of Foreign Bodies Politic and Corporate, carrying on Trade in this Province

CAP. XIII.

An Act to lessen the Expense of the Proof of Written Documents, in Actions depending in any of the Courts within this Province.

(PASSED THE 30th DAY OF MARCH, 1833.)

WHEREAS, the present mode of proving Written Documents, by the attendance of Witnesses at the Trials of Causes to prove the same, in a formal manner, is, in many cases, expensive and burdensome upon Suitors and Witnesses: and, it is expedient the expense thereof should be lessened as far as practicable, consistent with the due administration of Justice, by altering the present system of proving Written Documents :

Preamble

I.

Admission of Deeds, Bills, Notes, or other Instruments of Writing in His Majesty's Courts in this Province

I. *BE it therefore enacted, by the President, Council and Assembly, That, in all Actions whatsoever, now pending or hereafter to be prosecuted in any of His Majesty's Courts within this Province, either of the Parties or Attornies in the Suit may exhibit to the Party or Parties on the opposite side, or to his, her, or their Attorney or Attornies, any Deed, Bill or Note, or other Instrument, in writing, or any Notice or Notices, to be proved on the Trial of any such Suit, by the Party or Parties so exhibiting the same, and may require the Party or Parties, or his, her or their Attorney or Attornies, to whom any such Deed, Bill, Note, or other Instrument, in writing, or any Notice or Notices, shall have been exhibited, to inform them, on or before the expiration of ten days from the date of such exhibition, whether he, she or they, will or will not admit such Deed, Bill, Note or other Instrument in writing, or such Notice or Notices to be given in evidence on the Trial of the Issue in such Actions, without producing any Witness or Witnesses to prove the same; and in case the Party or Parties, his, her, or their Attorney or Attornies, shall neglect or refuse to give any answer to such application within ten days from the time of such exhibition, or shall refuse to enter into a rule to admit such Deed, Bill, Note, or other Instrument in writing, or such Notice or Notices to be given in evidence on the Trial of any such Issue, whereby the Party or Parties exhibiting such Deed, Bill, Note, or other Instrument in writing, or such Notice or Notices, shall be put to the expense of producing a Witness or Witnesses to prove the same, and the Court before whom such Issue shall be filed shall be of opinion, that the production of any such Deed, Bill, Note, or other Instrument in writing, or such Notice or Notices, was necessary to support the case of the Plaintiff or Plaintiffs, or the Defendant or Defendants, as the case may be, and that such Deed, Bill, Note, or other Instrument in writing, or such Notice or Notices, was or were proved, then and in such case the Costs of proving such Deed, Bill, Note, or other Instrument in writing, or such Notice or Notices, shall be taxed against the Party from whom the admission was required, whatsoever may be the event of the Cause, and in such cases, when required, the Court in which the Action is depending is authorised to afford to the Party paying or incurring such Costs, upon the party against whom such Costs shall be taxed as aforesaid, a remedy for recovering the same, either by an Execution in the common form, upon a Judgment to be signed for that purpose, in the Cause, or by Attachment, or by Distringas, in the nature of an Execution, against the Property, or otherwise by deduction from the Costs or Damages, and Costs of the adverse Party taxed or allowed in the Cause, as the case may require.*

Costs incurred for proving Written Documents

II. *And be it further enacted, That no Costs, incurred after passing of this Act, for proving at the Trial or inquiry, any written Document, shall be allowed on taxation to any party, who shall have adduced the same in evidence at any Trial in support of any Issue of which it was incumbent on him to prove the affirmative, unless the same shall have been exhibited to the opposite Party or Parties, or to his, her, or their Attorney or Attornies, as herein before provided, a reasonable time before such Trial or enquiry, or some reasonable cause shall be shown on taxation, why such Notice could not have been given, nor shall any Costs be allowed of preparing to prove any such Document, which shall have been incurred before the service of such Notice, or after an offer by the adverse Party to admit such Document or Documents, except such Costs only as shall have been necessarily incurred by some act done after such service of Notice, and before such offer of admission.*

False Affidavits

III. *And be it further enacted, That any person or persons, wilfully making a false Affidavit, under this Act, shall be held guilty of perjury, and subject to the punishment provided by Law therefor.*

Certain reasonable charges to be allowed

IV. *Provided always, and be it further enacted, That saving and excepting the charges of the travel and attendance of Witnesses at such Trial or enquiry, which are not to be allowed, nothing in this Act contained shall extend, or be construed to extend, to prevent the allowance or taxation of all other reasonable and necessary charges and expenses incurred for, and in respect of, any original Records, Deeds, Instruments, Writings, or Proceedings whatsoever, which by Law are now receivable as legal Evidence*

dence, without proof of their execution or signature, but on the production thereof, or for, or in respect of, any certified Copies of any Records, Deeds, Instruments, Writings, or Proceedings, which Copies can or ought to be received in evidence, upon proof made of the Seal of the Court, or Officer under which, or of the Signature of the Officer, by whom such Copies are certified.

V. *And be it further enacted*, That all Copies of any Records, Orders, Rules, Depositions, Affidavits, Writings or Proceedings, in any Court of Law or Equity in this Province, remaining and there filed in any Suit in such Court, such Copies being certified under the Seal of such Court, or by the proper Officer thereof, under Oath, as true and exact Copies and Transcripts of their respective originals, remaining in his Custody as such Officer, and also certified by him to have been carefully examined and compared with their respective Originals, and therewith found to agree in every particular, shall be received and admitted in any Court of Law or of Equity in this Province, as good and legal Evidence, to the same extent as if the respective originals were actually produced and proved by such Officer, having the same in charge.

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

Certified Copies of Records &c. admitted as evidence

Continuation of Act

CAP. XIV.

An Act to continue an Act in amendment of certain Acts relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates.

(PASSED THE 30th DAY OF MARCH, 1833.)

BE it enacted, by the President, Council and Assembly, That an Act, passed in the tenth year of His late Majesty's Reign, entitled, An Act in amendment of an Act, made and passed in the thirty-second year of the Reign of His late Majesty King George the Second, entitled, An Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estates of Intestates; and an Act, passed in the thirty-fourth year of His said late Majesty's Reign, in amendment of the said Act, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Act 10. Geo. IV. continued

CAP. XV.

An Act for the Inspection of Flour and Meal.

(PASSED THE 30th DAY OF MARCH, 1833.)

WHEREAS, it is necessary, in order to prevent Frauds in regard to the quantity and quality of Flour and Meal consumed in this Province, that the same should be weighed and inspected before being offered for sale in barrels or half barrels:

1. *BE it therefore enacted*, by the President, Council and Assembly, That, for the purpose of carrying into effect the provisions and regulations hereinafter contained, it shall and may be lawful to and for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint and commission at and for each and every of the ports of Entry of this Province, one fit and proper person to be Inspector and Weigher of Flour and Meal, which Inspector and Weigher shall have power to appoint a Deputy or Deputies under him, as he may think expedient, and which Deputy or Deputies shall

Preamble.

Appointment of Inspectors and Weighers, of Flour, &c.

D.

act

act under the direction of the Inspector by whom he or they may be appointed, and shall be removeable at his will and pleasure, and each and every Inspector shall be chargeable with, and liable for, the acts, conduct and defaults, of the Deputy or Deputies so by him appointed, and may take such security as he may think proper for the good conduct and faithful discharge of the duties of such his Deputy or Deputies.

Deputy
Inspectors to
give Bonds and
to be sworn

II. *And be it further enacted*, That each and every such Inspector and Weigher shall hold office during the pleasure of the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and, before entering upon the duties of such office, shall give good and sufficient security by Bond, with two sureties, to our Lord the King, for the true and faithful performance of the duties of such office, by himself, or his Deputy or Deputies, and for making good any loss or damage sustained by any person or persons whomsoever, by, or in consequence of, the neglect, misconduct or default, of such Inspector, his Deputy or Deputies; and shall also take the following Oath before some one of His Majesty's Justices of the Peace for the County or District wherein he may reside: I, A, B, do swear that I will faithfully, truly and impartially, according to the best of my skill and understanding, execute and perform the office of an Inspector and Weigher of Flour and Meal, according to the true intent and meaning of the Law concerning the same; and each and every of such Deputies, before acting as such, shall be in like manner sworn to do their duty as such Deputy-Inspectors and Weighers.

Inspector's
Oath

Flour &c. to
be Inspected
and Weighed

III. *And be it further enacted*, That, from and after the passing of this Act, and the appointment of such Inspectors and Weighers as aforesaid, all Wheat Flour, Rye Flour, Corn Meal, and Buckwheat Meal, imported into this Province, in barrels and half barrels, shall immediately, upon being discharged or landed, and before being sold or offered for sale or re-shipped, or taken out of Warehouse for consumption in this Province, or sent from the port or place where the same shall have been so discharged or landed, be inspected and weighed by the Inspector and Weigher for such port or place, or some one of his lawful Deputies; and each barrel shall contain not less than One Hundred and Ninety-six Pounds net weight, and each half barrel not less than Ninety-eight Pounds net weight of Flour or Meal, which, if not good, sweet and wholesome, shall be marked and denominated "*Bad*," as hereinafter provided.

Brands

IV. *And be it further enacted*, That it shall be the duty of such Inspectors and Weighers, or their Deputies, upon the landing of any Flour or Meal in barrels or half barrels as aforesaid, to inspect and weigh the same, and to see that the same shall be of at least the quantity aforesaid, and thereupon to brand and mark each and every barrel and half barrel thereof, being at least of such quantity, with the initials of his Christian and Sirname, with a branding iron, with the net weight of such barrel or half barrel, not less than aforesaid, and following the same, the letter S for superfine, F for Fine, and M for Middlings, as the case may be, and "*Bad*" for bad, if the same shall not be good, sweet and wholesome, with a branding or marking Iron, and each and every barrel or half barrel of Flour or Meal, of any of the descriptions aforesaid, imported into this Province, which, after landing, shall be sold or offered for sale, removed or re-shipped for consumption in this Province, without having been previously so inspected, weighed and marked as aforesaid, or which shall have been repacked or found deficient in the weight or quality denoted by such marks, shall be liable to seizure, by any one or more of the said Inspectors and Weighers, or their Deputy or Deputies so appointed as aforesaid, or any one or more of His Majesty's seizing or preventive Officers, Officers of the Customs or of Impost and Excise, within this Province; and may, if not of higher value than Five Pounds, be declared forfeited to His Majesty, by and before any two of the Justices of the Peace for the County or District in which the same may have been so seized, or, if of higher value than Five Pounds, may be prosecuted to condemnation in the usual manner in any of His Majesty's Courts of Record within this Province; and the person or persons so having sold, or offered for sale, re-shipped or repacked, or sold of deficient quality or quantity as aforesaid, any such Flour or Meal, shall be liable to forfeit and pay the sum of Ten Shillings for each and every such barrel thereof, and the sum of Five Shillings

Violation of
Act

Shillings for each and every such half barrel thereof, and the sum of Sixpence per pound weight for each and every pound weight so deficient, to be recovered in manner hereinafter provided; one half of the net proceeds of such seizures and penalties respectively to be paid to the person or persons who shall seize or inform, or sue for the same, and the residue to the Commissioners or Overseers of the Poor, for the use of the Poor of the Parish, Township or Settlement, wherein the offence shall have been committed, and such offender or offenders, person or persons, so selling the same before such inspection as aforesaid, or having repacked or caused a deficiency in the same, shall be liable to, and shall pay and make good to the buyer or buyers, person or persons, from whom the same may have been so seized, or in whose possession the same may have been found, all monies, loss or damage, by him or them paid, incurred or sustained, in consequence of such seizure, to be recovered either by action or debt, or as for so much money had and received by such seller or sellers, to the use of such buyer or buyer, or person or persons sustaining such loss or damage as aforesaid.

V. *And be it further enacted*, That the Inspectors and Weighers, or their Deputies, shall receive and be paid for inspecting, weighing and marking, at and after the rates following, that is to say:—For inspecting, weighing and marking, each barrel of Flour or Meal, three-pence, and each half barrel of Flour or Meal, one penny half-penny, to be paid by the Owner, Seller, Importer or Consignee thereof.

Allowance to Inspectors

VI. *And be it further enacted*, That if any Inspector and Weigher, hereafter to be appointed under this Act, or any Deputy or Deputies of any such Inspector and Weigher, shall inspect, weigh, brand or mark, any barrel or half barrel of Flour or Meal, in any manner, form or way, contrary to the true intent and meaning of this Act, such Inspector or Deputy shall forfeit and pay the sum of Forty Shillings per barrel, and the sum of Twenty Shillings per half barrel, for each and every barrel and half barrel thereof; and any Inspector and Weigher, or Deputy-Inspector and Weigher, in any other manner offending against the true intent and meaning of this Act, shall forfeit and pay for each and every offence the sum of Twenty Pounds; such forfeitures and penalties to be respectively recovered and levied in manner hereafter mentioned, and the proceeds thereof applied, one half to the person or persons who shall inform, sue or prosecute for the same, and the other half to the Commissioners or Overseers of the Poor of the Township, Parish or Settlement, wherein the offence shall have been committed, *Provided always*, that nothing in this Act contained shall prevent or be construed to prevent any person or persons from having or maintaining any Action or Suit against any such Inspector or Deputy, on account of any Fraud or Neglect by him committed, done or suffered, in regard to any such Flour or Meal, or the inspecting, weighing or branding thereof.

Inspectors offending against this Act

VII. *And be it further enacted*, That all and every the forfeitures, penalties and sums of Money, by this Act imposed or declared and made payable, shall and may be recovered with Costs of Suit, in the name or names of the person or persons suing or prosecuting for the same, in like manner as debts, either in any of His Majesty's Courts of Record in this Province, or before any one or more of His Majesty's Justices of the Peace, according to the amount of such penalties, forfeitures or sums, with reference to the Jurisdiction of such Courts and Justices in cases of Debts, and shall be levied in like manner as in cases of Debts, to be applied as hereinbefore provided.

Forfeitures, &c. may be recovered with costs of Suits

VIII. *Provided always, and be it further enacted*, That all Flour and Meal, imported into this Province, and landed and deposited within any Bonded Warehouse, and therefrom directly shipped on board of any Vessel for exportation out of the Province, shall be exempt and altogether free from the regulations and operation of this Act.

Flour, &c. exempted from Inspection

IX. *And be it further enacted*, That all Flour and Meal, of every description which shall be manufactured within this Province, and brought to Market, and offered or exposed to sale in barrels, half barrels, or casks of any kind, shall be, and is hereby declared, subject and made liable to the operation of this Act, and shall immediately on being

Flour manufactured in Province subjected to this Act

being brought to Market, and before being offered for sale, or sold, be weighed and inspected by the persons, and in the manner and under the penalties in this Act before prescribed, and the casks wherein the same shall be contained shall be marked as herein before directed; and all and singular the clauses, regulations and provisions, herein before contained and applicable to the inspection, weighing and marking, of Flour and Meal imported into this Province, shall extend and be applied to Flour and Meal of all kinds, manufactured in this Province, and offered for sale in casks as aforesaid.

Tare for Barrels

X. *And be it further enacted*, In order to prevent damage or loss which may be sustained in unpacking the said Flour or Meal, to ascertain the tare of said barrels, or half-barrels, it shall and may be lawful for the said Inspector or Inspectors, or their Deputies, to affix a tare for the said barrels or half barrels, to the best of his or their judgment, without unpacking or weighing the same—which judgment shall be final, unless disputed by the buyer or seller of said Flour, in which case, the barrel may be unpacked, but the expense attending the said unpacking and repacking shall be paid by the party complaining.

Operation of Act limited to District of Halifax, and County of Cape-Breton

XI. *Provided always and be it further enacted*, That this Act shall not go into operation in any County or District in this Province, except in the District of Halifax and County of Cape-Breton, without the Special Order of the President or Commander in Chief therefor to be made upon the application of the Court of General Sessions of the Peace, for any such County or District.

Continuation of Act

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

CAP. XVI.

An Act to alter and continue the Act for granting to His Majesty certain Duties of Impost on Wine, Brandy, Gin, Rum and other distilled Spirituous Liquors and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province,

(PASSED THE 30th DAY OF MARCH, 1833.)

Act 1, Wm. IV. (with exceptions) continued

BE it enacted by the President, Council and Assembly, That an Act, passed in the First Year of His present Majesty's Reign, entitled, An Act for granting to His Majesty certain Duties of Impost on Wine, Brandy, Gin, Rum and other distilled Spirituous Liquors and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province, and every matter, clause and thing, therein contained, save and except the first clause thereof, and also save and except so far as the same is or may be hereinafter altered or amended, shall be continued, and the same (except as aforesaid) are hereby continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Thirty-four and no longer.

Duties on Wines, Brandy, Gin, Spirit, Shrub, Sugar

II. *And be it further enacted*, That, instead and in lieu of the Duties in and by the said first clause of the said Act imposed, there shall be substituted, raised, levied, collected, and paid to His Majesty, His Heirs and Successors, upon the Articles hereinafter mentioned, the respective Duties, Rates and Impositions, following, that is to say,

For and the following Articles imported or brought into this Province, that is to say, For and upon Champagne, Madeira, Port, Claret, Lisbon, Burgundy, Hock and Sherry Wines, respectively, Two Shillings per gallon.

For and upon all other Wines (save and except Wine the produce of, and imported direct from, the Cape of Good-Hope) One Shilling and Six pence per gallon. For.

For and upon all Wine the produce of and imported direct from the Cape of Good Hope, One Shilling per gallon.

For and upon all Brandy, Gin and Spirits, the manufacture of the United Kingdom, One Shilling and Four Pence per gallon.

For and upon all other Brandy, Gin and Cordials, One Shilling and Four Pence per gallon.

For and upon all Shrub, One Shilling per gallon.

For and upon all Rum or other Distilled Spirituous Liquors, One Shilling and Three Pence per gallon.

For and upon every hundred weight of Loaf or Refined Sugar, Ten Shillings.

For and upon every hundred weight of Sugar (not being Loaf or Refined Sugar) Two Shillings and Six Pence.

For and upon the following Articles manufactured within this Province, that is to say,

For and upon all Brandy, Gin or other Spirituous Liquors, (save and except Rum or Spirits, distilled from Molasses, Grain or Fruit) which shall be, by any way or method whatsoever, manufactured, compounded or extracted, distilled or made, in this Province, One Shilling and Four Pence per gallon.

For and upon all Rum or Spirits, distilled from Molasses, Grain or Fruit, Seven Pence per gallon.

All which Duties shall be paid by the Importer or Importers, Manufacturer or Manufacturers, of such Articles respectively, and shall be collected and secured by the means, and under the regulations and penalties, and shall be drawn back, on exportation, in the way and manner, in and by the said herein before recited and continued Act provided and contained.

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

Continuation
of Act

CAP. XVII.

An Act for the further increase of the Revenue of this Province, by continuing the several Acts of the General Assembly for raising a duty of Excise.

(PASSED THE 30th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That the Act, made and passed in the Thirty-second Year of the Reign of His late Majesty King George the Third, entitled, An Act for the further Increase of the Revenue, by raising a duty of Excise on all Goods, Wares and Merchandize, imported into this Province; and every clause, matter and thing, in the said Act contained, save and except the third, fourth, fifth and sixth Sections of the said Act, and also, except so far as the same may be, by the Act hereinafter next mentioned, altered or amended; and also, the Act, passed in the last Session of the General Assembly, entitled, An Act for the further Increase of the Revenue of the Province by continuing and amending an Act of the General Assembly for raising a duty of Excise, and every clause, matter and thing, in the said last mentioned Act contained, shall be continued, and the said Acts (except as aforesaid) are hereby severally and respectively continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Thirty-four, and no longer.

Act 32, Geo.
III. (with ex-
ceptions) and
Act of last
Session, con-
tinued

CAP. XVIII.

An Act to continue the Act for granting Duties on Licenses for the sale of Spirituous Liquors in Taverns, Public Houses or Shops, and for other purposes.

(PASSED THE 30th DAY OF MARCH, 1833.)

Act of last Session continued

BE it enacted, by the President, Council and Assembly, That an Act, passed in the last Session of the General Assembly, entitled, An Act for granting Duties on Licenses for the sale of Spirituous Liquors in Taverns, Public Houses or Shops, and for other purposes, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty-Four, and no longer.

CAP. XIX.

An Act for the more easy Redemption and Foreclosure of Mortgages.

(PASSED THE 30th DAY OF MARCH, 1833.)

Foreclosure of Mortgages may be arrested

BE it enacted by the President, Council and Assembly, That, from and after the publication hereof, when any Action shall be brought in His Majesty's Supreme Court or either of the Inferior Courts of Common Pleas, on a Bond or Note, secured by Mortgage, or for non-performance of Covenants therein contained, or where any Action of Ejectment shall be brought by any Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators or Assigns, for the recovery of possession of any Mortgaged Lands, Tenements or Hereditaments, within this Province, and no Suit shall be then pending in His Majesty's Court of Chancery in this Province, for or touching the Foreclosing or Redeeming of such Mortgaged Lands, Tenements or Hereditaments, if the person or persons having right to redeem such Mortgaged Lands, Tenements or Hereditaments, and who shall appear and become Defendant or Defendants in such Action, shall, at any time pending such Action, pay unto such Mortgagee or Mortgagees, or shall bring into Court where such Action shall be depending, all the principal Monies and Interest due on such Mortgage, and all such costs as have been expended in any Suit or Suits at Law or in Equity, upon such Mortgage, Bond or Note, (such Money, for Principal, Interest and Costs, to be ascertained and computed by the Court or by the proper Officer to be appointed by the Court for that purpose,) the Monies so paid or brought into Court shall be deemed, and taken to be, in full satisfaction and discharge of such Mortgage, and the Court shall and may discharge every such Mortgager or Defendant, of and from the same accordingly, and shall and may, by Rule and Rules of the same Court, compel such Mortgagee or Mortgagees to assign, surrender and re-convey, such Mortgaged Lands, Tenements and Hereditaments, and such Estate and Interest, as such Mortgagee or Mortgagees have or hath therein, and to deliver up all Deeds, Evidences and Writings, in his, her or their Custody, relating to the Title of such Mortgaged Lands, Tenements or Hereditaments, unto such Mortgager or Mortgagers, who shall have paid or brought such Monies into Court, his, her or their Heirs, Executors or Administrators, or to such other person or persons as he, she or they, shall for that purpose nominate and appoint,

Mortgaged Lands may be ordered to be sold

II. And be it further enacted, by the authority aforesaid, That if such Mortgager or Mortgagers,

Mortgagers, his, her or their Heirs, Executors or Administrators, being Defendant or Defendants in such Action, shall refuse or neglect, by reason of inability or otherwise, to pay or discharge the said Principal Monies with interest and Costs due as aforesaid, it shall and may be lawful for the said Court, by Rule or Rules for that purpose made, to order and direct a Sale of such Mortgaged Lands, Tenements and Hereditaments, or of so much or of such part thereof as may be sufficient to pay and discharge the principal sum with the Interest and Costs due on such Mortgage, the same to be Sold by the Sheriff of the County wherein the Lands lie, or by his Deputy or Deputies, under the direction of the Court, at Public Vendue to the highest bidder, reasonable notice of the time and place of such Sale being given in the Royal Gazette at Halifax, or otherwise as the Court may order; and due return to be made of such Sale; and out of the proceeds thereof, the Sheriff shall pay to the Plaintiff or Plaintiffs the sum due to them for Principal, Interest and Costs, if the said Lands shall sell for sufficient to satisfy the same; and in case the same shall be more than sufficient to pay and discharge the Principal Sum with the Interest and Costs, the surplus to be paid over by the said Sheriff to the Mortgager or Mortgagers, his, her or their Heirs, Executors, Administrators or Assigns, or to such person or persons as shall appear to the Court to be legally entitled thereto, and the Mortgager or Mortgagers, his, her or their Executors, Administrators or Assigns, shall from thenceforth be wholly barred and foreclosed of, and from, any right in Law and Equity, to redeem the same; and a Deed or Deeds of Bargain and Sale of such Lands, Tenements and Hereditaments, shall be made and delivered by such Sheriff or his Deputy or Deputies to the purchaser or purchasers thereof, under such Sale, which, being recorded in the Registry of Deeds for the same County, shall be sufficient to transfer and vest the right, title and interest, of the Mortgager or Mortgagers, and Mortgagee or Mortgagees, his, her or their Heirs, Executors, Administrators and Assigns, and of all persons claiming by, from or under them, or any or either of them, in the Purchaser or Purchasers, their Heirs and Assigns, as fully and effectually to all intents and purposes as the same were held by the Mortgager or Mortgagers, and Mortgagee, or Mortgagees, any Law or usage to the contrary notwithstanding; *Provided always*, that no proceedings shall take place under this Act in the Supreme or Interior Courts in this Province, until the Plaintiff or Plaintiffs shall file a Certificate in the Prothonotary's Office, from the Registrar or Deputy Registrar of Deeds in the County or District in which such Lands do lie, stating and certifying that there is no Mortgage registered in his Office upon the Lands or Tenements to be proceeded against under this Act, to any other person or persons than the Plaintiff or Plaintiffs, nor shall any such proceedings take place in any case where the right of redemption to the Mortgaged premises in question in any cause or suit shall be controverted, by or between different Defendants in the same cause or suit, nor shall be any prejudice to any subsequent Mortgagee or Mortgagees, or subsequent Incumbrances, any thing in this Act to the contrary thereof notwithstanding.

Proceeds of sales

Titles to property so sold

Proviso

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

Act continued three years

CAP. XX.

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

(PASSED THE 30th DAY OF MARCH, 1833)

BE it enacted by the President, Council and Assembly, That an Act made and passed in the fifty-seventh year of the reign of His late Majesty King George the Third,

Act 57, Geo. III. and 7th, Geo. IV. continued

Third, entitled, An Act for granting a Drawback of the Duties on Brown or Raw Sugar, used in the manufacture of Refined Sugars within the Province, and for regulating the mode of obtaining the same ; and also, the Act, passed in the seventh year of the Reign of His late Majesty George the Fourth, to revive, amend and continue, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby severally continued, until the thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and thirty-four, and no longer.

CAP. XXI.

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

(PASSED THE 30th DAY OF MARCH, 1833.)

Act 3, Geo. IV continued

BE it enacted, by the President, Council and Assembly, That an Act, made and passed in the Third Year of the Reign of His late Majesty King George the Fourth, entitled, An Act more effectually to secure the payment of the Provincial Duties of Excise, and to prevent Frauds in the collection of the Provincial Revenue, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued, until the Thirty-First day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Thirty Four, and no longer.

CAP. XXII.

An Act to continue the Act concerning the Terms of the Supreme Court at Halifax.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act 10, Geo. IV continued

BE it enacted, by the President, Council and Assembly, That an Act, made and passed in the Tenth Year of His late Majesty's Reign, entitled An Act concerning the Terms of the Supreme Court at Halifax, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXIII.

An Act to continue the several Acts concerning the Bridewell and Police in Halifax.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act 55, Geo. III. (with exceptions) Acts 10 and 11 Geo IV. and Act of last Session continued

BE it enacted by the President, Council and Assembly, That an Act, passed in the Fifty-fifth Year of the Reign of His late Majesty King George the Third, entitled, An Act for establishing a Bridewell, or House of Correction, for the County of Halifax, and for the better and more effectual Administration of the Office of Justice of the Peace in the Township of Halifax, and for providing a Police Office in said Town, with proper Officers to attend the same, and every matter, clause and thing, therein contained, (save and except the tenth section of the said Act,) and also, an Act, passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, entitled, An

An Act to amend and continue the Act concerning the Bridewell and Police in Halifax, and every matter, clause and thing, therein contained, (save and except the fourth section of the said last mentioned Act,) and also, an Act, passed in the Eleventh year of the Reign of His said late Majesty King George the Fourth, entitled, An Act to amend and continue the Act concerning the Bridewell and Police in Halifax, and every matter, clause and thing, therein contained; and also, the Act, passed in the last Session of the General Assembly, to continue the said Acts, and to alter and amend the same, and every matter, clause and thing, therein contained, shall be continued, and the said Acts are hereby respectively continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXIV.

An Act to continue the Act in further amendment of an Act to regulate the Jurisdiction of the Inferior Court of Common Pleas within the County of Cape-Breton, and to fix and establish the Times and Places for holding of the said Inferior Court and General Sessions of the Peace, in and for the said County.

(PASSED THE 5th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That the Act, made and passed in the eighth Year of His late Majesty's Reign, entitled, An Act in further amendment of an Act to regulate the Jurisdiction of the Inferior Court of Common Pleas within the County of Cape-Breton, and to fix and establish the Times and Places for holding of the said Inferior Court and General Sessions of the Peace, in and for the said County, and every matter, clause and thing, therein contained, except so far as the same is or may be altered by the Act, passed in the Ninth Year of His said late Majesty's Reign, entitled, An Act in further amendment of an Act to regulate the Times and Places for holding the Inferior Court and General Sessions of the Peace in and for the County of Cape-Breton, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

Act 8, Geo. IV continued

CAP. XXV.

An Act to continue the Act in amendment of an Act, made and passed in the First and Second Years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton.

(PASSED THE 5th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the First Year of His present Majesty's Reign, entitled, An Act in amendment of an Act, made and passed in the First and Second Years of His late Majesty's Reign, entitled, An Act to extend the Laws and Ordinances of the Province of Nova-Scotia to the Island of Cape-Breton, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Act 1, Wm. IV. continued

CAP. XXVI.

An Act to continue the Act to enable those interested in La Have Common to make Regulations for the Management thereof.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act 1, Wm. IV.
continued

BE it enacted, by the President, Council and Assembly, That the Act, made and passed in the First Year of His present Majesty's Reign, entitled, An Act to enable those interested in La Have Common to make Regulations for the Management thereof, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for three years, and from thence to the end of the then next Session of the General Assembly.

CAP. XXVII.

An Act to continue the Act concerning the Inferior Courts of Common Pleas within this Province.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act of last Session
continued

BE it enacted, by the President, Council and Assembly, That the Act, made and passed in the last Session of the General Assembly, entitled, An Act concerning the Inferior Courts of Common Pleas within this Province, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXVIII.

An Act to continue the Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and the Act in amendment thereof.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act 4 5, & 3
Geo. IV. continued

BE it enacted, by the President, Council and Assembly, That an Act, passed in the Fourth and Fifth years of His late Majesty's reign, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges; and also, the Act, made and passed in the Ninth Year of His said late Majesty's Reign, to continue, alter and amend, the said Act, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby severally continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXIX.

An Act to continue the Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts in amendment thereof and additional thereto.

(PASSED THE 5th DAY OF MARCH, 1833.)

Act 11, Geo.
IV. &c. continued

BE it enacted, by the President, Council and Assembly, That an Act, made and passed in the Eleventh Year of His late Majesty's Reign, entitled, An Act to regulate

gulate the Pilotage of Vessels at the Port of Halifax, and the several Acts, passed in the first and second years of His present Majesty's Reign, in amendment of, and additional to, the said Act, shall be continued, and the said Acts, and every matter, clause and thing, therein contained, are hereby severally and respectively continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXX.

An Act to continue the Act in further addition to, and in a amendment of, the Act for the choice of Town Officers and regulating of Townships, and the Act to alter and amend the same.

(PASSED THE 5th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the Tenth Year of His late Majesty's Reign, entitled, An Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships; and the Act, passed in the last Session of the General Assembly, entitled, An Act to alter and amend the Act in further addition to, and in amendment of, the Act for the choice of Town Officers and regulating of Townships, and every matter, clause and thing, in the said several Acts contained, shall be continued, and the same are hereby respectively continued for one year, and from thence to the end of the then next Session of the General Assembly.

Act 10, Geo. IV. and Act of last Session continued

CAP. XXXI.

An Act to continue the Act, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates.

(PASSED THE 5th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, passed in the Fifty-second Year of the Reign of His late Majesty King George the Third, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the Settlement and Distribution of the Estates of Intestates, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for one Year, and from thence to the end of the then next Session of the General Assembly.

Act 52, Geo. III. continued

CAP. XXXII.

An Act concerning Cemeteries or Burial Grounds for the Town of Halifax.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, the several Grounds now appropriated within the Town and Suburbs of Halifax, for the Burial of the Dead, are become altogether inadequate for that purpose, and the continued use thereof, for interments will be of great public inconvenience to the Inhabitants, and injurious to the said Town.

Preamble

And

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And whereas, it has become necessary that the practice of interment within the Town or Suburbs of Halifax should be discontinued, and that a Common Public Cemetery or Cemeteries should be provided at a convenient distance therefrom, suitable for that solemn use, and in lieu of the places of interment now appropriated thereto,

And whereas, by an Act, passed in the Tenth Year of His late Majesty's Reign, entitled, An Act concerning the Common of Halifax, it was provided that part of the said Common should be appropriated for the purposes of such Public Cemeteries.

Allotment of portion of Common for Public Cemetery

I. *Be it therefore enacted by the President, Council and Assembly*, That the hereinafter described piece of Land, part and parcel of the said Common, shall be appropriated for the purpose of such Public Cemetery, that is to say :—All that Lot or Piece of Land, situate on the Wind-Mill Hill, so called, on the said Common, and on the East side of the Highway sixty-six feet wide, running along the West side of the said Common, and is bounded and described as follows, that is to say :—Beginning at a point in the East side line of the said Highway, which point is distant seven hundred and seventy feet to the Northward of the South-West corner of the Northern range of Half Acre Lots, leased on the said Common, thence from the said point of beginning to be bounded by a line measuring Eastwardly on a course corresponding with the North side of the street leading from the Town by the Artillery Barracks five hundred and fifty feet, thence at right angles with the last course, and on a line parallel with the Highway first mentioned, until the line intersects the Road leading from the Town to the Property called St. Andrew's Cross, thence to follow Westwardly by the Southern line of the said Road, until it intersects the Highway first mentioned, and thence to run on the East side of the Highway first mentioned Southwardly to the place of beginning, comprehending within this description about Twenty Acres of Land, more or less, with the appurtenances thereof.

Appointment of Commissioners for Public Cemetery—their duty and powers

II. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor or Commander in Chief for the time being, to nominate and appoint five or more Commissioners for Public Cemeteries in Halifax, and upon the Death, Resignation or other Removal from that office of any such Commissioners, to nominate and appoint one or more as the case may be, in the place and stead of such Commissioner so dying, resigning or being otherwise removed from that Office, in whom shall be vested the Care, Custody, Management and Control, of the said Cemetery or Cemeteries hereby established, and who shall have full Authority to make and establish all necessary Orders, Rules and Regulations, touching and concerning the same, and the Burial of the Dead within the same, subject however to this Act and the Provisions and Enactments thereof; *And provided also*, that such Orders, Rules and Regulations, shall not interfere with, obstruct or oppose, the Religious Rites, Ceremonies or Observances, of any person or persons in the Burial of the Dead, and shall be approved by the Governor, Lieutenant-Governor or Commander in Chief for the time being.

Cemetery to be enclosed, and embellished

III. *And be it further enacted*, That the said Commissioners of Cemeteries may, and they are hereby authorised and empowered to, enclose the hereinbefore described Twenty Acres of Land on the said Common for a Cemetery, by a Wall or Iron or other Railing, or Fence, as they shall approve of, and deem necessary for the preservation and protection thereof, and to prepare, design, lay out and plant with trees, or otherwise to adorn and embellish the said Ground or Grounds, and to preserve, uphold, repair and maintain the same, and the said Wall, Railing or Fence, from time to time as they shall deem proper.

Cemetery may be divided among the different Churches

IV. *And be it further enacted*, That the said Commissioners shall allot and set apart, certain divisions and portions of the said Common Cemetery or Cemeteries, as to the said Commissioners may appear suitable and convenient for the separate use of such Churches and Congregations within the said Town, as shall request the same, and which said separate divisions or portions may be enclosed and surrounded by any interval Wall, Fence or Railing, at the expence however of such Church or Congregation to which it shall be so allotted, and subject to the approbation and consent of the said Commissioners.

Provided

Provided, however, that the general management, regulation and control, of such divisions or portions so allotted shall still be and remain vested in the said Commissioners, so far as the same may be necessary for preserving uniformity and ornamenting the whole.

Proviso

V. *And provided also, and be it also enacted*, That, in the Burial Grounds so set apart, no other than the Clergyman of the Congregation to which they are respectively allotted, or some person authorised by him, shall officiate therein, but if any Burial Ground shall be set apart for two or more Congregations, then any person authorised by the Clergyman of either of the said Congregations may officiate therein.

Clergymen allowed to officiate in Cemetery

VI: *And be it further enacted*, That there shall be a Keeper of the said Cemetery or Cemeteries to be appointed by the said Commissioners thereof, and who shall be in all respects under their Orders, Directions and Control, and that the said Keeper shall in the manner and form to be prescribed by the said Commissioners, and after being sworn to the performance of such duty, duly and faithfully keep a Register of every Burial, and of the names and ages and causes of death, as correctly as may be of every person so interred within the said Cemetery or Cemeteries, and which Book of Registry of such Burials shall be thenceforth held and deemed a Public Record, and good and sufficient and legal evidence in any Court of Law or Equity within this Province, of the fact of any such Burial, and the entries therein shall be proved in the same manner as other Public Records now are or are by Law required to be.

Appointment of keeper of Cemetery

Keeper to be sworn—his duties, &c.

VII. *And be it further enacted*, That it shall and may be lawful for the Commissioners of the said Cemetery or Cemeteries to lease or dispose of, for any number of years or in perpetuity, any reasonable part or space or spaces of Ground for Vaults within the said Cemetery or Cemeteries, to any person or persons desirous of obtaining the same, at such sum or sums or prices per foot therefor, as the said Commissioners shall think just and proper, and that all such leases or dispositions of the said Ground shall be recorded by the said Keeper of the said Cemetery or Cemeteries, in a Book to be kept by him for that purpose and that the Ground so leased or disposed of may be separately enclosed by any Wall, Fence or Railing, to be approved of by the said Commissioners, at the expense of the persons purchasing such Ground or the right thereto, or who are or may become entitled thereto, or interested therein. *Provided always*, that the said Commissioners shall not so dispose of any portion of Land in any part of the said Burial Ground, which shall have been appropriated and set apart to any Church or Congregation without the consent of the Church Wardens or Deacons, or Committee of Management, of such Church or Congregation.

Portions of Cemetery required for Vaults

VIII. *And be it further enacted*, That all such leases and dispositions of the said Vaults and Grounds for Families or Individuals shall be registered in proper Books and marked on the plans of the said Cemeteries to be respectively provided, preserved and kept, under the direction of the said Commissioners, and that all and every the sums of money, rents and payments, to arise or be derived under and by means of any such leases or dispositions as aforesaid, shall be applied and appropriated by the said Commissioners towards and in aid of the Fund by this Act provided for establishing and maintaining the said Public Cemeteries and the expenses thereof.

Record to be kept of Leases or Sales of Land for Vaults

IX. *And be it further enacted*, That so soon as the said Public Cemetery or Cemeteries hereby established, shall be enclosed and ready for the reception and interment of the Dead, the said Commissioners shall give public notice thereof in the Royal Gazette and other Newspapers of Halifax, and therein fix and appoint some day for the opening thereof, and from and after the day so to be fixed and notified, it shall not be lawful to bury any Dead in or under any Church, Chapel, Meeting-House or place of Public Worship, nor in any Burial Ground or place wheresoever within the Town of Halifax, other than and except the Public Cemetery or Cemeteries to be established as aforesaid, and all persons offending against this Enactment shall be deemed guilty of a misdemeanor, and be subject to punishment by Fine or Imprisonment therefor, after conviction on any prosecution for such offence.

Notice to be given when Cemetery is ready for reception of Dead

X. *And be it further enacted*, That the said Public Cemetery or Cemeteries shall be

Cemetery to be
free for the
interment of
all Persons

be open and free for the interment of the Dead of all classes and denominations of the Inhabitants of, or persons coming to, or being within, the Town and Peninsula of Halifax, and according to such Rites and Ceremonies as the friends of the deceased shall think proper, and without any Charge or Fee to be paid therefor, to or for the use of such Public Cemetery, save and except for making and covering the grave, and save and except such Fee to be fixed by the said Commissioners not exceeding five shillings for each interment, as may be established for the Registry of each interment as hereinbefore provided. *Provided always*, That no Fee whatever shall be charged or claimed on the interment of Paupers, whomsoever. *Provided always*, That nothing herein contained shall extend or interfere with, or have the effect of preventing, any Claim, Charge or Fee, being made or received by any Minister, Clergyman, or other person performing any Funeral Rite or Ceremony, or rendering and discharging any service or duty at such Burial of the Dead, and payable in respect thereof. *And provided also*, That nothing herein contained shall extend to interfere with the appointment of Sextons or Grave Diggers in and for the separate division or portion of the said Cemetery or Cemeteries allotted for any separate Church or Congregation as aforesaid, nor to authorise the claim of any Fee to and for the use of the Commissioners of the said Public Cemeteries, within the said separate division or portion of the said Burial Grounds respectively.

Disposition of
the present Burial
Grounds

XI. *And be it further enacted*, That the Burial Grounds now used shall either be and remain under the care, management and disposition, of the Church Wardens, Trustees or Committees of the Congregations to which they belong, and be used and appropriated to such objects and purposes, other than for the interment of the dead, as the said Congregations or the Church Wardens, Trustees or Committees, for the time being thereof, shall decide or think proper, or else the said Burial Grounds or such parts thereof, as the respective Congregations, Church Wardens, Trustees or Committees, may appoint, may be by them or any of them placed under the order, control and direction, of the said Commissioners, and shall then be taken charge of, and managed, fenced, protected and planted, by the said Commissioners, in such ways and manner, and during such times and under other such regulations and restrictions, as the Congregations, Church Wardens, Trustees or Committee, to whom each of the said Burial Grounds appertains may think proper to order, and agree to establish, from time to time concerning the same, or any parts or portions of such Burial Grounds respectively, and the same shall remain under the management and direction either of the said Commissioners or of any Committee of any such Congregation from time to time appointed therefor.

Money to be
borrowed by
Commissioners

XII. *And be it further enacted*, That, for the more speedily and effectually enabling the said Commissioners to execute the purposes of this Act, and to lay out and enclose the Ground for such Cemetery or Cemeteries, it shall and may be lawful for the said Commissioners, or for any three or more of them, and they are hereby empowered to borrow and take up at Interest any sum or sums of money not exceeding in the whole Three Thousand Five Hundred Pounds, to be raised for the purposes of this Act upon the credit of the Rates and Assessments hereinafter authorised to be made, and by any writing or writings under their Hands and Seals to Mortgage, Demise, Grant or Assign over, the said Rates or Assessments, or any part or parts thereof to the person or persons who shall advance or lend any part of such money, as a Security or Securities for the money so to be borrowed together with Interest for the same, not exceeding Six per cent. per annum, which said sum or sums so borrowed shall be payable and re-paid to the Lenders thereof, by annual Instalments as may be agreed on, of the amount so borrowed, together with interest as aforesaid on the amount which shall from time to time remain due of the sum so borrowed, and every such Mortgage or Assignment shall be in the words or to the effect following:

Form of Secu-

By virtue of an Act, passed in the Third Year of the Reign of His Majesty King William the Fourth, entitled, An Act concerning Cemeteries or Burial Grounds for the Town

Town of Halifax, we of the Commissioners of such Cemeteries or Burial Grounds, duly appointed under and by virtue of the said Act, in pursuance thereof and in consideration of the sum of _____ advanced and lent by _____ upon the credit and for the purposes of the said Act, do Grant, Bargain, Sell and Demise, unto the said _____ his Executors, Administrators and Assigns, such proportion of the Rates or Assessments to be made under and by virtue of the said Act as shall be sufficient to discharge and repay the said sum of _____ together with interest thereon, after the rate of _____ per cent. per annum, (and which said sum so advanced and lent as aforesaid, shall be paid and received back in _____ years in Annual Instalments of _____ per cent. on the sum so advanced and lent with Annual Interest after the rate aforesaid on the whole sum remaining due,) to have and to hold the said Rates or Assessments, hereby granted from this _____ day of _____ in the year _____ until the said sum of _____ with the said interest thereon, shall be repaid and satisfied. In witness whereof we have hereunto set our Hands and Seals the _____ day of _____ in the Year of Our Lord

And every such Mortgage shall be good and sufficient in Law, and shall and may be transferable by indorsement thereon, and such person to whom the same shall be so made or transferred shall be entitled to the fullest benefit of such Mortgage, Security and Payment thereon, and the said Rates or Assessment hereinafter authorised to be made, shall be held, and the same are hereby declared to be, liable to the repayment of the Money so borrowed on the credit thereof, with interest thereon, not exceeding six per cent. and shall be faithfully and without Fraud, Delay or Deduction, applied to and for such repayment of the Money so borrowed with interest thereon as aforesaid.

XIII. *And be it further enacted*, That in order to defray the expenses to be incurred under this Act, and to provide Funds for carrying the same into execution, it shall and may be lawful to and for the Grand Jurors for the County of Halifax, and they are hereby required, at any Sitting of the Supreme Court, or at any Quarter Sessions of the Peace, at Halifax, to present during the present year, and the five next succeeding years, such amount not exceeding the sum of Two Hundred Pounds yearly, over and above the charges of collection as will suffice for the payment as well of the interest of such Monies as shall be from time to time borrowed, and taken upon interest by the said Commissioners under this Act as is herein before provided, as for the discharge of other expenses to be incurred in the execution hereof, and also, in each and every year afterwards the sum of Four Hundred Pounds, over and above the charges of collection for the payment of the interest, and towards the reduction of the Principal Monies so to be borrowed, until the whole principal and interest shall be fully paid off and discharged, *Provided always*, that no greater sum than Two Hundred Pounds shall be presented towards and for the payment of interest in any one year, on the Monies to be borrowed as aforesaid.

Assessment of
Inhabitants

XIV. *And be it further enacted*, That every such presentment hereby required to be made, when confirmed by the Court in which the same is made, shall be assessed and collected, with and in such and the like manner as the Poor or County Rates now are, and when and as the said Monies are collected shall be from time to time paid over to the said Commissioners, to be by them applied and expended in and about the several objects and purposes in this Act expressed with respect to the same.

Collections of
Assessment

XV. *And be it further enacted*, That all Surplus Funds, Payments and Receipts, by the said Commissioners held or received after the objects and purposes in this Act provided for and mentioned shall be fully accomplished and secured, and the expenses attendant fully defrayed, shall be and be deemed the Public Property of the Town of Halifax, and be, by the said Commissioners, from time to time paid over and appropriated accordingly.

Surplus fund

XVI. *And be it further enacted*, That the Justices of the Peace in their General or Special Sessions for the said County, shall and may examine the Accounts of the said Commissioners of the said Cemetery or Cemeteries, who are hereby directed to submit the

Account of
Commissioners
to be audited

the same to the said Justices once in every year at least and oftener if required thereto, and the said Justices shall allow such Accounts if they appear just and correct, and may refuse to allow any monies charged in the said Accounts which the said Justices shall have reasonable grounds to believe unduly or improperly charged or expended.

Military and Naval Burial Grounds excepted

XVII. *And be it further enacted*, That nothing in this Act contained, shall extend or be construed to extend to the Military and Naval Burial Grounds, in the South and North Suburbs of the Town of Halifax.

This Act may be added to or altered

XVIII. *And be it further enacted*, That this Act may be added to, altered or amended, by any other Act or Acts that may pass the General Assembly in the present Session, any usage or custom to the contrary notwithstanding.

CAP. XXXIII.

An Act to establish the Boundary Lines of the Township of Barrington.

(PASSED THE 29th DAY OF MARCH, 1833.)

Preamble

WHEREAS, difficulties have arisen between the Inhabitants of Barrington and Argyle, within the County of Shelburne, respecting the Boundaries between these places, and whereas, it is expedient and necessary for the convenience of the Inhabitants of Oak Park and Wood's Harbor, that these places should be annexed to the Township of Barrington :

Division Line between Barrington and Argyle established

I. *BE it therefore enacted, by the President, Council and Assembly*, That, for the accommodation of all parties, and for avoiding difficulties, the line of division between the said Townships of Barrington and Argyle shall hereafter be as follows, that is to say : beginning on Pubnico beach, at a Rock between the North-west Boundary of a Tract of Land granted to the late John Nickerson, Jun. and the South-east Boundary of a Tract of Land granted to the late Walter Larkin, and to run South Eighty degrees East along the line of said Larkin, to the South-East corner thereof; from thence a North-Easterly course to the North-West angle of a Tract of Land lying on both sides of Barrington River, and bounded on the North by the Lake Sabimm, granted to James Doane and others; thence along the North-West line of said Grant, until it strike the Sabimm, thence a North-Easterly course across said Lake, until it strike the South-East angle of a Tract of Land granted to David Larkin and others; thence a North-East course until it comes to the North-East angle of Barrington Township.

Eastern Boundary of Barrington

II. *And be it further enacted*, That the Eastern Boundary of Barrington Township, shall hereafter be as follows—to begin at the Southern head of Cape Negro Island, and include said Island, and from thence up the Western side of said Harbour by the several courses thereof, to the head of the Tide, from thence along the Western side of the River Clyde till it comes near the House of William Watt, according to a plan of a Grant of fifty-two thousand Acres of Land or thereabout, made to the People of Barrington, in or about the Year 1768, from thence North two hundred and sixty degrees West until it comes to the North-West Boundary line of said Township.

Islands included in Township of Barrington

III. *And be it further enacted*, That the said Township of Barrington shall also hereafter include, as part thereof, all the Islands lying and being within four miles of the Sea Coast thereof, on the Southern and Western sides of the said Township.

Inhabitants within the prescribed limits to belong to Barrington

IV. *And be it further enacted*, That, after the date of the passing of this Act, all the People, settled within the described lines or on said Islands, shall, to all intents and purposes, belong to the Township of Barrington.

CAP. XXXIV.

An Act to extend to the Town of Guysborough the Provisions of the Act relating to Commissioners of Highways in Halifax, and certain other Places.

(PASSED THE 29th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, passed in the Seventh Year of His late Majesty's Reign, entitled, An Act relating to Commissioners of Highways in Halifax, and certain other Places, and all the regulations and provisions thereof, with every matter, clause and thing, therein contained, shall be extended, and the same are hereby extended to the Town of Guysborough, in the County of Sydney; and it shall be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to appoint three respectable Inhabitants and Freeholders of Guysborough aforesaid, to be Commissioners of Highways therein, for the purpose of carrying into effect the provisions and regulations of the said Act, and to proceed to supply any vacancy that may occur amongst such Commissioners, and such appointment to renew when necessary in the same manner as is pointed out and provided by the said Act.

Act 7th, Geo. IV. extended to Guysboro'

II. *And be it further enacted*, That the jurisdiction, powers and authorities, of the said Commissioners, when appointed, shall be the same as if the said Town of Guysborough had been originally named and mentioned in the said Act, and shall be confined 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.

Appointment of Commissioners of Highways

III. *And be it further enacted*, That, from and after the first day of May next, the authority, powers and jurisdiction, of the Surveyors of Highways within the limits above described in the Township of Guysborough, shall cease and determine, any law, usage or custom, to the contrary notwithstanding.

Jurisdiction of Commissioners

CAP. XXXV.

An Act to continue the Act respecting Aliens coming into this Province or residing therein.

(PASSED THE 5th DAY OF MARCH, 1833)

BE it enacted by the President, Council and Assembly, That an Act, passed in the Thirty-eighth year of the Reign of His late Majesty King George the Third, entitled, An Act respecting Aliens coming into this Province or residing therein, and every matter, clause and thing, in the said Act contained, shall be continued, and the same are hereby continued, for One Year, and from thence to the end of the then next Session of the General Assembly.

Act 38, Geo. III. continued.

CAP. XXXVI.

An Act to continue the Acts now in force relating to Trespasses.

(PASSED THE 5th DAY OF MARCH, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the Third Year of His late Majesty's Reign, entitled; An Act for consolidating

Acts 3, 4, & 5, Geo. IV. and Act of last Session continued.

solidating and reducing into one Act all the Acts heretofore made relating to Trespasses, except so far as the same is or may be altered or amended by the several Acts hereinafter mentioned ; and also the Act, made and passed in the Fourth and Fifth Years of His said late Majesty's Reign, to alter, amend and continue, the said Acts ; also the Act, made and passed in the Ninth year of His said late Majesty's Reign, to alter and continue the said Acts ; and also the Act, passed in the last Session of the General Assembly, to amend and continue the said Acts, and every matter, clause and thing, in the said several Acts contained, except as aforesaid, shall be continued, and the same are hereby severally continued, for One Year, and from thence to the end of the then next Session of the General Assembly.

CAP. XXXVII.

An Act to alter and continue the Act more effectually to provide against the Introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province.

(PASSED THE 20th DAY OF APRIL, 1833.)

Act of last Session continued

BE it enacted by the President, Council and Assembly, That the Act, made and passed in the last Session of the General Assembly, entitled, An Act more effectually to provide against the Introduction of Infectious or Contagious Diseases, and the spreading thereof in this Province, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued, for one year, and from thence to the end of the then next Session of the General Assembly.

Additional powers given to Health-Wardens

II. And be it further enacted, That, instead of the proceedings and mode of punishment directed and provided by the Eleventh and Twelfth Sections of the said Act, it shall and may be lawful to and for any Health-Warden or Health Wardens, under the said Act appointed or to be appointed, to prosecute summarily, if he or they shall think proper, any offenders against the said Act, before any two or more Justices of the Peace of the County wherein the offence shall have been committed.

Violation of Act, or orders of Board of Health, or Health-Wardens

III. And be it further enacted, That whosoever, upon such prosecution by any Health Warden or Health-Wardens, before any such Justices, shall, upon the oath of any one credible Witness, be convicted of violating or wilfully or knowingly infringing the provisions of the said Act, or the orders and directions of any Board of Health or of any Health-Officer or Health-Wardens, or of refusing or wilfully neglecting or omitting to act in obedience to, or in conformity with, the provisions of the said Act, or the orders and directions of any such Board of Health, Health-Officer, or Health Wardens, or of resisting or opposing or obstructing the lawful execution of the said Act, or any such orders or directions as thereby are authorised to be given, or the said Officers or any of them, in the execution of their duty, shall, for every such offence forfeit and pay a sum not exceeding Five Pounds, nor less than Five Shillings, as the said two or more Justices shall adjudge, and for the amount of the penalty so to be adjudged, together with the costs of the prosecution an Execution shall, by the said Justices, be granted and awarded against the offender or offenders convicted, to and in favour of the Health-Warden or Health-Wardens prosecuting, in the like manner as if such penalty were a debt due to him or them, and the application of such penalties shall be as by the said Act is provided.

CAP. XXXVIII.

An Act concerning Treasury Notes.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, under an Act of the General Assembly of this Province, passed in the ninth year of His late Majesty's Reign, entitled, An Act for Issuing Treasury Notes, and cancelling those now in circulation; and under another Act, passed in the tenth year of the same reign, entitled, An Act to authorise an additional Issue of Treasury Notes; and under another Act, passed in the second year of His present Majesty's Reign, entitled, An Act to authorise an additional Issue of Treasury Notes, it has been enacted and provided, that Treasury Notes, to the extent of Seventy-seven Thousand Pounds, Halifax Currency, in Notes of twenty shillings each, and to the extent of Three Thousand Pounds in Notes of ten shillings each, should be issued and put in circulation, which said Notes have accordingly been issued by the Commissioners appointed for signing Treasury Notes, and do respectively entitle the bearer thereof to receive, at the Treasury of this Province, the sum in each of the said Notes expressed.

Preamble

And whereas, towards remedying the present defective state of the Currency and Monies circulating in this Province, it has become necessary to provide for the redemption and payment with gold and silver of the said Treasury Notes on presentment thereof at the Provincial Treasury, and also gradually to reduce the amount of the said Notes in circulation:

I. *BE it therefore enacted, by the President, Council and Assembly*, That henceforth it shall not be lawful for the Treasurer of the Province to accept or receive from the Officers of His Majesty's Customs, for any sums of money by them collected for duties imposed by Acts of the Imperial Parliament, and thereby required to be paid into the Colonial Treasury, payment otherwise than in gold or silver coins: or to accept or receive from any other officers or persons whomsoever, for any other duties or monies whatsoever by Law required to be paid into the Treasury, payment otherwise than in gold or silver coins, or in Treasury Notes issued, or to be issued, under the authority of some Act of the General Assembly.

Revenue payable into Treasury

II. *And be it further enacted*, That when and so often as any Treasury Notes shall be presented for payment at the Provincial Treasury, in any sum not less than ten pounds, the said Treasurer shall, and is hereby strictly enjoined to, pay the amount in such Notes expressed, with gold or silver coins, if so much there be at the time in the Treasury.

Treasury Notes to the amount of £10 presented for payment

III. *And be it further enacted*, That when and so often as any Treasury Notes of twenty shillings, or of any higher denomination allowed to be issued, shall be presented at the Treasury to the amount in value of One Hundred Pounds at any one time, and there shall not be in the Treasury sufficient gold or silver coins to pay the same, then the holder, demanding payment of such Notes, shall be, and is hereby declared, entitled to receive therefor a Certificate to the like amount, bearing interest, and to be issued in the manner hereinafter provided; and upon delivering such Certificate, the Treasurer shall enclose and seal up in a parcel the Notes so received, or the like amount of torn or defaced Notes, and deliver the same to the said Commissioners, or other persons appointed to keep the same, in order to their being examined and destroyed by the joint Committee of His Majesty's Council and the House of Assembly appointed to examine the Public Accounts.

Treasury Notes to the amount of £100 presented for payment

IV. *And be it further enacted*, That the Commissioners, now or hereafter to be appointed, for signing Treasury Notes, shall, and they are hereby required to, cause to be printed and prepared such and so many Certificates of Funded Debt, as it shall be necessary to grant and issue in lieu of the Treasury Notes so to be tendered, and which the Treasurer shall be unable to pay in gold or silver on presentment as aforesaid; and every

Certificates may be granted for Notes funded

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every such Certificate shall be for the sum of One Hundred Pounds, and shall bear interest at the rate of four pounds per annum, and shall be respectively numbered in the order of its being issued, and be payable to the person or persons therein named, or the assignee or assignees to whom it may be transferred by indorsement made thereon, and entered on a duplicate or copy thereof, to be kept at the Treasury, and shall be in such form and words as the said Commissioners shall direct, and be signed by any two of them, and countersigned by the Treasurer, and shall bear date on the day of the presentment of the said Notes, and such date shall be inserted by the Treasurer upon the issuing such Certificates respectively; and the whole number of Certificates so to be issued, and to be at any one time out-standing and bearing Interest, shall not exceed the sum of Twenty Thousand Pounds, and the Interest thereof respectively shall be due and be receivable Quarterly, on the first days of January, April, July and October, in every year, at the Treasury, and shall be paid by the Treasurer then or subsequently to the holder of every such Certificate.

Certificates to be given by Commissioners

V. *And be it further enacted*, That for every sum of One Hundred Pounds of Notes so tendered, and not paid in Specie, or the like amount of torn or defaced Notes, the said Commissioners shall deliver to the Treasurer one of the said Certificates to be by him delivered to the party entitled thereto; and the amount of the principal money and Interest mentioned in, and payable upon, every such Certificate so to be issued, shall be, and be deemed, part of the funded debt of the Province, and be a charge upon the general Revenue thereof.

Returns of Gold and Silver Coins in Treasury to be made Quarterly

VI. *And be it further enacted*, That the Treasurer of the Province, in the last week of every quarterly period, and as often at other times as the Governor for the time being orders the same, shall make and deliver into the office of the Provincial Secretary a Return and Statement of the actual and true amount of Gold and Silver Coins remaining in the Treasury, with their respective denominations; and also of the dates and amounts of the respective receipts of gold and silver into, and payment thereof from, the Treasury, and likewise a List of the several Certificates issued under this Act and remaining unpaid; and the said Treasurer shall not in any manner, or for any purpose, issue, deliver, exchange or pay, from the Treasury, any Gold or Silver Coins from time to time received therein, otherwise than for, or in payment of, the Treasury Notes from time to time exhibited for payment in Coin, or of the Certificates to be issued under this Act.

Payment of Certificates

VII. *And be it further enacted*, That when and so often as, upon any Quarter day as aforesaid, there shall be in the Treasury sufficient Gold and Silver Coins, by which, without prejudice to the regulation hereby made for the payment of Treasury Notes in Gold or Silver, any Certificate granted under this Act may be paid off, it shall be the duty of the said Treasurer, and he is hereby required upon the order of the Governor for the time being, for that purpose to be issued, and within the first ten days of such Quarter, to tender and pay in Gold or Silver Coins unto the person or persons named in or entitled to receive payment of any such Certificate, or his or their known agent, the sum thereon expressed, together with the interest thereon due, until the day of payment, and to receive and take up such Certificate; and if the person or persons to whom such tender is made shall refuse to accept such payment, or deliver up the Certificate, then the same shall thenceforth cease to bear any interest thereupon. *Provided always*, That the said Certificates shall be paid off and discharged in the order in which they shall be issued.

Notes cancelled by Certificates may be re-issued

VIII. *And be it further enacted*, That if at any time after payment of any such Certificates, the Governor for the time being shall, for the payment of demands on the Treasury, deem it expedient to permit the re-issue of Notes to the amount for which such Certificates were originally issued, then it shall and may be lawful to and for the Governor for the time being, by his warrant to the said Commissioners to be directed, to authorise and permit them to receive from the Treasurer such and so many of the said Certificates as shall have been so by him taken up and paid, and to pay and deliver in-

to the hands of the Treasurer, New Notes to the like extent and amount as in the said Certificates shall be expressed.

IX. *And be it further enacted*, That whenever any warrant for any sum payable at the Treasury shall be there presented for payment, the said Treasurer shall, and he is hereby required to, pay and satisfy the amount of such warrant on demand, to the person or persons entitled to receive the same, with the Treasury Notes issued, or to be issued, under the authority of some Act of the General Assembly, and then in the Treasury. And if it shall happen that a sufficient amount of such Treasury Notes shall not be in the Treasury when payment of any such warrant shall be required to pay the same in full, or if the Commissioners for signing Treasury Notes shall certify that the public service renders it necessary to forbear immediate payment, then and in every such case an indorsement shall be made on such warrant of the day when it was so presented for payment; and the party or parties named therein, or to whom it may be transferred, by his or their indorsement, shall be entitled, from the date so indorsed, to receive interest on the same or balance of the sum expressed in such warrant at the rate of six pounds per cent. per annum, until the principal sum shall be paid. And the said Treasurer is hereby authorised to take up and pay such warrant when and so soon as the Notes in the Treasury shall enable him so to do, or when thereto directed by order of the Governor for the time being.

Warrants on Treasury to bear interest if payment is deferred

CAP. XXXIX.

An Act to continue, alter and amend, the several Acts now in force relative to the Inspection of Pickled Fish.

(PASSED THE 20th DAY OF APRIL, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, passed in the ninth year of His late Majesty's reign, 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, save and except so far as the same is or may be altered or amended by this Act, or the Act hereinafter mentioned; and 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, save and except as the same is or may be herein after altered or amended, shall be continued; and the said Acts, except as aforesaid, are hereby severally continued for three years, and from thence to the end of the then next Session of the General Assembly.

Acts 9 & 10, Geo. IV. (save and except alterations and amendments) continued

II. *And be it further enacted*, That, instead of one Chief Inspector of Pickled Fish, as mentioned and prescribed in the second section of the said Act herein first mentioned, and hereby continued and amended, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to nominate and appoint, in each and every County and District in this Province, wherein there is any sea-port town or place in which Pickled Fish are or may be caught, packed or prepared for exportation or otherwise, one fit and proper person to be the Chief Inspector of Pickled Fish in and for such County or District, who shall give security and be sworn to and for the faithful discharge and performance of the duties of his office, in like manner as is prescribed with respect to the Chief Inspector in and by the said Act herein first mentioned and hereby continued, altered and amended. *Provided always*, That the sum in which any such Chief County or District Inspector of Pickled Fish shall be required to give security, shall be One Hundred Pounds instead of Five Hundred Pounds as now required to be given by the Chief Inspector.

Chief Inspectors of Pickled Fish appointed in Counties and Districts—to be sworn, and give Bonds

III. *And be it further enacted*, That the several Chief Inspectors, to be appointed under and by virtue of this Act, shall, within their respective Counties and Districts, have, use and exercise, and take and receive, and shall be subject and liable to, the same powers

Powers, duties, and liabilities of Chief Inspectors

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ers, authority, privileges, duties, fees and emoluments, pains and penalties, rules, regulations, liabilities and forfeitures, as the Chief Inspector of Pickled Fish can or may have, use, and exercise, take and receive, or is or may be subject and liable to, under and by virtue of the said several Acts hereby continued, altered and amended.

Deputy Inspectors appointed — to be sworn, and give Bonds

IV. *And be it further enacted,* That the several Chief Inspectors to be appointed under and by virtue of this Act, shall, within their respective Counties and Districts, nominate and appoint Deputy-Inspectors of Pickled Fish as in and by the said Acts the Chief Inspector therein mentioned is authorised and required to do, which said Deputies shall be severally sworn to the faithful discharge of their duty, and shall give security in the same manner as in and by the said Act herein first mentioned and continued, is prescribed and mentioned. *Provided always,* That instead of the amount now required, the amount in which any such Deputy shall be required to give security shall be the sum of Fifty Pounds and no more.

Powers, duties and liabilities, of Deputy Inspectors

V. *And be it further enacted,* That such Deputy-Inspectors shall have, use and exercise, all and every the like powers, authority and privileges, and do and perform the same duties, and take and receive the same fees and emoluments, and be subject and liable to the same rules, regulations, penalties and forfeitures, and incur the same liability, as Deputy-Inspectors appointed under and by virtue of the said Acts hereby continued and amended.

Chief Inspectors responsible for their Deputies

VI. *And be it further enacted,* That the several Chief Inspectors to be appointed under and by virtue of this Act, shall be liable and responsible for their Deputies, and for the due and faithful execution and performance of the several duties of their said Deputies, and for any default or neglect of such Deputies, in the same way and manner to the same extent, and in the like cases, as the Chief Inspector under and by virtue of the several Acts hereby continued and amended is made liable and responsible.

Mackarel—how to be branded

VII. *And be it further enacted,* That all Mackarel of the quality of Number Three, Mackarel which shall be caught and taken in the months of October, November and December, shall be marked and branded *No. 3. F.*; and all such Mackarel caught and taken at any time between the last day of December and the first day of October, shall be marked and branded *No. 3. S.*

Inspector's Certificate

VIII. *And be it further enacted,* That the Certificate to be produced to the principal Officers of His Majesty's Customs, as required by the eighteenth section of the said Act herein last mentioned and continued, in addition to the statements already required by the eighteenth section of the said Act herein last mentioned and continued, in addition to the statements already required to be made therein, shall state the name of the Inspector by whom, and the place where, the Pickled Fish therein mentioned have been inspected, and that, instead of the oath required by the tenth section of the Act herein first mentioned and continued, to be taken by the Master, Owner, or Shipper, on the production of such Certificate, the said Master, Owner, or Shipper, shall make and subscribe the following declaration before some one of the said Principal Officers of His Majesty's Customs.

Master's, Owner's or Shipper's Declaration

I A. B. do solemnly declare, according to the best of my knowledge and belief, that the Certificate hereunto annexed contains the whole quantity of Pickled Fish shipped on board the _____ whereof _____ is Master, and that no Pickled Fish is shipped on board said ship or vessel for the ship's company, or as cargo or freight or otherwise, but what is inspected and branded according to the Laws of this Province.

False Declaration

And any person wilfully making any such declaration which shall be false and untrue, and being thereof convicted, shall be subject and liable to the same pains, penalties and forfeitures, as if such person had committed and been convicted of the crime of perjury.

Pickled Fish brought from other Colonies liable to inspection

X. *And be it further enacted,* That all Pickled Fish, which shall be brought or imported into this Province from any other British Province or Colony in casks or barrels, and shall not be inspected and branded, in such Province or Colony, shall be subject and liable to be inspected and branded before the same shall be sold in, or exported from, this

this Province, in the same manner and under and subject and liable to the same pains, penalties and forfeitures, for want of such inspection and branding, as if the same had been caught and taken within this Province.

XI. *And be it further enacted*, That when any Pickled Fish shall have been once inspected, marked and branded, in any town or place within this Province, the same shall not be subject or liable to be again inspected in any other town or place within this Province, before the sale or exportation thereof.

Pickled Fish once inspected in the Province not again liable to inspection

XII. *And be it further enacted*, That no travelling fees shall be allowed to any Inspector or Deputy Inspector, under the twenty-fifth section of the said Act of the tenth year of the reign of King George the Fourth; but every such Inspector, or Deputy Inspector, shall be bound to perform the duties required in and by the said twenty-fifth section of the said Act, without any allowance for travelling fees.

No travelling Fees allowed Inspector

XIII. *And be it further enacted*, That it shall not be lawful hereafter for any Inspector or Deputy-Inspector, to inspect his own Fish, either for exportation or home consumption; and every such Inspector, or Deputy-Inspector, so inspecting his own Fish, shall be subject and liable to the same fines, penalties and forfeitures, on the sale or exportation thereof, as if such Fish had not been inspected.

Inspectors not allowed to inspect their own Fish

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

Continuation of Act

CAP. XL.

An Act concerning Nuisances.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, by the sixteenth Section of an Act of the General Assembly of this Province, passed in the third year of His late Majesty's reign, entitled, An Act for consolidating and reducing into one Act all the Acts heretofore made relating to Trespasses, it is, among other things, enacted, That it shall and may be lawful for the Justices of the Peace in the General or Special Sessions of the Peace at Halifax, when five Justices at the least shall be attending, to make and publish, from time to time, as they may judge necessary, such regulations respecting the places and manner of slaughtering Cattle as they may think best calculated to cleanliness and prevent risk or injury to the health of the Inhabitants in the town and suburbs of Halifax, and also for the cleansing of the streets, and for disposing of and removing heaps of dung, ashes, or offals, which may be laid therein and suffered to remain to the annoyance of the neighbourhood or passengers, or to the incumbrance of the streets thereof.

Preamble

And whereas, by the sixteenth Section of the same Act, the penalties and mode of recovering the same for offences against the said regulations are established.

And whereas, it is expedient to extend to the Justices in Session in the several Counties and Districts of the Province, with respect to nuisances in towns or places therein, the powers in the said sixteenth section provided, and also to enlarge the same, and to provide more effectually for enforcing such regulations:

I. *BE it therefore enacted, by the President, Council and Assembly*, That His Majesty's Justices assigned to keep the Peace, in each and every County and District of the Province, at any their General or Special Sessions of the Peace, when five Justices at the least shall be attending, shall be, and they are hereby, authorised and required, from time to time, and when and so often as they shall judge it necessary so to do, to make, ordain, publish, and put in execution, all such orders and regulations of the Sessions for such Counties and Districts respectively, as from time to time shall appear proper and expedient to be made, as well for the objects and purposes in the said sixteenth section provided, as also to prevent the placing or exposing the body of any dead animal,

Powers given to Justices to prevent all Nuisances being placed in Streets, &c.

mal, or any part thereof, or decayed fish, or the offal of any animal or fish, or any other offensive animal matter, or substance, in, upon or near, to any public street, highway, wharf, or common, or in any dwelling house, building, boat or vessel, or in any place where the same animal, bodies, fish, or substances aforesaid respectively, may be, or be likely to become, offensive. or nuisances; and likewise for the prevention, abatement and removal, of all nuisances whatsoever, whereby the public health may be affected; and further, for the cleaning and purifying the streets, lanes, wharves, and other places within the several towns and settlements in any such County or District. And moreover, for the removal, burial or destruction, of all animal or other substances, whereby offensive nuisances may be occasioned, or the public highways, or the streets, lanes, wharves, or other parts of any such town, may be incumbered; and likewise for the preservation and cleansing of the public wells and reservoirs of water in any such town or place, and preventing injury to the pumps therein placed, and otherwise preserving the same.

Order of Justices may be repealed or amended

II. *And be it further enacted*, That it shall be lawful to and for the said Justices in any such County or District in any such Session, whether general or special, assembled to repeal, amend, or alter, any such orders or regulations made, or to be made, touching the matters aforesaid, or any of them, and to make other and different regulations as from time to time may appear expedient, and also to impose and declare any penalties for the violation of, or neglect or refusal to obey, any such regulations respectively, as to the said Justices may appear expedient, so as the penalty for any one offence be not greater than five pounds, nor less than ten shillings.

Inspectors may be appointed—to be sworn

III. *And be it further enacted*, That it shall be lawful for the said Justices, in Sessions, to nominate and appoint, if they shall think it expedient so to do, from time to time, such number of competent persons as they shall consider proper or necessary to be Inspectors under this Act, whose duty it shall be to carry into effect all such rules and regulations as from time to time shall be established under this Act, for or concerning the objects and purposes respectively herein before mentioned, or otherwise for preserving cleanliness and preventing nuisances in the several towns and settlements, or in or upon any highways, streets, wharves, boats and vessels, or other places whatsoever; and every such Inspector shall be sworn to the true and faithful performance of his duty.

Order for removal of Nuisances

IV. *And be it further enacted*, That it shall and may be lawful for any one Justice of the Peace in any County or District, upon his own view or the oath of any one credible witness, to make an order in writing for the removal, burial or destruction, as to him may appear necessary, of any animal body, or parts thereof, decayed fish, offal of any animal or fish, or other offensive substances, occasioning or creating nuisances in or near, or encumbering, the highways, streets, wharves, or places in any town or settlement, or being in any boat or vessel; and also to order and direct the same to be done by the party or parties by whom or whose directions such nuisances may have been occasioned, or by any other person whom the said Justice shall appoint to remove, bury or destroy, such substances; and all expenses thereby incurred shall be borne and be paid by and recovered against the party or parties so occasioning such nuisances, or otherwise in such manner as in and by the aforesaid orders and regulations shall have been provided.

Duties of Inspectors

V. *And be it further enacted*, That the said Inspectors so appointed shall be, and they are hereby, severally authorised and empowered to enter into and examine in the day time, at such times as such Inspectors respectively shall think fit, as well all vessels and boats, lying at, or near to, as all buildings, lots, yards, wharves, and places of every description, in any town or settlement wherein such Inspectors or any of them may have reason to believe that any offensive substances, injurious to the health of the inhabitants, are or may be deposited; and to ascertain and report to the Police Office in such town, if any, or to any two Justices of the Peace, the condition of such vessels, boats,

boats, buildings, lots, yards, wharves and places aforesaid, so far as the public health may be affected thereby; and to give all such directions, and to adopt and enforce all such measures, as in the judgment of such Inspectors, or by the order of the said two Justices respectively, may be necessary for the cleansing and purifying all such vessels, boats, buildings, lots, yards, wharves and places; and to do, or cause to be done, every thing in relation thereto which in their opinion may be necessary to preserve the health of the inhabitants.

VI. *And be it further enacted*, That every penalty, by any such orders or regulations to be imposed for offences against the same, shall and may be sued for and recovered by any such Inspector or Inspectors appointed for the place where the offence shall be committed; or if there be no Inspector, then by any person who shall sue for the same, before any two Justices of the Peace of the County or District, and in the same manner as if the same penalty were a debt due to the prosecutor; and upon conviction of the offender, by the oath of one credible witness, the amount of the penalty, with costs of suit, shall be adjudged against him, and execution therefor shall be awarded and issued as in case of debts recovered before Magistrates.

Penalties how recovered

VII. *And be it further enacted*, That all charges or expenses, not exceeding ten pounds, incurred by the said Inspectors, or by any other person under the order of a Magistrate, for the removal, burial, or destruction, of any such substances as aforesaid, shall and may be used for and recovered, from the party liable thereto, in the same manner as is provided for the recovery of the penalties aforesaid; and if the said charges and expenses shall not be so recovered, then the amount thereof shall and may be presented and assessed as other County charges.

Expenses incurred in removal of Nuisances

CAP. XLI.

An Act to authorize the Congregation of the Meeting-House at Upper Stewiacke to raise Money from the Pews of the said Meeting-House, for the repairing and ornamenting thereof.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, the Meeting-House at Upper Stewiacke, in the District of Colchester, wherein the Reverend James Smith at present officiates, was originally built by a number of persons, who were mutually interested therein, and were the Owners of the Pews in such Meeting-House, many of which persons are since dead, and the Property in the said Pews in such Meeting-House has now become vested in the Heirs or other Representatives of such deceased Original Proprietors; *And whereas*, the interest of the several present Owners of the said Pews has now become so inconsiderable, that great difficulties are experienced in procuring Funds to keep the said Meeting-House in repair, owing to the neglect of many of the Owners of the said Pews to pay their proportion of the necessary and unavoidable expense of repairing and ornamenting the said Meeting-House, in consequence of which the said Meeting-House is in great danger of going to decay.

Preamble

I. *BE it therefore enacted, by the President, Council and Assembly*, That from time to time, and at any time after the publication of this Act, whenever it shall be necessary to procure or raise any sum of money for the repairing or ornamenting the said Meeting-House, it shall and may be lawful, for the Congregation attending at such Meeting-House, at any Public Meeting of such Congregation, whereof due notice shall be given to such Congregation in said Meeting-House, during the time that the said Meeting-House shall be open for Divine Service, on the Sunday previous to such Meeting, to nominate and appoint, by vote of the majority of the Members of the said Congregation

Assessment of Monies for repair of Meeting House

present at such Meeting, three or more fit and proper persons to assess and apportion the sum of Money necessary and required to be raised for the purpose aforesaid, on the said Pews respectively, according to the relative size and value of such Pews, at a just and equitable rate, of which assessment and apportionment, due notice shall be publicly given, by reading the same in the said Meeting-House on the Sunday after the same shall be made by the said Committee, and also, by putting up a true and correct copy of such assessment and apportionment on the door of the said Meeting-House, for three successive weeks after the same shall have been made by the said Committee.

Pews may be sold for payment of Assessment

II. *And be it further enacted,* That if, after due notice of such assessment and apportionment shall have been so publicly given as aforesaid, some such person or persons, so interested in any of the said Pews, shall not come forward to pay the same, which may have been assessed by the said Committee on such Pew, within three weeks after such notice so given as aforesaid, then, and in such case, it shall and may be lawful for the said Committee, after having given on the previous Sunday due and public notice of the time of letting the same, to proceed to let at Public Sale or Auction, for such period of time, (not exceeding ten years,) as may be sufficient to pay the rate or sum assessed thereon respectively, any Pew or Pews whereon the sum assessed shall remain unpaid as aforesaid.

Lessees of Pews sold, put in possession

III. *And be it further enacted,* That the person or persons who shall or may become the Lessee or Lessees of the said Pew or Pews respectively, at the said Sale, shall be put into possession thereof, by the said Committee, and shall be taken and held to be the sole and exclusive Owner or Owners of the said Pew or Pews, for such period of time as the same may be leased or let to the said person or persons, at such Sale, and such Lessee or Lessees shall be liable to pay such rent or rents as he or they shall or may have agreed to pay for the same, at the said Sale; and if the rent or rents aforesaid or any part thereof, shall be behind and unpaid after the time or times which shall or may have been agreed on for payment thereof, it shall and may be lawful for the said Committee, so to be appointed as aforesaid, to sue for and recover such rent or rents, or such part thereof, as may so remain behind and unpaid in the same manner as debts of the like amount may or can be ordinarily sued for and recovered.

Recovery of arrears of Rent

Act continued ten years

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

CAP. XLII.

An Act in amendment of the Act for the Settlement of the Poor in the several Townships within this Province.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, it is expedient to discourage vexatious removals of Paupers, and to enable the General Sessions of the Peace to take measures to discourage frivolous appeals from the Orders of Justices of the Peace, in respect to the Settlement of Paupers, and also, that the said Sessions should have power to grant to the party or parties succeeding in any such appeal, such reasonable Costs, to be paid by the party or parties against whom the said appeal may be determined, as the party or parties so succeeding in such appeal would otherwise be compelled to pay and expend from and out of their own funds.

Appeals against Settlement of Poor Persons

I. *Be it therefore enacted, by the President, Council and Assembly,* That, for preventing vexatious removals, if the Justices at their General Quarter Sessions of the Peace, upon an appeal before them had concerning the Settlement of any poor person determined in favor of the appellant, that such poor person was unduly removed, the said Justices shall, at their same or other General Quarter Sessions, order and award to the party

party or parties appellants so much money as shall appear to the said Justices to have been reasonably paid or to be due by and from the Township or place on whose behalf such appeal was made, towards the relief of such poor person, between the time of such undue removal and the determination of such appeal, the said money so awarded to be sued for and recovered as hereinafter mentioned.

II. *And be it further enacted*, That the Justices in Sessions upon any appeal concerning the Settlement of any poor person or persons, or upon any proof before them made of notice of any such appeal, to have been given by the proper Officer to the Overseers of the Poor of any Town or place (though such appeal was not afterwards prosecuted) shall, at the same or other Sessions, order to the party in whose behalf such appeal shall be determined, or to whom such Notice did appear to have been given, such costs and charges in the Law as by the said Justices in their discretion shall be thought most reasonable and just, and to be taxed and allowed at and according to the rates now fixed by Law for Costs in the Supreme Court, to be paid by the Overseers of the Poor, or any other person or persons against whom such appeal shall be determined, or by the person or persons who gave such Notice of the appeal.

Costs & Charges
of Appeal

III. *And be it further enacted*, That if the said Overseers or other person or persons ordered to pay any such sum of money or costs, shall, after service of the order made by the said Court in respect thereto, neglect or refuse to pay the said money or costs so awarded and ordered to be paid, it shall and may be lawful for the party or parties in whose favor such money or costs shall be awarded and ordered, to sue for and recover the same in the Supreme Court or Inferior Court of Common Pleas, or before any Justice or Justices of the Peace, as for any Debt of the like amount, and the production and proof of a true Copy of the order of the said Court of General Sessions of the Peace, and of the service thereof on the said Defendant or Defendants, or other person or persons against or upon whom such order shall have been made, shall be sufficient proof of the said Debt.

Refusal to pay
Costs

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

Act continued
three Years

CAP. XLIII.

An Act in addition to the Act to regulate the opening and holding a Poll for the Election of Representatives to serve in General Assembly for the County of Cape-Breton, and for the removal or adjournment of the same.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, it is expedient that the Poll for electing Members to serve in the General Assembly for the County of Cape-Breton, should be in addition to the places where the said Poll is already now directed to be opened and held, also opened and held at Little Bedeque, in the said County.

Preamble

BE it therefore enacted by the President, Council and Assembly, That, from and after the passing of this Act, at any election for a Member to serve in General Assembly to represent the County of Cape-Breton, in addition to the places at which the Poll for such Elections is now required to be opened and held, the Sheriff, or other proper officer, holding such Poll, shall, if thereto legally required, giving due notice thereof, as prescribed by law, on the eighth day inclusive after the day of opening the Poll at Cheticamp, adjourn and remove the Poll to some convenient and central place in Little Bedeque, in the said County of Cape-Breton, and the said Poll shall be then and there held for the space of four days, or until all the Electors then and there present be polled.

Poll to be held
at Little
Bedeque

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CAP. XLIV.

An Act relating to the Halifax Fire Insurance Company.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, by an Act, passed in the Fifty-ninth Year of the Reign of His late Majesty King George the Third, entitled, An Act for incorporating certain Persons therein mentioned, for Insuring Houses, Buildings, Goods, Wares and Merchandizes, from loss and damage by Fire, the Governor, Lieutenant-Governor or Commander in Chief for the time being, by Letters Patent, under the Great Seal of the Province, is authorised to incorporate certain Persons in the said Act named, as well as others their Associates, to be a Body, Politic and Corporate, by the name of the Halifax Fire Insurance Company, to continue for the term of Twenty-One Years and no longer, with certain powers, rights and privileges, in the said Act particularly set forth, And whereas, in pursuance of such Act, the said Halifax Fire Insurance Company hath been incorporated and hath now a large Capital Stock invested in the business of Insurance from loss or damage by Fire, and its operations have been highly beneficial to this Province, by preventing large sums of money from being sent out of this Province, to other Countries, for the purpose of effecting Insurances, and it is therefore expedient to extend the term for which the said Company is now incorporated:

Term of Incorporation of Company extended

I. BE it therefore enacted by the President, Council and Assembly, That the said Halifax Fire Insurance Company, and all the rights, privileges, powers and authorities therein vested, subsisting and being, and now held and enjoyed by the said Company, under and by virtue of the said recited Act, and of the Letters Patent aforesaid, shall remain, continue and endure, from and after the expiration of the said term of Twenty One Years, in the said Act mentioned, for and during, and unto the full end and term of Twenty-One Years, in as full and ample a manner, and to all intents and purposes, as effectually as if the term of Forty-two Years had been originally inserted in the said Act herein before recited, and mentioned, and the Letters Patent granted under and by virtue thereof.

Rights of Company, not exclusive

II. Provided always, and be it further enacted, That from and after the passing of this Act, it shall and may be lawful for any other Company or Corporation as such within this Province, to make or effect any Insurances upon Houses, Buildings, Stores, Goods, Wares and Merchandize, any clause, matter or thing, either in the said recited Act or in the Letters Patent granted by virtue thereof, contained to the contrary notwithstanding.

CAP. XLV.

An Act for granting Patents for useful Inventions.

(PASSED THE 20th DAY OF APRIL, 1833.)

Application for Patent

BE it enacted by the President, Council and Assembly, That, from and after the Publication of this Act, whenever any person or persons, who shall then be an Inhabitant or Inhabitants of this Province, and shall have resided therein for one year previous thereto, shall apply to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and shall allege that he, she or they, have invented and discovered any new and useful Art, Machine, Manufacture or Composition of Matter, or any new and useful improvement on any Art, Machine, Manufacture or Composition of Matter, not theretofore known or used, and shall, by Petition to the said Governor, Lieutenant-Governor or Commander in Chief, for the time being, signify his, her or their desire to obtain an exclusive property in such new invention and discovery, and shall pray that a Patent be granted for the same, it shall and may be lawful for the said Governor, Lieutenant-Governor or Commander in Chief, for the time being, to cause and direct Letters Patent, under the Great Seal of this Province, to be issued, which said Letters Patent

Patent shall recite the allegations and suggestions of the said Petition so to be preferred as aforesaid, and shall therein give a short description of the said invention and discovery, and thereupon shall grant, to the said person or persons so applying for the same, his, her or their Heirs, Executors, Administrators or Assigns, for a term not exceeding Fourteen Years, the full and exclusive right and liberty of making, constructing and using, and vending to others to be used, the said new invention or discovery; which Letters Patent shall be good and available to the Grantee or Grantees therein named by force of this Act, and shall be recorded in the Office of the Secretary of the Province, in a Book to be kept for that purpose, and shall be delivered to the Patentee or Patentees. *Provided always*, that, before the Great Seal of this Province shall be affixed to any such Letters Patent, or the same shall be issued and signed as aforesaid, such Letters Patent shall be delivered to His Majesty's Attorney-General of this Province, who shall examine the same, and shall, if he finds the same conformable to this Act, certify accordingly, and return the same within Fifteen Days into the Office of the Secretary of the Province, to be issued and signed.

II. *And be it further enacted*, That where any Letters Patent shall be obtained by any person or persons in manner aforesaid, for any new and useful invention and discovery in any Art, Machine or Composition of Matter, and thereafter any other person or persons shall discover any improvement in the principle or process of any such Art, Machine or Composition of Matter, for which such Patent hath been granted, and shall make application for, and obtain, Letters Patent under this Act, for the exclusive right of such improvement, it shall not be lawful for the person or persons who shall obtain and procure Letters Patent for any such improvement, to make, use or vend, the original invention or discovery, nor for the person or persons who shall have procured Letters Patent for the original invention or discovery, to make, use or vend, any such improvement.

Patentees protected

III. *Provided always, and it is hereby declared and enacted*, That simply changing the form or the proportions of any Machine or Composition of Matter in any degree, shall not be demed a discovery or improvement within the meaning of this Act.

Changes in forms or proportions of Machines not admitted to be discoveries
Fees on Letters Patent

IV. *And be it further enacted*, That any person or persons making application for any Letters Patent as aforesaid, shall, at the same time he, she or they, shall deliver in their Petition for the same, pay into the Office of the Secretary of the Province the sum of Seven pounds in full of all fees to be charged on the said Letters Patent, whereof there shall be paid to the Attorney-General of the Province, for examining and certifying the said Letters Patent as herein before described, the sum of Three Pounds Ten Shillings, and the remainder shall be applied as other fees now payable into the Office of the Secretary of the Province, as fees of the Governor, Lieutenant-Governor or Commander in Chief for the time being, and of the Secretary of the Province, are now applied.

V. *And be it further enacted*, That it shall and may be lawful for any person or persons to obtain and receive from the Office of the Secretary of the Province, any Copy or Copies of any such Letters Patent, or of the Petition whereon the same were granted and issued, or of any paper connected therewith, or any Drawing relating to the same, on payment for such Copy at the rate of Six-pence for every Ninety words thereof, and for every Copy of such Drawing the sum of Fifteen Shillings.

Copies of Letters Patent may be obtained

VI. *And be it further enacted*, That before any person or persons shall obtain or receive any Letters Patent under this Act, such person or persons, or some or one of them, shall make Oath, or, if a Quaker, shall make solemn affirmation in Writing before some one of the Justices of His Majesty's Supreme Court of Judicature in this Province, that he, she or they, do verily believe that he, she or they, is or are the true inventor or inventors, discoverer or discoverers of the Art, Machine, Composition of Matter or improvement, for which he, she or they, solicit Letters Patent, and that such invention or discovery hath not to the best of his, her or their knowledge or belief, been known or used in this Province, or in any other Country, which Oath or Affirmation shall be delivered in with the Petition for such Letters Patent.

Oath or Affirmation of Applicants for Patents

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Descriptions of
Inventions to
be lodged in
Secretary's
Office

VII. *And be it further enacted,* That, together with such Petition and Oath or Affirmation, before any person or persons shall receive or obtain any Letters Patent as aforesaid, such person or persons shall also deliver into the Office of the Secretary of the Province, a written description of his invention, and of the manner of using, or process of compounding, the same, in such full, clear and exact, terms as to distinguish the same from all other things before known; and to enable any person skilled in the Art or Science of which it is a branch, or with which it is most nearly connected, to make, compound and use, the same, and, in case of any Machine, shall deliver a Model thereof into the Office of the Secretary of the Province, and shall explain the principle and the several modes in which such person or persons have or hath contemplated the application of that principle or character, by which it may be distinguished from other inventions, and shall accompany the whole with Drawings and Written references, where the nature of the case admits of Drawings, or with specimens of the ingredients, and of the composition of Matter, sufficient in quantity for the purpose of experiment, where the invention is of a composition of Matter, which description, signed by such person or persons so applying for such Letters Patent, and attested by two Witnesses, shall be filed in the Office of the Secretary of the Province, and copies thereof certified under the hand of the Secretary or Deputy-Secretary of the Province, shall be competent evidence in all Courts where any matter or thing, touching or concerning the said Letters Patent, shall or may come in question.

Assignment of
Patents

VIII. *And be it further enacted,* That any Patentee, his Executors or Administrators, may assign and transfer all his right, title and interest, in the said invention and discovery in the Letters Patent to him granted, to any person or persons whomsoever, and the Assignee or Assignees thereof, having recorded the said Assignment in the Office of the Secretary of the Province, shall thereafter stand in the place and stead of the original Patentee, as well as to all right, privilege and advantage, as also in respect of all liability and responsibility as to the said Letters Patent, and the invention and discovery thereby secured, and in like manner shall the Assignee or Assignees of any such Assignee, or Assignees, stand, and be considered to be, in the place and stead of the original Patentee or Inventor.

Violation of
Rights of
Patentees

IX. *And be it further enacted,* That whenever in any case any Letters Patent shall be, or shall or may have been, granted to any person or persons, under and by virtue of this Act, and any person or persons without the consent of the Patentee or Patentees, his, her or their Executors, Administrators or Assigns, first had and obtained in Writing, shall make, devise, use or sell the thing, invention or discovery, whereof the exclusive right is secured to the said Patentee or Patentees, by such Letters Patent, such person or persons so offending shall forfeit and pay to the said Patentee or Patentees, his, her or their Executors, Administrators or Assigns, a sum equal to three times the actual damage sustained by such Patentee or Patentees, his, her or their Executors, Administrators or Assigns, from or by reason of such offence, which sum shall and may be recoverable, together with costs of Suit, by Action on the case founded on this Act, in the Supreme Court of this Province.

Plea allowed
Defendants

X. *Provided always, and be it further enacted,* That the Defendant or Defendants, in such Action shall be permitted to plead the General Issue, and give this Act and any special Matter in evidence tending to prove that the specification filed by the plaintiff or plaintiffs does not contain the whole truth relative to the invention or discovery therein alleged to have been made by the said plaintiff or plaintiffs, or that it contains more than is necessary to produce the described effect, (which concealment in addition shall fully appear to have been made for the purpose of deceiving the Public) or that the thing, invention or discovery, thus secured by Letters Patent as aforesaid, was not originally discovered by the Patentee or Patentees, but had been in use or had been described in some Public Work anterior to the supposed invention or discovery of the said Patentee or Patentees, or that the said Patentee or Patentees had surreptitiously obtained Letters Patent as aforesaid for the invention or discovery of some other person or persons,

in

in either of which cases, upon sufficient and legal proof thereof, a verdict shall be returned and judgment shall be entered for the said Defendant or Defendants with Costs, and the said Letters Patent shall thereupon be, and become, and shall by the said Court be adjudged, void and of no effect.

CAP. XLVI.

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.

(PASSED THE 20th DAY OF APRIL, 1833.)

BE it enacted, by the President, Council and Assembly, 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 Queen's County, 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 shores and beaches of the said County.

Justices to make regulations respecting Sea Manure

Provided always, That nothing herein contained shall extend, or be construed to extend, to take away or diminish any right, title, or interest, which is now vested in individuals to any of the said shores or beaches in the said County.

Individual Rights preserved

II. *And be it further enacted,* That if any person or persons shall transgress any such of the rules or 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 Two pounds for every offence, to be recovered with costs before any one of the Justices of the Peace for the said County, one half thereof to the person complaining, and the other half to the use of the Poor of the Township where the offence shall be committed.

Violation of Regulations

III. *And be it further enacted,* That this Act shall continue in force three years, from and after the passing thereof, and from thence to the end of the then next Session of the General Assembly.

Continuation of Act

CAP. XLVII.

An Act to establish the Township of Argyle, and define the Limits thereof.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, it is expedient that that part of the County of Shelburne usually denominated Argyle, should regularly and legally be created a Township, and that the boundaries thereof should be defined and established:

Preamble

I. *Be it therefore enacted by the President, Council and Assembly,* That hereafter, all that part of the County of Shelburne comprehended within the boundaries herein after particularly set forth and contained, shall be formed, created, and established into and as a separate and distinct Township in the said County, by the name of the Township of Argyle; and the said Township of Argyle shall be bounded as follows—that is to say, on the south by the sea coast, on the western side thereof by the Township of Yarmouth, to begin at the mouth or entrance of Little River, and to be bounded by the said River, as far as high water flows, then to run north sixty-six degrees east, until it meets lands laid out to Robert Wilmot and others, commonly called Burnet's Grant, thence

Limits established

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thence to include the lands laid out to the said Robert Wilmot and others, running along the western and northern lines of the said lands until it comes to the Great Tusket River, and thence northwardly by the Great Tusket River up through Gaville's Falls to the mouth of the Little Branch at Kemptville, thence up the Little Branch northwardly until it comes to the eastern line of the Township of Yarmouth where that line strikes the Little Branch near Nathaniel Churchill's and Cunard's Saw Mill, thence north twenty-one degrees west by the line aforesaid to the north-east angle of the Township of Yarmouth; and on the north the said Township of Argyle shall be bounded by the County of Annapolis; and on the east the said township of Argyle shall be bounded as follows—that is to say, to commence on the east side of Pubnico, at a rock on the south line of a grant made to Walter Larkins at or near Pubnico Beach, thence on that line south eighty degrees east two hundred and eighteen chains, or until it comes to the rear of the said grant to Walter Larkins, thence north-eastwardly in a direct line to the north-west angle of a tract of land granted to James Doane and others, of Barrington, on Barrington River, thence by the said land granted to Doane and others, northwardly and westwardly to Lake Sabimm, or the Great Pubnico Lake, thence eastwardly across the said lake in a straight line to the south-east angle of a grant of land made to David Larkins and others, of Pubnico, thence to the north-east angle of Larkins's grant, and thence north by east to the boundary of the County of Annapolis.

Islands included within the Limits

II. *And be it further enacted*, That the said Township of Argyle shall also include and comprehend all the Islands south by west of the southern boundary line of the said Township as far south as the extreme southern part of the outer Seal Island, being the whole groupe of Tusket Islands, Mud Islands, and Seal Islands, situate and lying in and about the Bay called Lobster, Townshend, or Argyle Bay, excepting such Islands as may belong either to the Townships of Barrington or Yarmouth.

CAP. XLVIII.

An Act for the appointment of Trustees for the Public Property of the Town of Halifax, and for other purposes.

(PASSED THE 20th DAY OF APRIL, 1833)

Preamble

WHEREAS, divers parcels of Land, within the Town and Peninsula of Halifax, and of Land covered with water in front of the said Town, have heretofore been, by His Majesty or other persons, granted or conveyed to certain Official Persons and their Successors in Office, as well as to private individuals, in Trust, and to and for the common and public use and benefit of the Town of Halifax, or of the Inhabitants of the Town and Peninsula thereof, *And whereas*, doubts are entertained of the sufficiency of the Titles to such of the Lands aforesaid as are held by the Successors of such Official Trustees, and it is expedient, for removing such doubts, and to enable the Inhabitants of Halifax to hold Lands for various public purposes, to establish one public and permanent Trust, for and in respect of all Lands, Hereditaments and Real Estate, which now are or hereafter may be held, used or obtained, for the common benefit of the said Inhabitants, as the Public Property of the said Town, or for any other general or useful purpose within the same:

Appointment of Trustees—their Incorporation

1. *BE it therefore enacted, by the President, Council and Assembly*, That, upon the application and by the consent and request of the majority of the Justices resident in Halifax, and assigned to keep the Peace in and for the District of Halifax, with the concurrence of the Grand Jury, at any their General Quarter Sessions of the Peace at Halifax, or at any Special Sessions there convened, duly entered of record, and certified to the Lieutenant-Governor or Commander in Chief for the time being, it shall and may be lawful for the said Lieutenant-Governor or Commander in Chief for the time being,

ing, by and with the advice and consent of His Majesty's Council, to nominate and appoint Five Persons, Inhabitants of the said Town, to be *Trustees of Public Property in Halifax*, and, by Letters Patent, under the Great Seal of the Province, to be issued, to make, erect and incorporate, the said Five Persons so appointed, and the several and respective Persons who, from time to time, may be chosen to succeed them in the said Office, into one Body, Politic and Corporate, in Deed and in Name, under the said name and title of "the Trustees of Public Property in Halifax," and by that name to have succession, to sue and be sued, to have a Common Seal, and such Officers, and to possess and enjoy such powers and authorities, and to be under and subject to such rules, regulations and restrictions, as in this Act, and in the said Letters Patent, are or shall be given to or expressed concerning the said Corporation.

II. *And be it further enacted*, That the said Trustees when so incorporated shall be, and they are hereby, declared and made capable in Law to have, hold, purchase, receive, possess, enjoy and retain, any Lands, covered with water, Tenements, Hereditaments and Chattles Real, whatsoever, as well for Public purposes as for the objects and purposes of this Act, and also the Rents, Issues and Profits thereof, and likewise any Monies, Goods, Chattles, Effects, Property and Estate, of any nature or kind whatsoever.

Power of Trustees

III. *And be it further enacted*, That, from and immediately after the passing of such Letters Patent, all and singular the Lands, Tenements, Hereditaments and Real Estate, and Property whatsoever, which shall be described and contained in such Letters Patent, and being the same which at any time heretofore have been granted, assigned or conveyed, to any person or persons whomsoever, in Trust for the use and benefit of the Town of Halifax, or of the Inhabitants of the Town or Peninsula, or for public uses and purposes within the same, and all Houses, Buildings and Erections, whatsoever thereon respectively now being, or used and appropriated for such public purposes, and all Lots and parcels of Land originally laid out or allotted, and now held for public purposes, (whether such Real Estate and Property was designed or is now used for, and as, the sites or purposes of the County Court-House, Public Markets, Poor House, Bridewell or House of Correction, Jail, Public Landing Places or Slips, the Public Burial Grounds, the Common on the Peninsula, or other public objects and purposes whatsoever, for the general benefit of the said Inhabitants) together with all and singular the rights, members, privileges and appurtenances thereof, to the said Lands, Hereditaments, Real Estate and Property whatsoever belonging, and all the rents, issues, profits and advantages thereof, shall be, and the same are hereby, declared to be absolutely vested in and transferred to, the said Trustees so incorporated, and shall be by them held, used and occupied, from the date of the said Letters Patent, in fee simple, and to and for the public and common benefit and uses of the said Town of Halifax, according to the true intent and meaning of the original grant, conveyance or assignment, of the said Real Estates and Properties whatsoever. *Provided*, that nothing in this Act contained shall extend, or be construed to extend, to deprive any corporate body, or private person or persons, of any interest, property, possession or right, which may have been acquired by him, them, or any of them, under and by virtue of the several Statutes of Limitations in force in this Province, or any of them, previous to the passing of this Act.

Town Property vested in the Trustees

Proviso

And for the more effectually vesting such Real Estates and Properties in the said Trustees, when so incorporated:

IV. *Be it further enacted*, That, upon the request of the said Trustees, it shall and may be lawful to and for the several persons named in any grant, deed or conveyance, of any such Real Estate or property, in trust for public purposes, or for the benefit of the Inhabitants, whether such Grantees be official or private persons, and for the Survivors or Survivor of such Grantees, or the Heirs of such Survivor, and also for any other the persons holding at the date of such Letters Patent the official appointments in such grants or deeds respectively mentioned, and for each and every of them, and they are

Trustees may execute Deeds and Conveyances

are hereby severally and respectively authorised and empowered, by good and sufficient deeds and conveyances in that behalf to be executed, to release and assign their several and respective Trusts of and in all such Real Estate and Property, and to grant, convey and assure the same unto, and to the use of, the said Trustees so incorporated, to hold the same, with all the appurtenances thereof, respectively, unto such Trustees in fee, and to and for the benefit of the public as aforesaid.

Vacancies in Trust

V. *And be it further enacted*, That every vacancy occasioned in the said Trust, so to be constituted, whether arising from the death, resignation, removal from office, or continued absence from the Province for two Years, of any one of the present or future Trustees, shall be supplied by the nomination of a Trustee to be made by the Governor, Lieutenant-Governor or Commander in Chief for the time being, and entered of Record in the said Court of Sessions, and, upon such nomination being accepted by the party named and recorded as aforesaid, he shall be, and be deemed to be, one of the said Incorporated Trustees, and have and exercise, for all purposes, the same power and authority as if named in the said Letters Patent.

Expences of Trust

VI. *And be it further enacted*, That all charges and expences by the said Trustees so incorporated, incurred in or 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 said Grand Jury, be presented, assessed, levied and paid, in like manner, as other public Town charges and expences.

And forasmuch as it is the object and purpose of this Act to provide for the support and protection of the Title of the Public Property, and not to alter or interfere with the disposal, possession or management of the same, or its rents or produce,

Appointment of Commissioners of Town Property

VII. *Be it further enacted*, That as to and concerning all and every part of the said Real Estate and Public Property whatsoever, whether now obtained or hereafter to be acquired, and as to and concerning all the rents, income, produce and benefit thereof, whatsoever, and also, as to and concerning all Public Monies, Chattles and Personal Property of the said Town, the same and every part and parcel thereof shall be, and are hereby, to all intents and for all purposes whatsoever, placed under the care and committed to the charge, order, control, management and disposition, of the said Justices assigned to keep the Peace for the District of Halifax, and resident in the said Town, who are hereby empowered, from time to time, either in their General Quarter Sessions or at a Special Sessions, to appoint three Commissioners to be called "*Commissioners of Town Property*," to have the care of, and manage, and Lease, such Town Property or any part thereof, in such manner and upon such terms as the said Justices in their General or Special Sessions may direct.

Powers of Trustees limited

VIII. *Provided always, and be it further enacted*, That nothing herein contained shall give or be construed to give to the said Trustees or to the Justices of the Peace for the District of Halifax, or to the Commissioners of Town Property, any control, management, superintendance or power, over the Poor House, the Common on the Peninsula, Public Burial Grounds, Places of Public Worship, National, Acadian, Catholic or Halifax Schools, or over any piece, parcel or lot of Land or Property belonging to any Parish or Parishes, religious Congregation or Congregations, within the said Town, but all such Places in this Clause named, and such pieces, parcels and lots of Land shall be, and continue to be, under the control, management, superintendance and power, of the same person or persons that they were at and before the time of passing this Act, any thing in this Act to the contrary thereof notwithstanding.

CAP. XLIX.

An Act concerning County Treasurers.

(PASSED THE 20th DAY OF APRIL, 1833)

WHEREAS, in and by the first section of the Act, made and passed in the fifth year of the Reign of His late Majesty King George the Third, entitled, An Act for the raising money by presentment in the several Counties in this Province, for the defraying certain County Charges therein mentioned, the several Grand Juries are required to present only one fit and proper person, being a Freeholder, to serve as County Treasurer, which person, if approved of by the Court, shall be sworn to the due execution of his Office: which method has been found inconvenient:

Preamble

BE it therefore enacted, by the President, Council and Assembly, That henceforth the several Grand Juries in each County and District of the Province, shall, at the first General Session of the year in such County or District, nominate three fit and proper persons, being Freeholders of such County or District, instead of one person, as directed by the above mentioned Act; and present the names of such three persons to the Justices in their said Sessions, who, from those three names so presented, shall select and name one person to fill the office of Treasurer for such County or District, and the person so named shall be sworn to the due execution of his office, and shall give security for the faithful performance of his duty as by Law required.

Grand Juries to return three Persons for Office of County or District Treasurer

CAP. L.

An Act to encourage the Seal Fisheries of this Province.

(PASSED THE 20th DAY OF APRIL, 1833)

BE it enacted by the President, Council and Assembly, That, from and after the passing of this Act, and for this present year, and the two years next ensuing, there shall be annually granted and paid, from and out of the Treasury of this Province, to encourage the Seal Fishery of the same, the yearly Sum of Seven Hundred and Fifty Pounds, to be paid, applied and distributed, to the Owner or Owners, Charterer or Hirer, of every Registered Vessel owned in this Province, and fitted out from any Port or Ports within the same, for the purpose of Fishing for, catching and killing, Seals, in Bounties of Fifteen Shillings for each and every Ton of the Registered Burthen of every such Ship or Vessel, if above Fifty Tons Registered Burthen, and in Bounties of Ten Shillings, for each and every Ton of the Registered Burthen of every such Ship or Vessel under Fifty Tons, Registered Burthen. Provided, such Ship or Vessel, being properly and sufficiently provisioned, manned and equipped, for the prosecution of such Fishery, shall pursue the same on the High Seas, on the Coast of Nova-Scotia or Newfoundland, or in the Gulf of St. Lawrence, or the Labrador, or elsewhere upon the Ocean, for the space of twenty days, between the first day of March, and the first day of June, then following, in some year during the continuance of the Bounties hereby granted, or until the lading of such Ship or Vessel be made and completed.

£750 appro. printed to the encouragement of Seal Fishery

Provisio

II. And be it further enacted, That, when any Ship or Vessel fitted out, equipped and provisioned, as aforesaid, shall have undertaken and proceeded on a Voyage, for the purposes set forth in this Act, and in consequence of accident to said Ship or Vessel, or the crew thereof, shall be compelled to abandon the same, it shall and may be lawful for the Commissioners hereinafter mentioned, on satisfactory proof thereof, to give and grant a Certificate to the Owner or Owners, Charterer or Charterers, Hirer or Hirers, of the said Ship or Vessel, for the Bounty allowed by this Act, according to the form herein prescribed.

Vessels compelled to abandon the Seal Fishery

Appointment of Commissioners

III. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to appoint and Commission, in each and every port and place in this Province, where he shall deem such appointment to be necessary, two or more proper persons to be Commissioners for enquiring into, ascertaining and settling, all claims to be made for such Bounties, and to allow the same, and to grant Certificates for the same to the parties entitled thereto.

Commissioners to be sworn—empowered to administer Oaths

IV. *And be it further enacted*, That every such Commissioner, before entering on the duties of his Office, shall be sworn to the true and faithful performance of the several duties thereof, before a Judge of some Court of Record, and when so sworn shall have power and authority to administer all Oaths, which shall or may be necessary to be administered, in order to ascertain, settle and substantiate, any claim for Bounties hereby granted, or necessary and requisite in the investigation of any such claim.

Claim for Bounty,

V. *And be it further enacted*, That whenever any claim, for the Bounties granted under this Act, shall be allowed by any Commissioners, to be appointed as aforesaid, the said Commissioners shall grant to the party or parties entitled thereto, a Certificate thereof, and immediately transmit a duplicate thereof, with the proofs and vouchers on which the same was allowed, to the Treasurer's Office, at Halifax, before the first day of September, in each and every year, and no Certificate, which shall be forwarded after that day, shall be allowed or paid.

Payment of Bounty

VI. *And be it further enacted*, That no Bounties, for which Certificates shall be granted, shall be paid to any of the parties entitled thereto, before the first day of November, in each year, and after the said first day of November, if the whole amount of the Bounties, for which Certificates shall be so granted and returned, shall not exceed in any one year the said Sum of Seven Hundred and Fifty Pounds hereby granted, the Treasurer of the Province shall, and he is hereby authorised to, pay to the party or parties, entitled to the same, the full amount of all such Bounties, for which any Certificates shall have been so granted and returned as aforesaid; but if the amount of Bounties payable under the said Certificates so granted and returned as aforesaid, shall exceed the said Sum of Seven Hundred and Fifty Pounds, in any one year, then, and in such case, the Treasurer of the Province shall, and he is hereby directed to, pay and allow to the party or parties, holding any such Certificate, only such rateable share and proportion of the said sum of Seven Hundred and Fifty Pounds, as the said party or parties shall be entitled to receive, on a just and fair Division of the said sum of Seven Hundred and Fifty Pounds, among the several parties holding such Certificates, according to the several and respective amounts thereof.

Allowance to Commissioners

VII. *Provided always, and be it further enacted*, That before the Treasurer shall pay the amount, payable under any such Certificate, he shall deduct and retain an allowance of Three per Cent. from and out of the sum so payable, which allowance shall be paid over to the Commissioners signing the said Certificate.

CAP. LI.

An Act relating to Grand Jurors.

(PASSED THE 20th DAY OF APRIL, 1833.)

Eligibility of Persons returned as Grand Jurors

BE it enacted, by the President, Council and Assembly, That hereafter every person who shall be returned and summoned as a Grand Juror, in any Court within this Province, shall have been resident in the County or District for which such person shall be summoned or returned as a Grand Juror, for at least twelve months previous to his being so returned and summoned as aforesaid, and shall in the opinion of the Sheriff own and be possessed of a freehold estate in such County or District of the clear yearly value of fifteen pounds, or a personal estate of the value of three hundred pounds.

II. *And be it further enacted,* That hereafter the Sheriff of each County and District shall make up lists of persons qualified and proper to serve as Grand Jurors in each Township and Settlement respectively, and shall make return to the Court of General Sessions of the Peace of the number of persons so qualified and proper to serve as Grand Jurors in and from each of such Townships or Settlements respectively, within the County or District for which he shall be Sheriff; and such Court shall, from time to time, as they may think requisite, fix and determine what number of such Grand Jurors from each of such Townships and Settlements respectively shall be annually summoned to serve as such; and the said Sheriff shall keep the names of the said Jurors for each of the Townships and Settlements in separate boxes; and shall, at each time of drawing a Jury to serve, draw from such boxes respectively the number so fixed and determined by such Court, and shall summon those so drawn in the usual manner. *Provided always,* That nothing herein contained shall interfere or be construed to interfere with the power and authority of the Court, on the non-attendance of Grand Jurors, to direct others to be drawn, as now allowed by law.

Returns of Persons eligible to serve as Grand Jurors to be made by Sheriff

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

Continuation of Act.

CAP. LII.

An Act for amending the Practice of the Court of Chancery, and diminishing the Expences thereof.

(PASSED THE 20th DAY OF APRIL, 1833.)

BE it enacted, by the President, Council and Assembly, That it shall and may be lawful for the said Court of Chancery, and the Judges thereof are hereby required, by any orders thereof from time to time to be made or established, to make, ordain and enforce, such rules and course of practice for the proceedings and business of the said Court, and for the pleadings in causes therein now or hereafter to be depending, as will reduce the great prolixity, expence and delays, of such proceedings, business and pleadings, under the present practice thereof, and such orders and rules from time to time to change and alter, as to the said Court shall seem most expedient and effectual for the case of suitors therein, and the right and just decision of all causes before the said Court.

Power vested in Court of Chancery

II *And be it further enacted,* That in all matters of practice and proceedings in the said Court, not regulated by the present practice thereof, or by the Rules and Orders hereafter to be made, the course and practice of the High Court of Chancery in England shall be observed and followed, until the same shall be changed by rules made under this Act.

Practice of High Court of Chancery in England may be followed

III. *And be it further enacted,* That no Writ of Attachment, or other process of Contempt, shall be hereafter necessary in order to have any Bill filed in the said Court taken *pro confesso*. But the issuing of such process shall be restrained to the cases wherein an actual service thereof, or arrest thereupon, shall be necessary and intended to be made, in order to compel obedience to the order or decree of the said Court.

Writs of Attachment, &c.

IV. *And be it further enacted,* That for the levying and enforcing payment of any sum of money decreed or awarded to be paid by any person whomsoever, in the said Court, such or the like Process or Writs of Execution as are now used in, and issued from, His Majesty's Supreme Court: and the same arrest of the person, taking of the goods, and levy upon the real estate, and subsequent sale thereof, shall and may be had and taken on such Executions issued out of Chancery for the sum therein mentioned, and charges of executing the Writ, as if the same sums were recovered by a Judgment of the

Execution of Decrees

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the Supreme Court and Execution then issued thereupon ; and every person arrested and imprisoned under any such Execution, shall have and be entitled to all benefit and relief granted by any present or future Statutes for relief of Insolvent Debtors.

Seal

V. *And be it further enacted*, That it shall be lawful for the Chancellor, if he shall think proper so to do, to establish a proper Seal for the said Court wherewith all Decrees and Process of the said Court shall be sealed and certified.

Responsibility of Master of Rolls

VI. *And be it further enacted*, That the Master of the Rolls, for the time being, in all cases, except on Appeals from his decisions, and hearings thereon before the Chancellor, shall be, and be deemed, the responsible Adviser and Judge of the said Chancery, and shall sign all rules, orders and decrees, made by him therein, and the signature of the Chancellor, except in the cases aforesaid, shall not be necessary to the validity of any such rules and orders in any cause, or to any decree made in the absence of the Chancellor from Halifax. *Provided always*, That the enrolment of all Decrees shall be signed by the Chancellor, to whom the same shall be presented to be signed for enrolment.

Province

Appointment of Master Extraordinary

VII. *And be it further enacted*, That a Master Extraordinary of the said Court shall be commissioned and appointed in each County and District of the Province, and in such Townships as it shall appear requisite to appoint such Officer, and every such Master Extraordinary shall have power and authority to administer Oaths to all persons answering or making Affidavits, to be used in the said Court, and shall also act as an Examiner of the said Court.

Validity of Sales under Decrees of Chancery

VIII. *And be it further declared and enacted*, That all Sales and Conveyances of any Lands and Real Estate, heretofore by any Master of the said Court duly made, or hereafter to be made, under and pursuant to the directions of any Order or Decree of the said Court heretofore made or hereafter to be passed in any Cause, shall, if or when confirmed by the said Court, be and be taken to be good, valid and effectual, for conveying and transferring to the respective purchasers all the Estate, Right and Interest, by such Order and Decree directed to be Sold, of the Mortgagors or other the Parties, or the Representatives of the Mortgagors or other Parties, whether Plaintiffs or Defendants in the Cause, wherein such Decree or Order hath passed or may hereafter be given, without the said Mortgagors or Parties respectively, or their respective Heirs or Representatives, or persons claiming under them, being made parties to such Deeds or Conveyances.

Deeds Releases &c. to be signed by Master

IX. *And be it further enacted*, That whenever any party to any Cause before the said Court depending, shall be, by any final Order or Decree thereof, directed to sign, execute or acknowledge, any Deed, Release, Instrument or Writing whatsoever, by the said Court deemed requisite to be signed or acknowledged, in order fully to carry into effect the Decree, Orders and directions of the said Court, then, and in every such case, upon such refusal or neglect being made to appear to the said Court, either by the personal examination of the party by whom such Act is required to be done, or in any other manner, it shall and may be lawful for the said Court, by any order thereof, to direct and authorise any Master of the said Court to sign and execute for, and in the name of, the person refusing or neglecting so to do, such Deed, Release, Instrument or Writing, as aforesaid, and the same, when so executed by the Master, shall be and be taken to be, for all intents and purposes, the Act, Deed and Writing, of the person who ought to have done, signed, executed or acknowledged the same, and the said Court shall and may take all measures necessary for rendering the same effectual.

Absence of certain Defendants from Province

X. *And be it further enacted*, That it shall be lawful for the said Chancery, in Suits depending therein, when the Parties, Defendants, are sued as Co-partners, Trustees, Executors or Administrators, and some of them are out of the Jurisdiction of the Court, to proceed against the Defendants who are within the Province, and have been served with Process in such and the like way as is directed by the Act of the General Assembly, passed in the Seventh Year of His late Majesty's Reign, entitled, An Act for the more easy

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easy recovery of Debts against Co-partners and Joint Debtors, and all and singular the proceedings and remedies given by the said Act shall and may be observed, decreed and obtained, in the said Chancery, pursuant to the practice to be established therefor.

XI. *And be it further enacted*, That the benefits, privileges and proceedings, now obtained or taken in the Supreme Court, under the Act, passed in the Fourteenth and fifteenth years of His late Majesty's Reign, entitled, An Act for admitting Depositions *de bene esse* of Witnesses, Aged, Infirm, or otherwise unable to travel, and of Witnesses departing from the Province, shall be extended to the said Court of Chancery, and to the Parties to suits depending therein, as fully as if the Court of Chancery had been named in the said Act; but nevertheless under and subject to such conditions and rules as the said Court shall think fit to establish for regulating such practice, or in the respective Causes wherein the benefit of the Act is sought for shall prescribe.

Act 14 and 15 Geo. IV extended to Court of Chancery

XII. *And be it further enacted*, That it shall be lawful for the said Chancery to authorise and allow the *Viva Voce* examination of Witnesses, when and as the said Court shall think proper.

Viva voce evidence allowed

And whereas, by Law, no allowance is made to the Officers of the said Court for the proceedings in matters of Account, or for the attendance of them or any of them, or of the Witnesses necessary in any Cause, or for the travel or examination of Witnesses:

XIII. *Be it therefore enacted*, That for all necessary services, travel and examinations, connected with the matters or of the nature aforesaid, it shall and may be lawful for the said Court to tax and allow to such Officers and Witnesses, such and the like proportionable fees as by the Acts heretofore passed to regulate and establish Fees in the Court of Chancery, or for the general establishment of Fees, can or may be allowed for proceedings and services of the like or a similar nature, to or with those necessary to be performed as aforesaid, in taking Accounts or for Witnesses, or upon examinations as aforesaid.

Allowance to Officers of Court of Chancery and to Witnesses

XIV. *And be it further enacted*, That in all Actions now or hereafter to be depending, in any of the Courts of this Province, wherein it may be requisite to give in evidence any Decree or Decretal Order of the said Court of Chancery, it shall not be necessary to produce in evidence an exemplification thereof, but a Copy of such Decree or Decretal Order certified under seal of the said Court, or examined or proved to be a True Copy of such Decree or Decretal Order, shall be received as legal evidence thereof.

Copies of Decrees or Orders of Court allowed in evidence

CAP. LIII.

An Act for regulating the Exportation of Red or Smoked Herrings.

(PASSED THE 20th DAY OF APRIL, 1833)

BE it enacted, by the President, Council and Assembly, That, from and after the passing of this Act, Red or Smoked Herrings, for exportation, shall not be put into any other package but Boxes of the dimensions and kind herein after described, and that the said Red or Smoked Herrings shall be sweet, well saved and smoked: and all that are in the said package shall be, as near as may be, of the same size, close packed and so stowed as completely to fill the package.

Red or Smoked Herrings to be packed in Boxes

II. *And be it further enacted*, That the Grand Juries of the several Counties in this Province, at the Court of General Sessions of the Peace for each County, shall annually, at the time of nominating other Town Officers, nominate out of every Township in the said County, where smoking and preserving Herrings is carried on, two or more fit persons, out of whom the said Court shall appoint one or more to be Inspector or Inspectors of Red or Smoked Herrings, for each respective Township; which said person or persons, so appointed, shall be sworn to the faithful discharge of his or their duty

Appointment of Inspectors of Red or Smoked Herrings

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Inspectors to be sworn

Persons appointed Inspectors refusing to serve

Red or Smoked Herrings shipped or sold before inspection

Masters of Vessels receiving Herrings before inspection

Boxes of Herrings to be branded

Dimension of Boxes

in manner as is prescribed by the Laws of this Province, in the nomination and appointment of other Town Officers ; and in case of his or their refusal to serve, or neglect or misbehaviour in the execution of his or their office, he or they shall be punished in like manner as is provided in the like case for other Town Officers, in and by an Act, passed in the Fifth Year of the Reign of His late Majesty King George the Third, entitled, " An Act for the choice of Town Officers and regulating of Townships ;" and in case of a vacancy or vacancies in the said Office of Inspector of Red or Smoked Herrings, between the times of the sittings of the said Courts of General Sessions of the Peace, for the County where such vacancy shall happen, the same may and shall be filled up by two Justices of the Peace, of the said County, in like manner as other vacancies in the Town Offices are filled up by virtue of the said Act.

III. *And be it further enacted,* That if any Red or Smoked Herrings shall be shipped for exportation before the same shall have been inspected, approved and marked, by the Inspector of Red or Smoked Herrings, or if any Red or Smoked Herrings shall be sold and delivered in any Boxes before the same shall have been inspected, approved and marked, in like manner, such Red or Smoked Herrings shall, on information and due proof thereof, before any one of His Majesty's Justices of the Peace, be seized, and sold by warrant under the hand and seal of the said Justice, and the nett proceeds arising from the sale shall be paid to the Overseers of the Poor for the use of the Township where such seizure shall be made.

IV. *And be it further enacted,* That if any Master or Commander of any Ship or Vessel shall receive any Red or Smoked Herrings to be carried or exported without the Township wherein such Herrings shall have been smoked or preserved, on board such ship or vessel at any port or place within this Province, before the same shall have been marked as hereinafter directed, by an Inspector of Red or Smoked Herrings, the said Master or Commander shall forfeit and pay the value of such Herrings not marked as aforesaid, according to the price of Merchantable Herrings ; and in case the value of the said Herrings shall exceed the sum of Fifty Pounds, such Master or Commander shall forfeit and pay the sum of Fifty Pounds and no more, to be recovered by Bill, Plaint or Information, before any of His Majesty's Courts of Record within this Province, or before any one of His Majesty's Justices of the Peace ; in case the sum sued for shall not exceed the sum of Three Pounds, one half for the use of His Majesty, and the other for the benefit of the person who shall sue for the same.

V. *And be it further enacted,* That the Inspector of Red or Smoked Herrings shall mark each and every box of Red or Smoked Herrings, as he shall have inspected and approved, with a brand, containing the Initial letter of his Christian Name and his Surname in full, and also the word Inspector, and the name of the Town at full length for which he is Inspector, and shall also be marked with the quality of the Herrings, which, if of the fattest, best and most superior fish, shall be marked No. 1, and of the poorer, thinner, small and inferior fish, No. 2 ; and if any person or persons shall counterfeit or be concerned in counterfeiting the said brand or mark of the said Inspector, or shall, without the licence of the said Inspector, make use of his said brand in marking any box, or shall by shifting put other fish into any box previously marked by the said Inspector, in order to evade the intent and meaning of this Act, such person or persons so offending shall be prosecuted as and for a common Cheat, and be punished as such by fine or imprisonment, at the discretion of the Court before whom he or they shall be convicted as aforesaid.

VI. *And be it further enacted,* That the said Inspector or Inspectors of Red or Smoked Herrings shall not mark any box but such as shall measure on the inside eighteen inches in length, twelve inches in breadth and six inches in depth, or eighteen inches in length, nine inches in breadth, and eight inches in depth, nor unless the same shall be sufficiently seasoned, strong and well made, the covers to be well planed or shaved, and the box close packed with good, Red or Smoked Herrings of one size, and previously marked with the

the Initial of the Christian and the Sir-name in full, of the Owner or Packer of the said Red or Smoked Herrings.

VII. *And be it further enacted,* That the Inspector who shall inspect and mark any box of Red or Smoked Herrings, shall receive from the Owner thereof one penny half-penny for each and every box so inspected and marked, the said Inspector to open and sufficiently reclose the same ; and, when it shall be found necessary to cull and repack, he shall receive, in like manner, for culling and repacking each box, the sum of two pence half-penny, making in the whole for inspecting, opening, culling, repacking, reclosing and marking one box, the sum of four pence.

Allowance to Inspectors

VIII. *And be it further enacted,* That all Red or Smoked Herrings which shall be culled out and rejected by the Inspector as not Merchantable, shall be publicly destroyed by the said Inspector.

Herrings rejected

IX. *And be it further enacted,* That in such Counties where the nomination of two officers has already taken place for the present year, it shall and may be lawful for any two of His Majesty's Justices of the Peace to nominate and appoint Inspectors as aforesaid, for and during the remainder of the year, or until the Inspectors shall be appointed as herein before is directed, any thing herein contained to the contrary notwithstanding.

Justices may nominate Inspectors

X. *And be it further enacted,* That this Act shall continue in force for the term of Five Years, and from thence to the end of the then next Session of the General Assembly.

Continuation of Act

CAP. LIV.

An Act to continue the several Acts for the Regulation of the Militia.

(PASSED THE 20th DAY OF APRIL, 1833.)

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the First Year of the reign of His late Majesty King George the Fourth, entitled, An Act to provide for the greater security of this Province, by the better regulation of the Militia, and to repeal the Laws now in force, and every matter, clause and thing, therein contained, except the twenty-seventh, thirty-second, eighty-third and eighty-fourth clauses or sections of the said Act ; and also the Act, passed in the Fourth Year of His said late Majesty's Reign, to alter and continue the said Act, and every matter, clause and thing, therein contained, except the seventh clause or section of the said last mentioned Act—and also the Act, passed in the Seventh Year of His said late Majesty's Reign, in alteration and continuation of the said Acts, and every matter, clause and thing, contained in the said last mentioned Act, except the second clause or section thereof; and also the Act, passed in the Ninth Year of His said late Majesty's Reign, to alter, continue and amend, the said several Acts, and every matter, clause and thing, therein contained ; and also the Act, passed in the Tenth Year of His said late Majesty's Reign, to continue and amend the said several Acts, and every matter, clause and thing, therein contained ; and the Act, passed in the last Session of the General Assembly, to continue and amend the said several Acts, and every matter, clause and thing, in the said Acts contained, shall be continued, and the said Acts, except as before excepted, are hereby severally and respectively continued for One Year, and from thence to the end of the then next Session of the General Assembly.

Acts 1, 4, 7, 9 and 10, Geo. IV. and Act of last Session continued.

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CAP. LV.

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

(PASSED THE 20th DAY OF APRIL, 1833.)

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

BE it enacted by the President, Council and Assembly, That an Act, made and 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 Billetting of His Majesty's Troops or of the Militia, when on their March from one part of the Province to another; and also the Acts, passed in the Fifty-first and Fifty-third Years of His said late Majesty's Reign, in amendment thereof, and every matter, clause and thing, in the said Acts contained, shall be continued, and the same are hereby continued for One Year, and from thence to the end of the then next Session of the General Assembly.

CAP. LVI.

An Act to extend the Acts concerning Fire-Wards to the Town of Sydney, in the Island of Cape-Breton.

(PASSED THE 20th DAY OF APRIL, 1833.)

Act 2 William IV. continued

BE it enacted, by the President, Council and Assembly, That the Act of the General Assembly, made and passed in the Second Year of the Reign of His late Majesty King George the Third, entitled, An Act for appointing Fire-Wards, ascertaining their duty, and for punishing Thefts and Disorders at the time of Fire; and also all the several Acts since made, in addition to, or in amendment of, the said Act, and now in force, and every matter, clause and thing, in the said Acts contained, shall be extended, and the same are hereby extended, to the Town of Sydney, in the Island of Cape-Breton.

CAP. LVII.

An Act to continue an Act relating to the Court of Commissioners at Halifax.

(PASSED THE 20th DAY OF APRIL, 1833.)

Act 4 Geo. IV. continued

BE it enacted by the President, Council and Assembly, That an Act, made and passed in the Fourth year of His late Majesty's Reign, entitled, An Act relating to the Court of Commissioners at Halifax, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

CAP. LVIII.

An Act for preventing the multiplicity of Law Suits.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, the provisions of the former Act of this Province, relative to set off, have been found insufficient to prevent unnecessary cross Actions, and to promote the other objects of the said Act,

Preamble

I. *BE it therefore enacted, by the President, Council and Assembly,* That where there are mutual debts between the Plaintiff and Defendant, in any action commenced in any Court, or brought before any Justice of the Peace within the Province, or if either party sue or be sued as Executor or Administrator, where there are mutual debts between the Testator or Intestate, and either party, one debt may be set against the other, and such matter may be given in evidence upon the general issue, or pleaded in bar, as the nature of the case shall require, so as at the time of pleading the general issue, where any such debt of the Plaintiff, his Testator or Intestate, is intended to be insisted on in evidence, notice shall be given of the particular sum or debt so intended to be insisted on, and upon what account it became due, or otherwise such matter shall not be allowed in evidence upon such general issue.

Defendants allowed to set off debts due by Plaintiffs

II. *And be it further enacted,* That, by virtue of this Act, mutual debts may be set against each other, either by being pleaded in bar or given in evidence on the general issue in the manner herein before mentioned, notwithstanding that such debts are deemed in Law to be of a different nature, unless in cases where either of the said debts shall accrue by reason of a penalty contained in any Bond, or specialty, and in all cases where either the debt for which the action hath been or shall be brought, or the debt intended to be set against the same, hath accrued or shall accrue, by reason of any such penalty, the debt intended to be set off shall be pleaded in bar, in which plea shall be shown how much is truly and justly due on either side; and in case the Plaintiff shall recover in any such Action or Suit, judgment shall be entered for no more than shall appear to be truly and justly due to the Plaintiff, after one debt being set against another as aforesaid.

Debts pleaded in Bar

III. *And be it further enacted,* That, if upon trial of the issue between the Parties before any Court or Justice of the Peace, the said Court, or the Jury, or such Justice of the Peace, shall not assess damage to the Plaintiff, over and above or beyond the debt or sum which shall have been so pleaded, or of which notice of set off shall have been given as aforesaid, then the Plaintiff shall have no costs, but shall pay to the Defendant costs to be taxed as in other cases; and if upon such Trial it shall appear that the debt or sum due by the Plaintiff to the Defendant, exceeds the debt or sum due by the Defendant to the Plaintiff, a verdict in cases of Trial before a Jury shall be found, and in all cases Judgment shall be given for the said Defendant for such sum as the Plaintiff shall be found to be indebted to the Defendant, over and above or beyond the sum due by the Defendant to the Plaintiff; and that in all such cases where a verdict shall be so found by any Jury, or a Judgment shall be so given by any Court or Justice of the Peace, it shall and may be lawful for such Defendant to file his record, where such record shall be necessary, and cause Judgment to be entered up, and to sue out Execution for the amount of the Judgment so found or given, together with costs of the said action, in the same manner as he might or could have heretofore proceeded in such cases where a Verdict or Judgment was found or given for him for costs only, any law, usage or custom, to the contrary in any wise notwithstanding.

Costs of Trials

IV. *And be it further enacted,* That in all Actions which shall be commenced and prosecuted in any Court in this Province, wherein it shall be made to appear to the Court that the Plaintiff or Plaintiffs in any such Action hath or have had an opportunity in some former Suit or Action brought against such Plaintiff or Plaintiffs by the said Defendant

Plaintiffs in certain cases liable for costs

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Defendant or Defendants, of pleading or giving notice, and receiving the benefit of his, her, or their demand, by way of set off, by virtue of this Act, that then, and in such case, the Plaintiff or Plaintiffs, although a Verdict shall be found, or Judgment given, shall not be entitled to recover any costs against the Defendant or Defendants, but shall pay the said Defendant or Defendants his, her or their, costs, to be taxed and allowed according to Law.

Plaintiffs allowed costs

V. *Provided always, and be it further enacted,* That in case, on the Trial of any such Cause, the Plaintiff or Plaintiffs therein shall make it appear satisfactorily to the Court in which the same is tried, that the said Plaintiff or Plaintiffs was or were deprived of any opportunity of obtaining the benefit of his, her, or their, demand, in any former action brought against such Plaintiff or Plaintiffs by the Defendant or Defendants, either from want of evidence or other legal and sufficient cause, then, and in such case, the Plaintiff or Plaintiffs shall, at the discretion of the Court, be entitled to, and shall recover, his, her or their, costs, as in ordinary cases.

Act 28th Geo. III. repealed

VI. *And be it further enacted,* That the Act of this Province, made and passed in the twenty-eighth year of the reign of His late Majesty King George the Third, entitled, An Act for the more effectually carrying into execution the provisions of an Act, made in the sixth year of His Majesty's reign, entitled, An Act to prevent the multiplicity of Law Suits, and every matter, clause and thing, therein contained, be, and the same are hereby, repealed.

CAP. LIX.

An Act in addition to, and in explanation of, the Acts now in force relative to the extension of the Terms of the Supreme Court at Halifax.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, doubts have arisen whether the Laws now in force relative to the extension of the Terms of the Supreme Court enable the Judges of the said Court to extend the Term of Saint Hilary, held on the second Tuesday of January in each year; *And whereas,* the said Term has frequently been extended: therefore, for removing such doubts,

Hilary Term may be extended

I. *BE it enacted, by the President, Council and Assembly,* That the Judges of the Supreme Court have, and shall continue to have, the same power to extend the said Term of Saint Hilary, heretofore held at Halifax on the second Tuesday of January in each year, that they have to extend other Terms of the said Court, whenever the multiplicity of business renders it necessary for them so to do.

Proceedings of last Term confirmed

II. *And be it further enacted,* That all the proceedings of the said Court which have taken place, either in criminal or civil cases, during the days on which the said Term of Saint Hilary has heretofore been extended, are and shall be as good and valid, to all intents and purposes, as if such proceedings had taken place during the Term as by Law appointed to be held.

Hilary, Easter, and Michaelmas Terms may be extended.

And whereas, the Justices of the Supreme Court cannot, under the Laws now in force, extend the Terms of the said Court at Halifax for more than six days, which restriction hath been found inconvenient:

III. *Be it therefore enacted,* That it shall and may be lawful for the said Justices to continue the Terms of Hilary, Easter and Michaelmas, at Halifax, for as many days as they shall in their discretion think fit, and during the same to enforce the attendance of the Petit Jury as convenience shall require; and also of any Special Jury which shall be struck for the Trial of any Cause pending in the said Court.

IV. *And be it further enacted*, That the Hilary Term of the Supreme Court shall hereafter commence on the first instead of the second Tuesday of January in each year, any Law, usage or custom, to the contrary notwithstanding.

Hilary Term to
commence first
Tuesday of
January

CAP. LX.

An Act in amendment of the Act for granting Duties on Licences for the sale of Spirituous Liquors, and for other purposes, to Persons resident within the Town of Halifax.

(PASSED THE 20th DAY OF APRIL, 1833)

WHEREAS, in and by the the fourth Section of the Act, passed in the last Session of the General Assembly, entitled, An Act for granting Duties on Licences for the Sale of Spirituous Liquors and for other purposes, to Persons resident within the Town of Halifax, It is provided and enacted, that the whole duty on Auction Licenses should be paid over to the Commissioners of Streets, for the Town and Peninsula of Halifax, to be applied to the construction and completion of the new line of Road and Bridge leading Southwardly over Fresh Water River; *Provided*, the sum so applied should not exceed One Hundred Pounds.

Preamble

And whereas, the Auction License Duties, collected and received under the said Act, will much exceed the said sum of One Hundred Pounds, and the said Bridge over Fresh Water River, having been built and completed, has cost considerably more than One Hundred Pounds.

I. BE it therefore enacted, by the President, Council and Assembly, That it shall and may be lawful for said Commissioners of Streets for Halifax, out of the Monies to be received by them under the said Act, as the amount of Duty on Auction Licenses, to pay the whole amount of the price or expence of constructing and completing the said Bridge, whether the same shall or shall not exceed the said sum of One Hundred Pounds, and the balance and residue of such Duty on Auction Licenses shall be paid and applied by the Commissioners of Streets, for and towards the same purposes as other License Duties received by them are payable and applicable under the Statutes of this Province.

Application of
Auction Li-
cence Duty

CAP. LXI.

An Act relative to the Allowance to Collectors of Town, County and Poor Rates at Halifax.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, since the passing of an Act, made and passed in the Fifty-Seventh year of the Reign of His late Majesty King George the Third, entitled, An Act to alter and amend the several Acts of this Province, relative to Town, County and Poor Rates, the Population of the Town and Peninsula of Halifax has very considerably increased, and the duties of the Collector of Town, County and Poor Rates, have thereby become more arduous and laborious:

Preamble

I. BE it therefore enacted, by the President, Council and Assembly, That the Court of General Sessions of the Peace in and for the District of Halifax, upon the recommendation of the Grand Jury, shall, and they are hereby authorised, to establish the

Allowance to
Collectors in-
creased

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Rate of Commission to be allowed the Collector of the said Rates at Halifax, the same however not to exceed Seven Pounds Ten Shillings for every Hundred Pounds by him collected and paid.

CAP. LXII.

An Act to Restrain the Issue of certain Promissory Notes and for other Purposes.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, divers undertakings in writing, purporting to be Promissory Notes, Bills or Bank Notes, for the payment of small sums of money on demand, to some real or fictitious person, or to the bearer thereof, and declared or intended to be negotiable and transferable, by delivery only, or with or without indorsement thereof, and made payable, either in Specie, or in Provincial Treasury Notes, or in other the Notes or Undertakings of some Company, Partnership, or Individual, have been issued and put in circulation in this Province, to a great amount, by certain partnerships, companies, and individuals. And whereas, doubts have arisen whether such Writings are legally negotiable or payable to the bearer thereof:

Liability of Issuers of Notes

I. Be it therefore enacted, by the President, Council and Assembly, That, from henceforth, every such undertaking in writing, already issued, or which may hereafter be issued, by any person or persons, or by any Body Politic or Corporate, shall be, and is hereby made and declared to be, negotiable and transferable; and the money therein mentioned shall vest in, and be payable to, the Indorsee, Holder, or Bearer thereof; and if the same shall not be paid to such Indorsee, Holder or Bearer, by the Issuer or the Issuers thereof, when payment thereof shall be demanded, according to the tenor of such undertaking in writing, every such Indorsee, Holder, or Bearer, of any such undertaking in writing, shall and may sue for, and recover, the amount therein expressed, as if the same were a Promissory Note, and were made absolutely payable in Gold or Silver money, any law or usage to the contrary notwithstanding.

Promissory Notes of Companies or Individuals not to be less than 5l.

II. And be it further enacted, That, from and after the first day of January next, if any Body Politic or Corporate, or any company, partnership, person or persons, whomsoever, shall make, sign, issue, or reissue, any Promissory Note in writing, payable on demand, or at sight, or at a future day, to any real or fictitious person, or to the Indorsee, Holder, or Bearer thereof, for any sum of money less than Five Pounds, every such Body Politic or Corporate, company, partnership, person or persons, shall for any such undertaking in writing or Promissory Note, so made, signed, issued or reissued, forfeit and pay a penalty of Ten Pounds.

Bills of Exchange, Drafts, &c. of less amount than 5l.

III. And be it further enacted, That if any Body Politic or Corporate, company, partnership, person or persons, shall publish, utter or negotiate, any Bill of Exchange, Draft, Check or Undertaking, in writing, being negotiable or transferable, for the payment of any sum less than Five Pounds (the same not being a Promissory Note or undertaking in writing, as hereinbefore described or mentioned) every such Body Politic or Corporate, company, partnership, person or persons, shall, for every such Bill of Exchange, Draft, Bill or undertaking in writing, so published, uttered or negotiated, forfeit and pay a penalty of Ten Pounds.

Proviso

IV. Provided always, and be it further enacted, That nothing herein before contained shall extend, or be construed to extend, to any Bill of Exchange, Draft, Check, or order, drawn by any person or persons on his or their Banker, or any person or persons acting as such Banker, for the payment of money by him or them held to the use of, or due to, the person or persons by whom such Bill of Exchange, Draft, Check, or Order, shall

shall be drawn; *And provided also*, That nothing herein contained shall extend, or be construed to extend, to prevent any person or persons actually indebted to another in any sum of money less than Five Pounds, from making and signing to such Creditor a Promissory Note or undertaking in writing for the amount of such debt, so being under Five Pounds.

V. *And be it further enacted*, That the several penalties hereby imposed and made payable, shall and may be sued for and recovered by any person who will prosecute therefor; and in the same manner, as if the same were a debt due to himself, and shall be adjudged to him, with costs of suit, and one moiety of the penalties, when recovered, shall be to the use of the party prosecutor, and the other moiety shall be paid to the use of the Poor of the place where the action shall be instituted.

And whereas, in and by the thirty-first and thirty-second sections of the Act, passed in the last Session of the General Assembly, entitled, An Act to incorporate sundry Persons by the name of the President, Directors and Company, of the Bank of Nova-Scotia, the Corporation thereby established is required to pay all Bills or Notes thereby issued in Gold or Silver on demand: *And whereas*, so long as the Legislature deem it conducive to the interests of the Province to issue and keep in circulation Treasury Notes, it is impolitic and inexpedient to prohibit any Banking Company from making their Bills or Notes redeemable in such Treasury Notes.

VI. *Be it therefore enacted*, That, from and after the passing of this Act, it shall and may be lawful for the said Corporation, or other Bankers, to issue Bills or Notes, payable either in Gold or Silver, or in Treasury Notes issued under the Laws of this Province, at the option of such Corporation, or other Bankers, any matter or thing in the said Act hereinbefore last mentioned to the contrary thereof notwithstanding.

Prosecution of Penalties

Banking Companies allowed to respond their Notes with Treasury Notes

CAP. LXIII.

An Act relating to Compensation to Collectors of Poor Rates.

(PASSED THE 20th DAY OF APRIL, 1833)

WHEREAS, doubts are entertained whether Collectors of Poor Rates of the several Townships within this Province are entitled to Commission on the Sums by them collected for the Support of the Poor: to remove such doubts—

I. *Be it therefore enacted, by the President, Council and Assembly*, That the Court of General Sessions of the Peace shall, and they are hereby authorised to, establish the rate of Commission to be allowed to the Collector of the said Poor Rates, the sum, however, not to exceed Five Pounds for every Hundred Pounds by him collected.

Preamble

Justices to establish Commission to Collectors

CAP. LXIV.

An Act in further amendment of the Act for making further Provisions for the equal Administration of Justice in the Province of Nova-Scotia.

(PASSED THE 20th DAY OF APRIL, 1833)

Be it enacted, by the President, Council and Assembly, That it shall and may, be lawful for William Q. Sawers, Esquire, the present First Justice of the Inferior Court of Common Pleas, for the Eastern Division of the Province, at all times hereafter, or during such time as the Governor, Lieutenant-Governor, and Commander in Chief for the time being, shall appoint, to reside and dwell in any part of the District of Halifax, any law, usage or custom, to the contrary notwithstanding.

W. Q. Sawers, Esq. allowed to reside in District of Halifax

CAP.

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CAP. LXV.

An Act for appointing Trustees for the Lands granted for the Dissenting Minister in the Township of Annapolis.

(PASSED THE 26th DAY OF APRIL, 1833.)

Preamble

WHEREAS, in and by a certain Grant, under the Great Seal of this Province, bearing date the Thirtieth day of October, in the Year of Our Lord One Thousand Seven Hundred and Sixty-Five, made to Edward Whitman and others, of the Township of Annapolis, there is granted for the first Dissenting Minister one right or share of Five Hundred Acres of Land. And whereas, there are no Trustees appointed by the said Grant, for the said Lands :

Appointment of Trustees

I. Be it therefore enacted, by the President, Council and Assembly, That, from and after the passing of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to nominate and appoint three fit and proper persons, being Freeholders, and resident within the Limits of the said Grant, who shall be Trustees for said the Lands, so granted by the said Grant for the Dissenting Minister, as hereinbefore mentioned, and, on the Death or Resignation of any or either of the said Trustees, to fill up the vacancy thereby occasioned.

Power of Trustees

II. And be it further enacted, That such Trustees, when so appointed, shall be invested with the Legal Estate and interest in the said Lands hereinbefore mentioned, in and upon the Trusts, and for and upon the uses and purposes, for which the same may have been granted in and by the said Grant, and such Trustees shall have power to sue and be sued for and in respect of any matter or thing touching or concerning the Lands or any part thereof so granted as aforesaid, in their own names, as the Legal Owners of such Lands.

Trustees empowered to lease Lands

III. And be it further enacted, That the said Trustees shall have power and authority to lease and manage all or any of the said granted Lands, as shall be most beneficial and advantageous for promoting the uses and purposes respectively for which the said Lands have been granted by the said Grant, and shall apply the Rents and Profits of such Lands for the uses and purposes, aforesaid. Provided, That the said Trustees shall not have power to make any Lease of the said Lands, or any part thereof, for a longer term than Ten Years from the date hereof.

Proviso

CAP. LXVI.

An Act to encourage the Manufacture of Tobacco in this Province, and for granting a Drawback of the Provincial Duty on Leaf Tobacco, used in the Manufacture thereof.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, the Manufacture of Tobacco from the Leaf employs a vast number of Hands, and tends to the employment of Labourers and Children, and is otherwise beneficial to the Interests of this Province

Drawback allowed Manufacturer of Tobacco

I. BE it therefore enacted, by the President, Council and Assembly, That any person or persons, who shall carry on the Manufacturing of Twist and Fig Tobacco, Cigars and Snuff, within this Province, shall be entitled to receive a Drawback of the Provincial Duty now payable on Leaf Tobacco imported into this Province.

II. Provided always, and be it further enacted, That, previous to the removing any Leaf Tobacco to the place where the same shall be Manufactured as aforesaid, such Person

person or persons shall procure a Permit for the removal of the same from the Collector of Impost and Excise. *And provided also*, That such person or persons shall make a particular account in writing of the Leaf Tobacco which shall have been used in the Manufacture of the above enumerated Articles, previous to the time of demanding the said Drawback, and deliver the same, together with the Permits granted for the removal of the said Leaf Tobacco, to the Collector of Impost and Excise, and that the person or persons concerned in such Manufacture shall make Oath before such Collector of Excise of the truth of such Account, and that all the Tobacco in such Account has been manufactured by him or them.

Course to be pursued by Persons claiming Drawbacks

III. *And be it further enacted*, That after such Accounts and Permits shall have been rendered to the said Collector, and the said Oath made, the amount of the Provincial Duty, paid or payable on such Leaf Tobacco, shall be paid to the said person or persons, or credited on the Bond or Bonds or other Securities given for securing the said Duty, in the same manner as is provided and practised in the Case of Exportation of Goods liable to receive Drawback.

Drawbacks paid or credited

IV. *And be it further enacted*, That all and every the Collector or Collectors of Impost and Excise shall be and they are hereby authorised to administer the Oath by this Act appointed to be taken and made, and if any person or persons shall make Oath to any false Account, or shall falsely swear to any matter or thing hereby required to be verified on Oath, before such Collector or Collectors, the person or persons so offending shall be deemed guilty of wilful and corrupt perjury, and shall, on conviction thereof, be liable to, and suffer, all the pains and penalties by Law inflicted on persons guilty of wilful and corrupt perjury.

Oath to be taken by Persons claiming Drawback

V. *And be it further enacted*, That all person or persons who at any time since the first day of January last shall have been engaged in the manufacturing of Leaf Tobacco in this Province, shall be entitled to and allowed a like Drawback of the Provincial Duty paid or payable on all the Leaf Tobacco consumed or employed in such Manufacture, and in the same manner as is hereby granted, of the Provincial Duty of Leaf Tobacco, as shall be hereafter so consumed or used. *Provided*, that within Three Months an Account of the Leaf Tobacco so consumed, and such Affidavit of the truth thereof, as is by this Act required, be given to, and made before, the Collector of Impost and Excise.

Drawback allowed retrospectively

VI. *And be it further 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 Thirty-Four, and no longer.

Continuation of Act

CAP. LXVII.

An Act to continue and amend the Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine.

(PASSED THE 20th DAY OF APRIL, 1833.)

BE it enacted by the President, Council and Assembly, That the Act, passed in the last Session of the General Assembly, entitled, An Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for one year, and from thence to the end of the then next Session of the General Assembly.

Act of last Session continued

II. *Provided always, and be it further enacted*, That all fines, penalties and forfeitures, imposed or incurred by or under said Act, or any of the clauses, provisions, or regulations

Prosecution of Fines, &c.

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gulations thereof, when the whole amount of such fine, penalty, or forfeiture, shall not exceed Five Pounds in the whole, shall and may be prosecuted, recovered, levied and paid, before, and by order of, any two of His Majesty's Justices of the Peace, in and for the County or District where the offence shall have been committed.

CAP. LXVIII.

An Act respecting Stray Horses and Cattle, in the County of King's County, and for enabling the Owners thereof to discover the same.

(PASSED THE 20th DAY OF APRIL, 1833.)

Detention of
Stray Horses,
&c. in King's
County

BE it enacted, by the President, Council and Assembly, That, from and after the passing of this Act, whenever any Horse or Horses, Cow, Ox, or Cattle of any description, or any Hog or Sheep, shall stray into any Barn-yard, Field, Pasture or enclosed place, of any person or persons whomsoever, within the county of King's County, and the Owner or Owners of such Barn-yard, Field, Pasture or enclosed place, shall not turn such Horse or Horses, Cow, Ox, or Cattle of any description, or any Hog or Sheep, out of such Barn-yard, Field, Pasture or enclosed place, but shall detain any such Horse or Horses, Cow, Ox, or Cattle of any description, or any Hog or Sheep, in his or their possession, for twenty-four hours, such person or persons shall, after the expiration of twenty-four hours, forthwith transmit to the Office of the Town Clerk, in the Township where he may reside, or if the place of residence of such person or persons shall not be within the Limits of any Township in the said County, then to the Town Clerk of the Township in the said County, next adjoining to the place of residence of such person or persons, a description of each Horse, Ox, Cow or other Head of Neat Cattle, or Hogs, or Sheep, with the colour, size, ear-mark, (if any,) age and particular marks thereof, as near as may be, so that the Owner or Owners thereof may be enabled to recognize such description, and shall also, at the foot thereof, write a notice of the time when, and the place where, the said Stray Animal has been found, and also the place where the same can be obtained by the Owner.

Notice and
description to
be given

Notice and de-
scription to be
filed in Office
of Town Clerk

II. And be it further enacted, That such description shall be carefully kept and filed by the said Town Clerk, and a Copy thereof be posted up in some place in his Office together with the said notice of the time and place when and where the said Stray or Lost Animal has been found, and the place where the same can or may be obtained, for at least ten days after the same has been forwarded to, and left with, the said Town Clerk, and the said Town Clerk shall be entitled to demand, and shall be paid, a fee of One Shilling, for each and every Horse, Ox, Cow or other head of Neat Cattle, Hog or Sheep, mentioned in any such description and notice as aforesaid.

Stray Cattle
unclaimed may
be sold

III. And be it further enacted, That if no person shall come forward to claim such Stray or Lost Animal, within the said ten days, it shall and may be lawful for the person or persons so finding the said Stray or Lost Animal to apply to any Justice of the Peace of the said County of King's County, who, upon proof of the due exhibition of the said description and notice in the Office of the said Town Clerk, shall, by an order under his Hand and Seal, direct any Constable of the Town or place where he shall reside to sell such Lost or Strayed Animal at Public Auction, and the same shall be sold by such Constable, in pursuance of such Order, after public notice given of such Sale, by placing notices thereof in three of the most public places within the Town or place where such Sale shall be made, for six days before the day of Sale.

Proceeds of
Sale of Stray
Cattle

IV. And be it further enacted, That, after deducting from the proceeds of such Sale, Five per Cent. upon the amount thereof, for the allowance of the said Constable, for his trouble

trouble in such advertising and Sale, and also, the just and reasonable expences of keeping such Stray or Lost Animal, and the Fee herein before directed to be paid to the Town Clerk, the balance or residue of the proceeds of such Sale shall be paid into the hands of the Overseers of the Poor for the use of the Poor in the Town or place where such Stray or Lost Animal shall or may be found, unless the Owner or Owners of such Stray or Lost Animal shall apply for such balance or residue within twelve months after such Sale, when the said Owner or Owners shall be entitled to receive the said balance or residue.

V. *And be it further enacted*, That if the Owner or Owners of any such Lost or Stray Animal shall make application to obtain the same before the Sale thereof, such Owner or Owners, before receiving the same, shall be bound to pay to the person or persons who shall or may have found the same, the reasonable expences for keeping the same, together with the Fee herein before directed to be paid to the Town Clerk for advertising the description thereof.

Cattle claimed before sale

VI. *And be it further enacted*, That if any question shall arise between the Owner or Owners or Overseers of the Poor, and the person or persons who shall have found any such Stray or Lost Animal, either respecting the ownership of such Lost or Stray Animal, or the amount of expence incurred for keeping the same, it shall and may be lawful for the parties or either of them to apply to two Justices of the Peace in and for said County, which Justices are hereby authorised and empowered to determine the matter in question, and to make such order thereon as may appear to them just and proper.

Questions respecting Stray Cattle how determined

VII. *And be it further enacted*, That if any person or persons who shall or may have found and detained in their Custody for twenty-four hours any such Lost or Stray Animal, shall not, within a reasonable time thereafter, forward and transmit the description and notice herein before mentioned, to the Town Clerk, such person or persons shall be liable, to and shall pay, if the Animal found shall be a Horse, Ox, Cow or other Head of Neat Cattle, a penalty of two pounds, and if a Hog or Sheep, a penalty of one pound, such penalty to be recovered by any person who shall sue for the same, in the same manner and by the same means as debts of the same amount are or may be legally recoverable, and shall be paid, one half to the person who will sue for the same, and the other half for the use of the Poor. *Provided always*, that nothing herein contained shall deprive the Owner or Owners of such Stray or Lost Animal in any case where the provisions of this Act shall not be complied with, of any remedy by Civil Suit or Action against the person or persons who shall or may have found such Lost or Stray Animal, and shall have neglected to comply with the requisites of this Act.

Liability of Persons detaining Stray Cattle

Proviso

CAP. LXIX.

An Act to enable the Proprietors of the adjoining Lands to shut up and enclose a certain Road in the Township of Horton.

(PASSED THE 20th DAY OF APRIL, 1833.)

WHEREAS, a certain old line of road in the Township of Horton, being the old road from the foot of the Hill near John Westcott's, up the Bishop Hill to the Allen road, so called, towards Falmouth, has been, in consequence of the opening of a new and more convenient line of road within a short distance, nearly parrallel thereto, rendered useless; and the keeping open of the said old road is attended with great expence to the Proprietors of the Lands adjoining to the said road, by reason of the Fences required on the said road, without producing any benefit to the public.

Fence blo

BE it therefore enacted by the President, Council and Assembly, That it shall and may be lawful for the Proprietors of Land adjoining the said old line of Road from the foot

Authority to enclose certain Roads

799.

foot of the Hill near John Westcott's up the Bishop Hill to the Allen road, so called, towards Falmouth, to shut up and enclose the said old road ; and the Property therein shall be vested in the Proprietors of the Lands adjoining thereto ; and where the Lands on the two sides of the said road shall be owned by different Proprietors, then, and in every such case, the line of division between such Proprietors shall be the centre of the said road.

CAP. LXX.

An Act to encourage the killing of Bears, Loup Cerviers and Wild Cats.

(PASSED THE 20th DAY OF APRIL, 1833.)

Preamble

WHEREAS, great damage hath been done of late years by Bears, Loup Cerviers and Wild Cats, killing and destroying Sheep and Cattle in this Province :

Sessions with consent of Grand Juries may encourage killing of Bears &c.

I. Be it therefore enacted by the President, Council and Assembly, That, from and after the publication hereof, the Courts of General Sessions, in the several Counties and Districts of this Province, with the approval and assent of the respective Grand Juries therein, shall and may establish rules and orders for encouraging the killing of Bears, Loup Cerviers and Wild Cats, and appoint such rewards to be paid therefor as they shall think proper.

Rewards how provided

II. And be it further enacted, That it shall and may be lawful for the Justices in Sessions and the Grand Juries to raise by assessment, and to collect in the same manner as County Rates are assessed and collected, such sum or sums as shall be necessary in the respective Counties and Districts, for paying the rewards which may be appointed, and shall from time to time become due, under and by virtue of this Act.

Continuation of Act

III. And be it further enacted, That this Act shall continue and be in force for three years, from and after the passing thereof, and from thence to the end of the then next Session of the General Assembly.

CAP. LXXI.

An Act to provide against the occurrence of Diseases from the bite of Animals.

(PASSED THE 5th DAY OF MARCH, 1833.)

Preamble

WHEREAS, there is reason to apprehend that the very dangerous disease arising from the bite of Dogs, or other Animals, in a rabid state, has, in several recent instances, occurred in this Province, and is likely to extend, to the imminent danger of His Majesty's Subjects :

Justices empowered to make regulations respecting Dogs afflicted with Canine Madness

Be it therefore enacted, by the President, Council and Assembly, That, immediately after the passing of this Act, or at any time hereafter, it shall and may be lawful for the Justices assigned to keep the Peace within the several Counties and Districts of this Province, at any of their General or Special Sessions of the Peace, or for any two of such Justices, whereof one shall be a Judge of the Court of Common Pleas, to meet together for the purposes of this Act, and to make, ordain, and put in execution, all such rules, orders and regulations, as they shall deem necessary or expedient to adopt, as well for preventing the going at large of Dogs or other Animals, by whose bite the disease called "Canine Madness" may be occasioned, as for preventing the occurrence or progress of the disease aforesaid ; and also, to order and ordain that all Dogs, or other Animals, affected by, or labouring under, the said disease, or exhibiting any of the symptoms attending Canine Madness, or by whose bite the same may probably be communicated to.

to any Persons, or Animals, whomsoever, shall be forthwith destroyed, whenever they shall be found running at large, and further, to give such orders and directions as to such Justices shall seem necessary or prudent, against the happening of accidents, from the bite of any such diseased Animal, and to prohibit sale of the flesh of any Animal which shall have died in consequence of having been bitten by any Dog or Animal laboring under, or affected by, the symptoms attending Canine Madness

II. *And be it further enacted*, That it shall be lawful to and for such Justices as aforesaid, by whom any such orders or regulations shall be made, or other the Justices in General or Special Sessions, to change, alter, or revoke the same, or any part thereof, and to make other or different orders and regulations, under and for the purposes of this Act, and to enforce obedience thereto respectively, by any penalty or penalties not exceeding the sum of Ten Pounds for any one offence, as in such orders or regulations respectively shall be expressed and directed.

Justices authorised to alter regulations

III. *And be it further enacted*, That it shall be lawful for any Constable or other Person either to kill or destroy any Dogs, or other Animals, in a rabid state, or otherwise liable to communicate, by their bite, the said disease, which shall be found at large, contrary to the provisions of any such orders or regulations, or to secure and place in safe confinement all Dogs or other Animals which shall appear to be laboring under the disease aforesaid, or exhibiting any symptoms thereof.

Constables or other Persons authorised to kill mad Dogs

IV. *And be it further enacted*, That all penalties, in and by the said orders or regulations to be imposed, shall and may be sued for and recovered before any two of His Majesty's Justices of the Peace, having jurisdiction in the County or District where the offence was committed, and in the name of any Person who will sue for the same, to be recovered and levied as Debts, and to be applied to the benefit of the Poor therein.

Penalties how recovered

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

Continuation of Act

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