

ACTS

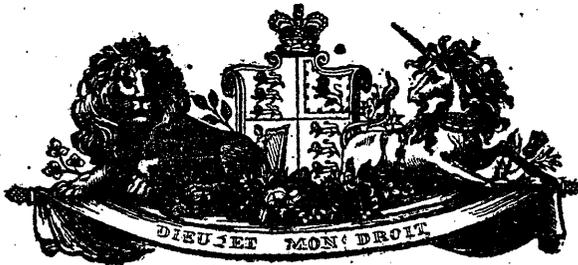
OF

THE GENERAL ASSEMBLY

OF THE

PROVINCE OF NOVA-SCOTIA.

1846.



HALIFAX:

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TABLE
OF
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OF THE
Province of Nova-Scotia.

ANNO NONO VICTORIÆ REGINÆ.

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At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Saturday, the Tenth day of January, 1846, in the Ninth Year of the Reign of our Sovereign Lady **VICTORIA**, by the Grace of **GOD**, of the United Kingdom of Great Britain and Ireland, **QUEEN**, Defender of the Faith, &c. &c. &c., being the Fourth Session of the Eighteenth General Assembly convened in the said Province*

* In the time of The Viscount **FALKLAND**, Lieutenant-Governor ; **SIMON BRADSTREET ROBIE**, President of the Legislative Council ; **WILLIAM YOUNG**, Speaker of the Assembly ; **SIR RUPERT D. GEORGE**, Bart., Provincial Secretary ; and **JOHN WHIDDEN**, Clerk of Assembly.

CAP. I.

An Act in Relation to the Expenditure of Public Monies on the Highways.

(Passed the 28th day of February, 1846.)

BE it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, by and with the advice of the Executive Council, some time before the Fifteenth day of May, and from time to time thereafter in case of necessity, annually to nominate and appoint fit and proper persons to act as Commissioners for directing and superintending the expenditure of such respective sums of money as have been or may be granted for the purpose of making and repairing Roads and Bridges in the several Counties and Districts of this Province, and all or any of the said Commissioners at pleasure to remove, and others from time to time to appoint in their place in manner aforesaid, and the Provincial Secretary shall furnish the Treasurer of the Province with a list of the names of all such Commissioners, and the sums of money to be by them expended respectively, and shall give to the said Treasurer due notice of all alterations made in the said Commissions respectively, and shall, within twenty days after such appointments, have the Commissions for such Commissioners and the Bonds to be entered into by them (where such Bonds are required) transmitted and ready for execution.

Governor to appoint Commissioners.

II. *And be it enacted,* That the Commissioners so to be appointed as aforesaid, where the whole amount to be expended shall exceed the sum of Twenty Pounds, shall, before entering upon the duties of the said office, give good and sufficient security by Bond with two sureties to the satisfaction of any two Justices of the Peace for the County where such respective Commissioners may be appointed, in double the amount of the sum to be expended under their direction, faithfully to lay out and account for such sum according to Law, and such Justices shall certify their approbation and the sufficiency of such sureties upon the back of the Bond so to be entered into by the said Commissioners and sureties.

Commissioners to give Bonds.

III. *And be it enacted,* That each and every Commissioner so to be appointed as aforesaid, shall be entitled to receive a Warrant on the Treasury for the whole sum to be expended, and the Treasurer shall retain in his hands, where the whole amount of any such Warrant shall not exceed the sum of Twenty Pounds, the whole

Warrants—in what manner to be paid.

whole, and where the same shall exceed the said sum of Twenty Pounds, two-third parts of the amount of every such Warrant respectively, until the whole sum shall have been duly laid out and expended.

Monies to be expended by Tender and Contract.

IV. *And be it enacted*, That all Monies hereafter to be appropriated for the service of Roads and Bridges, shall be expended by Tender and Contract, except in such cases where it shall appear to the Commissioner that such Monies or portions thereof cannot be so advantageously expended by Tender and Contract as by days' work, in which case it shall be lawful for the Commissioner to expend such Monies, or such portions thereof as may be requisite, by days' work : *Provided always*, that the Commissioner who shall so expend Money by days' work, in whole or in part, shall render an account thereof upon Oath, in writing, to the Treasurer of the Province, which Oath shall be administered by any Justice of the Peace without fee or reward, and shall be in the words or to the effect following :

Proviso.

Form of Oath

I. A. B. do swear that the annexed (or foregoing) account is just and true, that the monies by me expended have been fairly and honestly applied for the purpose for which they were granted ; that I procured the best Labor in my power to procure, and at the lowest rate of wages, and that the days work charged in the said Account has been, in my opinion and belief, more advantageous to the Public than if the expenditure of the same had been made by Tender and Contract.

(Signed) A. B. Sworn to at this day of 18 Before me J. P.

Contract where the amount to be expended exceeds £20.

V. *And be it enacted*, That before any such Contract shall be entered into, due notice thereof shall be given by the Commissioner by advertisements posted up for at least ten days previously, in the places usual for Public notices, in the County or District where the work is required to be done, and the Commissioner shall require and receive sufficient security from the Contractor, for the performance of such Contract within the time therein specified, and shall in all respects conform to the true intent and meaning thereof, and shall transmit to the Secretary of the Province, the originals or copies of all such Contracts exceeding Ten Pounds, and the Commissioner shall in all cases where the whole amount to be expended exceeds Twenty Pounds, pay and satisfy to such Contractor, from time to time as the work shall be proceeded in, monies on account, until one third part of the sum contracted for shall have been paid and satisfied, but shall not pay the remaining two third parts until the whole work shall be completed and finished agreeably to Contract—all which said Contracts shall be made to expire on or before the last day of September in each year, in which such Contracts shall be entered into, except in cases of Contracts for the opening of new Roads and improving such as have not been used for Wheel Carriages, and for erecting Bridges, which shall and may be lawfully entered into and extended until the Thirty First day of October in each year, and all such Contracts shall be as near as may be in the words following :

Form of Contract.

Articles of Agreement made this day of One Thousand Eight Hundred and between A. B. Commissioner, of of the one part, and C. D. of and E. F. and G. H. of as sureties of the said C. D. of the other part as follows, viz : The said C. D. and the said E. F. and G. H. as his sureties for the consideration hereinafter mentioned, do for themselves, their Executors, and Administrators, agree with the said A. B. his Executors and Administrators, that he the said C. D. his Executors or Administrators, shall and will on or before the day of next, in a good and workmanlike manner, well and sufficiently to the satisfaction of the said A. B. In consideration whereof the said A. B. for himself, his Executors, and Administrators, doth hereby agree with the said C. D. his Executors and Administrators, that he the said A. B. his Executors or Administrators, shall and will well and truly pay unto the said C. D. his Executors or Administrators, the sum of in manner following, that is to say—one third part thereof from

from time to time as the said work shall be proceeded in, and the remaining two-third parts thereof, when the work shall be completed and finished according to this Contract. In witness whereof the said parties have hereunto interchangeably set their hands and seals the day and year first above written.

Signed, Sealed, and Delivered }
in presence of }

(Signed) { A. B. (Seal.)
C. D. (Seal.)
E. F. (Seal.)
G. H. (Seal.)

VI. *Provided always, and be it enacted,* That where the sum to be expended on any particular work shall not exceed Twenty Pounds, it shall not be imperative upon the Commissioner to require the Contractor to enter into the formal Contract hereinbefore prescribed, but it shall be sufficient to make a memorandum in writing as hereafter mentioned, and such memorandum in writing so made and signed by the Contractor and his surety and the Commissioner respectively, shall be binding upon such Contractor and his surety, for the due performance of such Contract as shall be entered into; and also upon the said Commissioner for the payment of all such sum or sums of money as shall be thereby agreed upon, which said memorandum shall be as near as may be in the words following :

Memorandum of agreement when amount does not exceed £20.

A. B. of hereby agrees with C. D. of to perform the following work, that is to say: and to complete the same in a good and workmanlike manner on or before the day of next. For the due performance whereof E. F. of hereby becomes surety for the said A. B. and the said C. D. as Commissioner for the performance of such work, hereby agrees with the said A. B. on the due performance of his Contract as aforesaid, to the satisfaction of the said C. D. to pay him the sum of therefor.
Dated this day of 184

Form of agreement.

(Signed) { A. B.
C. D.
E. F.

VII. *And be it enacted,* That Commissioners expending such monies in whole or in part by Contract, shall be, and they are hereby required respectively to make a return under Oath, to the Secretary's Office, stating the amount of the different Contracts so entered into by them, which Oath shall be administered by any Justice of the Peace, without fee or reward, and shall be in the words or to the effect following :

Return to be made under Oath.

I, A. B. do swear that the Contract referred to in the annexed (or foregoing) account hath been faithfully executed, and the money voted for such work hath been laid out properly, and to my entire satisfaction.

Form of Oath.

Sworn to at this day of 18 (Signed) A. B. Before me.

J. P.

VIII. *And be it enacted,* That if any two Justices of the Peace in and for the County wherein any such Road Money has been expended, by Contract or otherwise, shall certify to the Governor that the work or labor upon any Road or Bridge hath not been faithfully performed, or that any Contract hath not been faithfully and honestly executed, then, and in such case, the Commissioner therefor shall not draw the remaining two-thirds; or in cases where the whole amount shall not exceed the sum of Twenty Pounds as aforesaid, any part of the money entrusted to him to expend, but the Court of General Sessions for the said County, or any Special Sessions to be called for the purpose therein, shall in such way and manner as shall appear to be most convenient, enquire into the expenditure of such Road Money, the performance of the labor, and the execution of the said Contract, notwithstanding the same may have been performed to the satisfaction of the Commissioner, and the said Court of General or Special Sessions shall, and they are hereby authorised to certify to the Governor the particulars of such expenditure, and also the sum which in their judgment and opinion ought to be paid to the said Commissioner,

When work is not faithfully performed, money not to be drawn until reference is made to the Sessions.

sioner; which sum only the said Commissioner shall receive from the Treasury of the Province.

Damage to be appraised.

IX. And be it enacted, That in case it may be necessary or expedient for any Commissioner to procure materials for the repair of the Roads to which he may be appointed; it shall and may be lawful for the Commissioner, where, from the absence or obstinacy of the owners or possessors of the soil, no agreement can be made with them, to enter with Workmen, Carts, Carriages and Horses, upon any unfenced and uncultivated Lands, and therefrom to dig up, take, and carry away, for the repair of the said Roads, any stones or gravel, and also therefrom to cut down and carry away trees, brushes, logs, poles, and brushwood, to repair the said Roads, and the damage done thereby shall be appraised and ascertained by the judgment of three indifferent Freeholders, to be nominated by the nearest Justice of the Peace for that purpose, and the sum so ascertained shall be paid by the Commissioner to the owner of the soil, if demanded, within three calendar months after the time of such appraisement.

Encroachment on Roads.

X. And be it enacted, That the said Commissioners shall examine the breadth of the Roads within their respective Districts, and when it shall appear that any encroachment or obstruction hath been made, put or placed, in or upon the same, the said Commissioners shall forthwith give notice to the owner or possessor of the Land adjoining the said Road, that unless the said Road shall be opened and cleared to its proper breadth within thirty days, the persons who shall have erected or continued the obstruction, will be prosecuted as the Law directs.

Return to be made of breadth of Roads.

XI. And be it enacted, That the said Commissioners shall make an accurate return of the breadth of all such Roads, and of incumbrances thereon, to Her Majesty's Supreme Court, or Court of General Sessions of the Peace for the County or District where the offence shall have been committed, at its next sitting after the appointment of such Commissioners, in order that such proceedings may be thereupon had, as by the said Court shall be deemed necessary and proper to carry into effect the provisions of the Acts relating to Highways, Roads, and Bridges, and for preventing Nuisances.

Number of Laborers.

XII. And be it enacted, That there shall not be employed in any one day more than forty Laborers to work under one Commissioner, and the wages of all such Laborers shall be paid in cash only.

Foreman of Laborers.

XIII. And be it enacted, That for every Ten Laborers daily employed by any one Commissioner as aforesaid, it shall be lawful for the said Commissioner if he shall deem it necessary, to employ a fit and proper person as Foreman of Laborers, who shall work with the said Laborers and take charge of such of them as are put under his directions, and shall work with and superintend the Laborers in the absence of the said Commissioner.

Remuneration of Commissioners.

XIV. And be it enacted, That all such Commissioners shall be entitled to charge and retain out of any monies by them to be expended, at and after the rate of Five Pounds for and upon every Hundred Pounds of the amount so to be expended, together with the sum of Four Shillings for each and every day that such Commissioners shall have been actually employed superintending Day Laborers, and shall have had at least Ten Laborers at work throughout the day, and that no Foreman of Laborers shall be allowed or paid a greater sum than Four Shillings for each day's work; and that no Laborer shall be allowed any higher rate of wages for any one day than Four Shillings (no Laborer to be paid for a day's work unless he shall have diligently labored at least ten hours in such day); and that no owner of any Team consisting of a Cart with a suitable Driver and two Horses or four Oxen, shall be allowed or paid a greater sum than Ten Shillings for each day, or for any Team consisting of a Cart with a suitable Driver and one Horse or two Oxen, shall be allowed or paid a greater sum than Seven Shillings and Sixpence for each day employed on the said Roads—all such wages and allowances to be paid only in such cases respectively where suitable Day Laborers, Teams and Drivers, cannot be had at lower rates of wages for Cash.

XV. *And be it enacted*, That the word Governor, wherever used in this Act, shall be held and taken to include the Governor, Lieutenant-Governor, or Commander-in-Chief, or other person administering the Government of the Province for the time being; and every word importing the singular number only, shall be held and taken to include several persons or things, as well as one person or thing, and all words importing the plural number, shall be taken to extend to and include one person or thing, as well as several persons or things, unless in any of such cases respectively, the nature of the provision or context shall exclude such construction.

XVI. *And be it enacted*, That the Act passed in the eighth year of the Reign of His late Majesty King George the Fourth, entitled, An Act to continue and amend the Act for regulating the expenditure of monies appropriated for the service of Roads and Bridges; also the Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, entitled, 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, and to alter and amend the said Acts; and also the Act passed in the seventh year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to continue and amend the Acts to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and also the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to continue the Acts to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, and every matter, clause, and thing in the said Acts respectively contained, shall be, and the same are hereby repealed.

Acts 8 Geo. IV., 7 Will. IV. 7 and 8 Vic. repealed.

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

Continuation of Act.

CAP. II.

An Act to amend the Act to Incorporate the Halifax Water Company.

(Passed the 28th day of February, 1846.)

WHEREAS, by an Act passed in the seventh year of the Reign of Her present Majesty, entitled, An Act to Incorporate the Halifax Water Company, it is among other things enacted that the original Capital or Joint Stock of the said Company shall be the sum of Fifteen Thousand Pounds, and that the said Company shall have power to increase the same by raising an additional sum not exceeding Five Thousand Pounds. *And whereas* the said Company are desirous of increasing the said Capital to Thirty Thousand Pounds:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That the Capital or Joint Stock of the said Halifax Water Company, shall and may be extended to the sum of Thirty Thousand Pounds, or to such other amount under that sum as shall by the said Company be deemed necessary, to be divided into shares of the like amount, and subject to such Bye Laws, Rules, and Regulations as in respect to the original Capital in the said Act is prescribed and contained:

Amount of Stock.

CAP. III.

An Act to provide for the Repayment of Monies advanced towards the Completion of the Main Road from Halifax to Chester.

(Passed the 28th day of February, 1846.)

Preamble.

WHEREAS, the Members now representing the County and Township of Lunenburg in the General-Assembly of this Province, have, during the last Summer, advanced the sum of Six Hundred Pounds towards the completion of the Road from Halifax to Chester, which sum of money was expended thereon, and the said Road has been opened to the Public ; and it is expedient to provide for the repayment of the said sum of money with the Interest accruing thereon :

Appropriation to Members of Lunenburg towards payment of sum advanced, and Interest.

I. Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That there shall be set apart and paid to the Members now representing the said County and Township of Lunenburg in the House of Assembly of this Province, out of the monies voted for the service of the Roads and Bridges in the said County, during the present Session of the General Assembly, the sum of Two Hundred and Thirty Six Pounds Currency, which sum of money shall be paid and applied towards the repayment of one-third part of the said sum of Six Hundred Pounds, so applied and advanced as aforesaid, and the Interest thereon for one year; and a further sum of Two Hundred and Twenty Four Pounds for the like purpose in the next Session of the General Assembly ; and a further sum of Two Hundred and Twelve Pounds in the Session of the General Assembly then next following, when the whole sum of Six Hundred Pounds, so advanced as aforesaid, and the Interest thereon, will be paid and satisfied.

Proviso.

II. Provided always, and be it enacted, That in case, during the said Sessions respectively, no monies or not sufficient monies for the purposes of this Act shall be granted or appropriated for the service of Roads and Bridges in the said County of Lunenburg, this Act, or any thing herein contained, shall not be held or taken to be any pledge, guarantee, or lien of, or for, or upon the Public Funds or Revenues of this Province, or of or upon the Public for the repayment of any such monies so advanced as aforesaid.

CAP. IV.

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

(Passed the 28th day of February, 1846.)

Preamble.

WHEREAS, it is expedient to alter the Eastern Boundary of the Township of Barrington, as established by the Act passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act to establish the Boundary Lines of the Township of Barrington :

Eastern Boundary of Barrington Township.

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That hereafter the Eastern Boundary of Barrington Township shall be as follows, that is to say—To begin at the Southern head of Cape Negro Island, and include said Island, and thence up the Western side of Cape Negro Harbor, by the several courses thereof, to the head of the Tide ; thence along the Western side of the River Clyde until it comes near the House of William Watt, and thence in a straight line continuous with the course of the said River up to that Point until it strikes the County Line between the Counties of Shelburne and Yarmouth.

CAP. V.

An Act in amendment of the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That in addition to the exemption from Militia Trainings or Musters, by the fifteenth Section of the Act passed in the seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act for providing Fire Engines for the Town of Yarmouth, and for other purposes, conferred upon the Engine Men appointed, or to be appointed under the said Act, such Engine Men shall also hereafter be exempted from serving on any Grand, Special, or Petit Jury, and also from any day's labor on the Roads and Highways, which they would otherwise be liable to perform under any Act or Acts of this Province: *Provided always*, that such Engine Men shall not be entitled to any exemption from such labor on the Roads and Highways, to be performed in respect of any Oxen or Horses by them respectively owned.

Firemen to be exempt from serving on Juries and Road Work.

Proviso.

II. *And be it enacted*, That the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to amend the Act for providing Fire Engines for the Town of Yarmouth, and for other purposes, and every matter, clause, and thing therein contained, shall be, and the same are hereby repealed.

8 Vic. repealed.

CAP. VI.

An Act to continue and amend the Acts to establish sundry Regulations for the future disposal of Crown Lands within the Province of Nova Scotia.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the third year of Her present Majesty's Reign, entitled, An Act to establish sundry regulations for the future disposal of Crown Lands within the Province of Nova Scotia, except as altered or amended by the Act hereinafter mentioned, or by this Act; and also the Act passed in the sixth year of Her present Majesty's Reign, to continue and amend the said first mentioned Act, except as altered or amended by this Act, shall be continued, and the said Acts, and every matter, clause and thing therein contained, except as before excepted, are hereby continued for three years, and thence to the end of the then next Session of the General Assembly.

3 Vic. and 6 Vic. continued.

II. *And be it enacted*, That in future no grant of any Water Lot, or portion of Land covered with water, or adjoining the shores of any of the Bays, Harbors, Rivers, or Creeks of this Province, whether such Lot or Lands shall be sold at public or private sale, shall pass until the application therefor, or intention to make the same, shall be communicated to the Land Board for the County or District wherein such Lot or Land may be situate, in the same manner that applications for Lands under cultivation and improvement are now made, in order that they may communicate their opinion in relation to the propriety of such Grant being allowed to pass, or otherwise for the consideration of the Governor, Lieutenant-Governor, or Commander-in-Chief, and Executive Council for the time being.

Applications for Water Lots to be referred to Land Board.

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

Continued for three years.

CAP. VII.

An Act further to amend the Act to Regulate certain Landings in the County of Digby.

(Passed the 28th day of February, 1846.)

Preamble

WHEREAS, in and by an Act of the General Assembly passed in the Third Year of Her present Majesty's Reign, entitled, An Act to Regulate certain Landings in the County of Digby, the Bridge over Bear River dividing the Counties of Annapolis and Digby, is placed under the care of the Justices of the Peace for the said County of Digby. And whereas, the capabilities for Ship-building on the said River above the site of the Bridge, and the exportation thence of large quantities of Cordwood, Lumber, and Produce of various kinds, renders it expedient that the said Bridge should be made a Draw Bridge in order that Vessels may pass through the same, and a considerable sum of money has been subscribed for that purpose :

Justices may order alteration of Bridge at Bear River.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Justices in their General Sessions of the Peace for the said County of Digby, by any order or orders by them for that purpose to be made to direct that a Draw shall be made to the said Bridge over Bear River aforesaid, and to order the Bridge-keepers thereof, or such other person or persons as may be by such Justices appointed as Commissioner or Commissioners therefor, to alter the said Bridge in such a manner as to convert it into a Draw Bridge convenient for the passage of Vessels through the same ; *Provided always,* that such alteration shall not be commenced or proceeded in until a sufficient sum for the completion thereof shall have been placed at the disposal of the Bridge-keepers or other person or persons appointed to superintend such alteration, and that the said Bridge-keepers or other person or persons so appointed to make such alteration, shall be responsible over and account to the Court of General Sessions of the Peace at Digby aforesaid, for the due and proper completion of such alteration and the just application of the monies placed at their disposal for such purpose in such manner and within such reasonable time as the said Court may order and direct, under such penalty, not exceeding Fifty Pounds, as the said Court may adjudge in a summary manner, to be levied by Warrant of Distress issued by said Court.

Proviso

Justices may make Rules and Regulations.

II. *And be it enacted,* That the said Justices in their General Sessions of the Peace for Digby aforesaid, shall have all and the like powers and authorities for the making of Rules, Orders, and Regulations, with penalties thereto affixed, in relation to the raising of the said Draw when so made, and the time of continuing the same so raised, for the purpose of allowing Vessels to pass through the same ; and for determining and regulating the amount and payment of Toll on the raising of such Draw or for other purposes, and generally in relation to such Draw, or the care, custody, and control thereof, as are conferred upon such Justices in relation to the said Bridge in and by the said Act in the preamble to this Act mentioned ; and all penalties affixed to any Rules and Regulations to be made hereunder, shall be recovered and applied in the same manner, and by the same ways and means, as penalties imposed by any Rule or Regulation to be made under the said recited Act are therein directed to be recovered and applied.

Proviso

III. *Provided always, and be it enacted,* That nothing herein contained shall extend, or be construed to extend, to deprive any person or persons of the right he, she, or they may have to recover Damages for any injury sustained by the keeping up of said Draw beyond the time in any such order or orders limited therefor, or by its not being replaced in a careful and proper manner, or by anything connected therewith.

CAP. VIII.

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

(Passed the 20th day of March, 1846.)

MAY IT PLEASE YOUR EXCELLENCY :

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

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That, by 200*l.* Speaker of Assembly.
 or out of the Monies which now are, or from time to time shall be or remain in the Public Treasury of this Province, there shall be paid the sum of 200*l.* to the Speaker of the House of Assembly, in full, for his Salary as Speaker for the present year.

And a further sum of 600*l.* to the Treasurer of the Province, for his Salary, and 600*l.* Treasurer.
 as Comptroller and Auditor of Public Accounts, and in lieu of Office Rent, Clerks, and all other contingent expenses for the same year.

And a further sum of 200*l.* to the Clerk of the House of Assembly, for his ser- 200*l.* Clerk of Assembly.
 vices in the same year.

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

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

And a further sum of 50*l.* to George R. Grassie, for his services as Sergeant at 50*l.* Sergeant at Arms.
 Arms to the House of Assembly for the same Session.

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

And a further sum of 40*l.* to the Messenger of the Governor, Lieutenant Gover- 40*l.* Messenger of Governor.
 nor or Commander-in-Chief for the time being, and the Executive and Legislative Councils for the present year.

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

And a further sum of 250*l.* to such person as shall perform the duties of Cashier 250*l.* Cashier of Savings Bank, &c.
 of the Savings' Bank, and First Clerk of the Treasury, for the present year.

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

And a further sum of 200*l.* to the Guager and Weigher for the Collector of Im- 200*l.* Guager and Weigher.
 post and Excise for the District of Halifax, for his services for the present year.

And a further sum of 100*l.* to the Proof Officer at Halifax, for his services in 100*l.* Proof Officer.
 that capacity for the present year, and in lieu of all contingent expenses connected therewith, pursuant to the Report of the Committee on Trade and Manufactures.

And a further sum to be paid on the certificate of the Commissioners of the Re- Pay of Waiters.
 venue, at the rate of 7s. 6d. per day to such person or persons as shall be employ- ed during the present year by the Collector of Impost and Excise for the District of Halifax, as Extra Waiter or Waiters for the Port of Halifax; 5s. per day to such extra Waiter or Waiters when unemployed, and at the rate of 5s. per day to temporary Waiters.

And a further sum of 60*l.* to the Keeper of the Assembly House, and Council 60*l.* Keeper of Assembly House.
 Chamber and Law Library for the present year.

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

400*l.* Comrs. of Sable
Island.

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

20*l.* E. Crowell.

And a further sum of 20*l.* to Edmund Crowell, to enable him to keep up his Establishment at Seal Island for the relief of Shipwrecked Mariners for the present year.

50*l.* Guysborough
Packet.

And a further sum of 50*l.* to such person or persons as will run a proper Packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under such regulations as shall be established by any Special Sessions of the Peace for the County of Guysborough, to be held for that purpose; to be paid upon the certificate of such Special Sessions that such Packet has been properly kept and run during the present year: *Provided*, that the Judge or Judges of the Supreme Court shall be taken without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on their Circuit to Cape Breton; and that the said Packet shall also carry the Mail to be established between Guysborough and Arichat, if required.

20*l.* W. Weeks.

And a further sum of 20*l.* to W. Weeks, or any person who will run a Packet Boat between the Bay of Verte and Prince Edward Island, when it shall be made satisfactorily to appear to His Excellency the Lieutenant Governor, or Commander in Chief for the time being, that such Packet Boat has been run agreeably to such regulations as may be established by the Justices in their Sessions for the County of Cumberland.

20*l.* Shubenacadie
Ferry.

And a further sum of 20*l.* to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat or Scow to run between Londonderry and that place, the said Boat or Scow to be run under the regulations of the General Sessions for the County of Hants; to be paid by Warrant from His Excellency the Lieutenant-Governor upon certificate from three Justices of the Peace residing in Douglas, that said Boat has been running at least twice a week for six months to their satisfaction, under the regulations aforesaid.

30*l.* Ferry Cape
Breton.

And a further sum of 30*l.* to aid the Inhabitants of Cape Breton in supporting a suitable Boat or Scow to run between McMillan's Point in Cape Breton, and Auld's Cove in the County of Sydney; the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.

10*l.* each Ferrymen
Shubenacadie.

And a further sum of 10*l.* each, to the two Licensed Ferrymen at the mouth of the Shubenacadie, in the Counties of Colchester and Hants, for the transportation of Horses and Carriages across that River; the same to be paid on the certificate of the General or Special Sessions of each County respectively, that such Ferry has been duly attended, and proper Boats procured and used.

15*l.* J. & C. Per-
nette.

And a further sum of 15*l.* to John Pernette and Charles Pernette, for keeping up the Ferry over LaHave River.

10*l.* C. Craig.

And a further sum of 10*l.* to Cornelius Craig, to enable him to keep up his Ferry across the Narrows at the entrance of Sable River, in the County of Shelburne.

10*l.* R. Carter.

And a further sum of 10*l.* to Richard Carter, to enable him to run a suitable Ferry Boat or Scow between his landing on the Western side of the Gut of Canso, and David McPherson's on the Eastern side thereof; the said Ferry Boat or Scow to be run under the regulations of the General Sessions for the County of Guysborough.

10*l.* Ferryman Gut
of Canso.

And a further sum of 10*l.* to the Ferryman on the Eastern side of the Gut of Canso, to enable him to run a suitable Ferry Boat or Scow between Richard Carter's Landing on the Western side of said Gut, and David McPherson's, on the Eastern side thereof; the said Ferry Boat or Scow to be run under the regulations of the General Sessions for the County of Richmond.

10*l.* Ferry Port
L'Herbert.

And a further sum of 10*l.* each, to such persons as shall respectively keep up a Ferry at the mouth of the Harbor of Port L'Herbert—provided a Boat be kept to convey Horses and Cattle across said Harbour; said sum to be paid upon the certificate of two Justices of the Peace for the County of Shelburne, residing nearest to the said Ferry.

And a further sum of 10*l.* to Duncan McPhee, to enable him to maintain a Ferry between Low Point and the Sydney Mines, at the mouth of Spanish River, in the County of Cape Breton; to be paid on the certificate of the General Sessions of the Peace for the County of Cape Breton, that he has faithfully discharged the duties assigned to him by such Sessions. 10*l.* D. McPhee.

And a further sum of 15*l.* to William Cunningham and John Knowles, or such other persons as shall keep a Ferry across the Narrows of the Passage between Cape Sable Island and the Main, such persons being furnished with suitable Boats for the accommodation of Passengers; to be paid on certificate of two of Her Majesty's Justices of the Peace residing in the Township of Barrington, that the said services have been performed for this present year. 15*l.* W. Cunningham and J. Knowles.

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

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

And a further sum of 25*l.* 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 Orphan and Poor Children in that establishment. 25*l.* School Poor House.

And a further sum of 50*l.* to Doctors Grigor and Sterling, in aid of the Halifax Dispensary for the present year—provided that they keep during the year a sufficient quantity of Vaccine matter. 50*l.* Dispensary.

And a further sum of 100*l.* at the disposal of His Excellency the Lieutenant-Governor, for the purchase of Seed Potatoes for distressed families among the Colored population of Preston, Hammond's Plains, and Beech Hill, to be applied under the direction of His Excellency, to the relief of such Individuals as shall be found in circumstances of urgent necessity. 100*l.* Seed Potatoes.

And a further sum of 1,500*l.* at the disposal of His Excellency the Lieutenant Governor for the service of Roads and Bridges in the County of Guysborough for the present year—600*l.* thereof to be appropriated for the Great Eastern Road between Country Harbour and St. Mary's. 1500*l.* Roads Guysborough.

And the following sums, that is to say—the sum of 2190*l.* allotted for the service of Roads and Bridges in the County of Cape Breton; the sum of 2070*l.* allotted for the service of Roads and Bridges in the County of Inverness; and the sum of 1500*l.* allotted for the service of Roads and Bridges in the County of Richmond—at the disposal of His Excellency the Lieutenant Governor, to be respectively expended in the said service—provided that any sums applied for the purchase of Seed or Provisions for the people, shall be first deducted therefrom respectively. 2190*l.* Cape Breton. 2070*l.* Inverness. 1500*l.* Richmond.

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

And a further sum of 1500*l.* for the several Roads and Bridges in the County of Sydney, to be applied and expended as last aforesaid. 1500*l.* Sydney.

And a further sum of 2190*l.* for the several Roads and Bridges in the County of Pictou, to be applied and expended as last aforesaid. 2190*l.* Pictou.

And a further sum of 2280*l.* for the several Roads and Bridges in the County of Halifax, to be applied and expended as last aforesaid. 2280*l.* Halifax.

And a further sum of 1500*l.* for the several Roads and Bridges in the County of Yarmouth, to be applied and expended as last aforesaid. 1500*l.* Yarmouth.

And

1500*l.* Shelburne.

And a further sum of 1500*l.* for the several Roads and Bridges in the County of Shelburne, to be applied and expended as last aforesaid.

1500*l.* Digby.

And a further sum of 1500*l.* for the several Roads and Bridges in the County of Digby, to be applied and expended as last aforesaid.

1500*l.* Queen's.

And a further sum of 1500*l.* for the several Roads and Bridges in the County of Queen's, to be applied and expended as last aforesaid.

2100*l.* Hants.

And a further sum of 2100*l.* for the several Roads and Bridges in the County of Hants, to be applied and expended as last aforesaid.

1650*l.* King's.

And a further sum of 1650*l.* for the several Roads and Bridges in the County of Kings', to be applied and expended as last aforesaid.

1800*l.* Colchester.

And a further sum of 1800*l.* for the several Roads and Bridges in the County of Colchester, to be applied and expended as last aforesaid.

1800*l.* Cumberland.

And a further sum of 1800*l.* for the several Roads and Bridges in the County of Cumberland, to be applied and expended as last aforesaid.

1560*l.* Annapolis.

And a further sum of 1560*l.* for the several Roads and Bridges in the County of Annapolis, to be applied and expended as last aforesaid.

250*l.* Eastern Road.

And a further sum of 250*l.* in aid of and towards the opening and completing the section of the Great Eastern Road between Country Harbor and the Cross Roads below the Forks at St. Mary's—on condition that the sum of 600*l.* be applied and expended on said section of Road, out of the monies granted during the present Session to the County of Guysborough, for the Road and Bridge service therein.

24*l.* 16*s.* Jas. Fulton.

And a further sum of 24*l.* 16*s.* to James Fulton, as full compensation for the use of a Gravel Pit, agreed by him to be leased to the Government: to be paid when a Lease of such Gravel Pit shall have been executed on the terms agreed on, to the satisfaction of His Excellency the Lieutenant Governor.

12*l.* Arch. Scott.

And a further sum of 12*l.* to Archibald Scott, as compensation for damages by him sustained in consequence of the new Road from Sackville to Scott's running through his Land—pursuant to the Report of the Committee.

10*l.* D. McKay.

And a further sum of 10*l.* to Donald McKay, of the County of Richmond, to aid him in erecting an Oat Kiln; to be drawn when it shall be certified to the satisfaction of His Excellency the Lieutenant-Governor, that such Oat Kiln has been completed and put in operation.

Sums at disposal of Governor for various purposes.

And such further sum at the disposal of His Excellency the Lieutenant Governor as will suffice to pay the respective sums following, advanced by order of His Excellency for the following purposes respectively, that is to say: Expenses of Shipwrecked Seamen of British Ship "Queen," 28*l.* 4*s.* 6*d.*; expenses of obtaining information in reference to Lunatic Asylum, 150*l.*; for relief of sufferers by fire at Quebec, 104*l.* 13*s.* 4*d.*; to Joseph A. Sievwright and Andrew Richardson for services in regard to Distilleries, 38*l.* 6*s.* 3*d.*; for purchase of Provisions, 3667*l.* 7*s.* 1*d.*; for impression of Province Notes, 179*l.* 17*s.* 11*d.*; expenses of Commission for investigating Treasury Affairs, 210*l.*; expenses incurred by the British Consul at Boston, in relation to Shipwrecked Seamen, 8*l.* 3*s.* 11*d.* sterling, and expenses incurred by the Lords Commissioners of the Treasury, in sending back to Nova Scotia the Master and Crew of the Schooner "Jane Catherine," 23*l.* 0*d.* Sterling.

14*l.* 3*s.* J. Fuller.

And a further sum of 14*l.* 3*s.* to J. Fuller, Esquire, High Sheriff of Richmond, for serving Process and Notices during two terms in a Criminal Prosecution at Arichat.

5*l.* S. J. Blair, &
5*l.* 15*s.* Wm. Archibald.

And the further sums of 5*l.* to Samuel J. Blair, and 5*l.* 15*s.* to William Archibald, being expenses incurred by them respectively, in attending as Witnesses in a Criminal Prosecution during the last year—pursuant to the Report of the Committee.

10*l.* A. Sweet.

And a further sum of 10*l.* to Albro Sweet and his associates, as a Bounty upon the first Wolf killed in this Province during the present year.

5*l.* Chas. Thompson.

And a further sum of 5*l.* to Charles Thompson, as a Bounty for the killing of a Wolf, in One Thousand Eight Hundred and Forty-four.

And

And a further sum of 5*l.* to James McDonald, of Douglas, for killing a large Male Wolf on the fourteenth day of March, in this present year, in Douglas, in the County of Hants, in addition to the Bounty granted by an Act passed during the present Session of the Legislature.

5*l.* Jas. McDonald.

And a further sum of 300*l.* at the disposal of His Excellency the Lieutenant-Governor, in addition to the sum of 200*l.* already granted, to enable His Excellency to procure and import from England a Leicester Stallion.

300*l.* Leicester Stallion.

And a further sum of 50*l.* to the Commissioners of Schools for the County of Sydney, to be applied to the support of Common Schools in that County—being the amount appropriated for two or more Grammar Schools in that County for the half year ending thirty-first of October last, and not drawn for that purpose.

50*l.* Comrs. Schools Sydney.

And a further sum of 50*l.* to the Commissioners of Schools for the County of Digby, to be applied to the support of Common Schools in that County—being the amount appropriated for an Academy for the half year ending thirty-first of October last, and undrawn.

50*l.* Comrs. Schools Digby.

And a further sum of 375*l.* 12*s.* 1*d.* to defray the several amounts following, pursuant to the Report of the Committee on the subject of expenses incurred for the support of Transient Paupers, that is to say : To the Overseers of the Poor for the Township of Granville, 46*l.* 11*s.* 10*d.* ; to the Overseers of the Poor for the Township of Yarmouth, 34*l.* 3*s.*, 24*l.* 5*s.* 6*d.* of which to be paid to Doctor Farrish ; to the Overseers of the Poor for the Township of Wilmot, in the County of Annapolis, 7*l.* 1*s.* ; to William Abbott, of Sable River, for assistance afforded a sick and destitute Seaman, 11*l.* 5*s.* ; to the Overseers of the Poor for District Number Four, in the Township of Digby, 8*l.* 16*s.* ; to the Overseers of the Poor for District Number One, in the Township of Digby, 1*l.* 10*s.* ; to Doctor Charles Tupper, of Amherst, for surgical attendance on an Indian, 2*l.* 10*s.* ; to the Overseers of the Poor for the Township of Pictou, first Section, 9*l.* 11*s.* 3*d.* ; to the Overseers of the Poor for the Township of Liverpool, 23*l.* 10*s.* 6*d.* ; to Doctor Joseph Bell, for Medical attendance on a number of persons having Small Pox, and vaccinating poor persons by order of the Board of Health in Cumberland, 37*l.* 13*s.* 7*d.*, including therein the sum of 20*l.* already advanced by order of His Excellency the Lieutenant Governor ; to Doctor Elijah Purdy, of Amherst, for Medical attendance on poor persons affected with Small Pox at Minudie, 10*l.* ; to the Overseers of the Poor for the Township of Pictou, second Division, 7*l.* 3*s.* 6*d.* ; To Doctor H. B. Forman, of Sydney, Cape Breton, for Medical attendance on Shipwrecked Seamen, 10*l.* 16*s.* 7*d.* ; to the Overseers of the Poor for the Township of Wilmot, in the County of Guysborough, 15*l.* ; to the Overseers of the Poor for the Township of Sydney, Cape Breton, 12*l.* 16*s.* 7*d.* ; to Abraham Gibs, of Big Loren, in the County of Cape Breton, for burying a woman found drowned, 2*l.* ; to James B. M. Chipman, for the passage of seventeen Shipwrecked Seamen from the Magdalen Islands to Halifax, 25*l.* ; to the Overseers of the Poor for the Township of Horton, 10*l.* 18*s.*, 3*l.* of which to be paid to Doctor Brown ; to the Overseers of the Poor for the Township of Cornwallis, 28*l.* 12*s.* 7*d.* ; to the Overseers of the Poor for the Township of Argyle, 21*l.* 9*s.* 10*d.* ; to Doctor James Crerar, of Pictou, 17*l.* 10*s.* ; to the Overseers of the Poor for the Township of Egerton, 23*l.* 2*s.* ; to the Overseers of the Poor for the Township of Annapolis, 3*l.* 1*s.* 6*d.* ; and to the Overseers of the Poor for the Township of Dorchester, in the County of Sydney, 5*l.* 9*s.* 4*d.*

375*l.* 12*s.* 1*d.* Transient Paupers.

And a further sum of 4*l.* 9*s.* 4*d.* to John Janvrin, being expenses incurred by him in One Thousand Eight Hundred and Twenty-nine, as Overseer of the Poor in support of a Transient Pauper—pursuant to the Report of the Committee.

4*l.* 9*s.* 4*d.* J. Janvrin.

And a further sum of 30*l.* to Thomas Wilson, maimed by a Fire Engine, while exerting himself to preserve public and private property.

30*l.* Thos. Wilson.

And a further sum of 16*l.* 17*s.* 1*d.* to John Crerar, for monies expended by him under the direction of the Board of Health at Pictou, pursuant to the Report of the Committee.

16*l.* 17*s.* 1*d.* John Crerar.

- 5*l.* 15*s.* Dr. Chas. Tupper. And a further sum of 5*l.* 15*s.* to Doctor Charles Tupper, Junior, Health Officer for the County of Cumberland, for services performed by him in that capacity, pursuant to the Report of the Committee.
- 11*l.* 1*s.* Geo. Eastwood. And a further sum of 11*l.* 1*s.* to George Eastwood, being return of Duties on materials used in the Woollen Manufactory conducted by him, pursuant to the Report of the Committee on Trade and Manufactures.
- 21*l.* 5*s.* 6*d.* J. Barron. And a further sum of 21*l.* 5*s.* 6*d.* to James Barron, being Drawback on Confectionary shipped to England, pursuant to the Report of the Committee on Trade and Manufactures.
- 62*l.* 15*s.* 6*d.* Bounties on Sealing Voyages. And a further sum of 62*l.* 15*s.* 6*d.* at the disposal of His Excellency the Lieutenant Governor, to pay the sums hereinafter mentioned, to the respective persons following, being for Bounties on Sealing Voyages on the Vessels owned by them respectively, pursuant to the Report of the Committee on Trade and Manufactures, that is to say:—To Fidelle Boudrot of the Schooner “Nancy,” 12*l.* 0*s.* 3*d.*; to Damien Richard, of the Schooner “Calm,” 6*l.* 11*s.* 9*d.*; to Charles Boudrot, of the Schooner “Richmond,” 11*l.* 12*s.* 6*d.*; to Peter Vigneau, of the Schooner “Marie,” 11*l.* 12*s.* 6*d.*; to Fabian Arsinoe, of the Schooner “Magdalen,” 10*l.* 1*s.* 6*d.*; and to John Doyle of the Schooner “Lady,” 10*l.* 17*s.*
- 125*l.* A. Richardson. And a further sum of 125*l.* to Andrew Richardson, Esquire, Proof Officer at Halifax, in full for services performed and expenses incurred by him in that capacity, up to the thirty-first of December last, pursuant to the Report of the Committee on Trade and Manufactures.
- 30*l.* 11*s.* 8*d.* Robt. Stone. And a further sum of 30*l.* 11*s.* 8*d.* to Robert Stone, Seizing Officer at Wilmot, being one half of the nett amount of Colonial and Light Duties paid by him into the Treasury during the past year, pursuant to the Report of the Committee on Trade and Manufactures.
- 15*l.* Simon Donovan. And a further sum of 15*l.* to Simon Donovan, Seizing Officer at Arichat, in full for services performed and monies expended by him in that capacity during the last year, pursuant to the Report of the Committee.
- 40*l.* John Crews. And a further sum of 40*l.* to John Crews, Esquire, Sub-Collector of Her Majesty's Customs, and Collector of Colonial and Light Duties for the Township of Barrington, being Duties collected by him and destroyed by Fire in October last, pursuant to the Report of the Committee.
- 7*l.* C. Drummond.
11*l.* Mary H. Murphy. And the further sum of 7*l.* to Cornelius Drummond, and 11*l.* to Mary H. Murphy, being amount of Province Notes destroyed by fire in their Dwelling House in December last.
- 30*l.* E. Witter. And a further sum of 30*l.* to Ezra Witter, pursuant to the Report of the Committee on his Petition.
- 5*l.* D. Cummings. And a further sum of 5*l.* to David Cummings, being balance due him for carrying the Mails between Londonderry and the Five Islands, pursuant to the Report of the Post Office Committee.
- 98*l.* 15*s.* H. McNeil. And a further sum of 98*l.* 15*s.* to Hector McNeil, being balance due him as Mail Carrier between Sydney and the Gut of Canso, pursuant to the Report of the Post Office Committee.
- 10*l.* L. Morehouse. And a further sum of 10*l.* to Lemuel Morehouse, to enable him to pay his Ferriages between Digby and Brier Island for the last year, pursuant to the Report of the Post Office Committee.
- 62*l.* 10*s.* Post Office. And a further sum of 62*l.* 10*s.* at the disposal of His Excellency the Lieutenant Governor, to defray that amount advanced from the Treasury to pay for certain services performed for the Post Office Department in One Thousand Eight Hundred and Forty-four.
- 1162*l.* 2*s.* 3½*d.* do. And a further sum of 1162*l.* 2*s.* 3½*d.* at the disposal of His Excellency the Lieutenant Governor, to defray that amount advanced and paid from the Treasury to support the Post Office Department for the last year.
- Allowance for additional Post Communication. And such further sum at the disposal of His Excellency the Lieutenant Governor, as will enable him to defray the expense of establishing and supporting a Mail twice

twice a week, on the Western Shore Route as far as Liverpool; also for establishing a Mail twice a week to and from Arichat; and also for extending a Post Communication to Cape North, in the Island of Cape Breton.

And a further sum of 10*l.* to such person as shall once in each week convey the Letters and Mails between Liverpool and Port Medway, in the County of Queen's, to be drawn on or after the first day of April, One Thousand Eight Hundred and Forty-seven, upon the certificate of two of the Justices of the Peace in the said County, that such service has been faithfully performed for one year previous to that period.

10*l.* Post Communication Liverpool.

And a further sum of 15*l.* to such person as shall twice in each week convey the Letters and Mails between Loche's Island and Dunlop's, at the head of Sable River; to be drawn on or after the first day of April One Thousand Eight Hundred and Forty-seven, upon the certificate of two of the Justices of the Peace in that vicinity, that such service has been faithfully performed for the year previous to that period.

15*l.* Do. Loche's Island.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as with the addition of 400*l.* already granted for the purpose, may be necessary to erect a Light House in the vicinity of White Islands, to the Eastward of Halifax—provided that the whole sum to be drawn from the Treasury for the completion of such Light House, shall not exceed 1000*l.*

1000*l.* Light House White Islands.

And a further sum of 100*l.* at the disposal of His Excellency the Lieutenant-Governor, to aid in the erection of a Beacon on the West Ledge at the entrance of Barrington Harbor; to be drawn and applied for that purpose when it shall be certified to the satisfaction of His Excellency that a sufficient sum has been contributed or subscribed by the public, in conjunction with this Grant, to complete such Beacon.

100*l.* Beacon Barrington.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay the Inhabitants a sum in aid of the erection of a Breakwater at Salmon River, in the Township of Clare, equal to one-third of any amount which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on said Breakwater—provided that the sum hereby granted shall not exceed 80*l.*

80*l.* Breakwater Clare.

And a further sum of 30*l.* at the disposal of His Excellency the Lieutenant-Governor; to aid in extending the Pier at Beaver River, in the County of Yarmouth; to be drawn and applied to that purpose when it shall be satisfactorily proved to His Excellency that the sum of 88*l.* 10*s.* has been raised by the Inhabitants, and applied to that object.

30*l.* Pier Beaver River.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay to the Inhabitants a sum in aid of the completion of the Breakwater at Montegan, in the Township of Clare, equal to one-third of any amount which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants and actually expended on said Breakwater—provided that the sum hereby granted shall not exceed 40*l.*

40*l.* Breakwater Montegan.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay the Inhabitants a sum in aid of the completion of the Pier or Breakwater at Canady's Harbor, in the County of King's, equal to one-third of any amount which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on said Breakwater—provided that the whole sum hereby granted shall not exceed 50*l.*

40*l.* Breakwater Canady's Harbor.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay the Inhabitants a sum in aid of the completion of the Breakwater at Givan's Harbor, in King's County, equal to one third of any amount which shall be satisfactorily proved to His Excellency to have been subscribed by the Inhabitants, and actually expended on said Breakwater—provided that the sum hereby granted shall not exceed 50*l.*

50*l.* Breakwater at Givan's Harbor.

And a further sum of 200*l.* at the disposal of His Excellency the Lieutenant-Governor,

200*l.* Breakwater Margaree.

Governor, to aid the Inhabitants of Margaree, in the completion of the Breakwater at that place.

40*l.* Revenue Boat
Sydney.

And a further sum of 40*l.* at the disposal of the Lieutenant Governor, or Commander in Chief for the time being, to enable him to continue a suitable Revenue Boat at Sydney, Cape Breton.

30*l.* Revenue Boat
Pictou.

And a further sum of 30*l.* at the disposal of His Excellency the Lieutenant-Governor, for the purpose of employing a suitable Boat to assist in the protection of the Revenue at the Port of Pictou for the present year, under the direction of the Collector of Excise at that Port.

140*l.* Fisheries

And a further sum of 140*l.* being money advanced and a balance due for the protection of the Fisheries, at the disposal of His Excellency the Lieutenant Governor, to apply to the payment of the above, in conformity with the Report of the Committee.

500*l.* Revenue Cutter.

And a further sum of 500*l.* at the disposal of His Excellency the Lieutenant-Governor, to continue the service during the Fishing months of one Revenue Cutter, in addition to the Sable Island Schooner, (which latter is to be borne exclusively on the Sable Island Fund) on the Coast of Nova Scotia as heretofore, and that no further sum be granted for that purpose.

19*l.* 11*s.* 5*d.* John L.
Tremain.

And a further sum of 19*l.* 11*s.* 5*d.* to John L. Tremain, Esquire, Collector of Customs at Port Hood, pursuant to the Report of the Committee.

153*l.* 10*s.* 10*d.* Printing.

And a further sum of 153*l.* 10*s.* 10*d.* at the disposal of His Excellency the Lieutenant Governor, to repay that amount advanced during the last year to pay the balance of certain Accounts for Printing, pursuant to a Resolution passed during the last Session of the General Assembly.

500*l.* Printing.

And a further sum of 500*l.* at the disposal of His Excellency the Lieutenant-Governor, to repay that amount advanced towards defraying the expense of Public Printing during the last year, under a Resolution passed during the last Session of the General Assembly.

232*l.* 6*s.* 11*d.* Printing.

And a further sum of 232*l.* 6*s.* 11*d.* at the disposal of His Excellency the Lieutenant-Governor, to be applied to the payment, in full, of the Accounts of J. H. Crosskill, and others, agreeably to the Report of the Committee on Printing.

1170*l.* Penitentiary.

And a further sum of 1170*l.* to the Commissioners of the Penitentiary, to pay the Salaries of the Officers, and defray the outlay and other expenses, agreeably to the Report of the Committee.

61*l.* 9*s.* Boyer &
Murphy.

And a further sum of 61*l.* 9*s.* to John R. Boyer, and Arthur Murphy, being the amount of their Account for work, labor, and materials, upon the Government House, in the year One Thousand Eight Hundred and Forty-three—this sum not having been appropriated in One Thousand Eight Hundred and Forty-four, and still remaining due and unpaid, agreeably to the Report of the Committee.

371*l.* 11*s.* 1*d.* Public
Buildings.

And a further sum of 371*l.* 11*s.* 1*d.* to the Commissioners of the Public Buildings, to defray the expenses incurred by them during the last year.

300*l.* Indians.

And a further sum of 300*l.* at the disposal of His Excellency the Lieutenant-Governor, for the benefit of the Indians for the present year; to be expended agreeably to the Acts of the General Assembly, to provide for the instruction and permanent settlement of the Indians.

Ad. and Qr. Mr.
Gen. Militia.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as may suffice to pay the Adjutant and Quarter Master General of the Militia for their services for the present year, and any contingent expenses connected with the Militia service for the same year.

850*l.* 4*s.* 10*d.* Leg.
Council.

And a further sum of 850*l.* 4*s.* 10*d.* to defray the expenses of the Legislative Council for the present year.

25*l.* J. Chamberlain.

And a further sum of 25*l.* to John Chamberlain, towards remunerating him for his services in reporting the Debates at this present Session, agreeably to the prayer of his Petition.

9*l.* 9*s.* Stg. Colonial
Office.

And such further sum at the disposal of His Excellency the Lieutenant-Governor,

nor, as will enable him to transmit to the Colonial Office 9*l.* 9*s.* Sterling, in payment of Reports of Decisions of the Judicial Committee of the Privy Council.

And a further sum of 93*l.* 5*s.* 7*d.* to the Clerk of the House of Assembly, to defray the expense of Stationery, and Binding of Journals and Laws for the House of Assembly during the last year. 93*l.* 5*s.* 7*d.* Stationery, &c.

And a further sum of 10*l.* each, to the two Chairmen of the Committee on Bills and of Supply, for their services for the present Session. 10*l.* Chairmen.

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

And a further sum of 270*l.* 10*s.* to defray the expense of extra Messengers, and other services and articles for the House of Assembly, and for Fuel, according to estimate; the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker. 270*l.* 10*s.* Extra Messengers, &c.

And a further sum of 20*l.* at the disposal of the Honorable the Speaker, to pay for Parliamentary Publications and Books, imported last year for the use of the House of Assembly. 20*l.* Books.

And a further sum of 15*l.* at the disposal of the Honorable the Speaker, to procure various Books and Publications necessary for conducting the business of the House of Assembly. 15*l.* Books.

And a further sum of 100*l.* to George Handley, for running a Steam Boat once a fortnight, last year, from Sydney to Saint Peter's. 100*l.* G. Handley.

And a further sum of 150*l.* to George Handley, annually, to aid him in sustaining a suitable Steamboat from St. Peter's, through the Bras d'Or Lake, to Sydney, once a fortnight, and in the interval to ply as a Passage Boat regularly between Sydney and the Bar, or North Sydney, for three years, according to the Report of the Committee—*Provided* it is proved to the satisfaction of His Excellency the Lieutenant-Governor for the time being, that the service has been properly performed. 150*l.* G. Handley.

And a further sum of 250*l.* at the disposal of His Excellency the Lieutenant-Governor, annually, to be paid for the encouragement of a suitable Steam Boat to ply once in each week between the Ports of Pictou, Charlottetown, and Miramichi, for the next three years, agreeably to the Report of the Committee—*provided* it shall be proved to the satisfaction of His Excellency that the service has been properly performed. 250*l.* Steam Boat Pictou and P. E. I.

And a further sum of 750*l.* in lieu of the sum heretofore granted annually, to such person or persons as shall in each year, establish and run a Boat of at least two hundred horse power, from Nova Scotia to St. John's, in the Island of Newfoundland, touching at Cape Breton, going and returning; to be paid when it shall be made appear to His Excellency the Lieutenant-Governor that the service has been properly discharged for three successive years, in conformity with the Report of the Committee. 750*l.* Steam Boat Newfoundland.

II. *And be it enacted*, That the Grant passed in the Session of One Thousand Eight Hundred and Forty-five, of 500*l.* annually, to sustain a Steam Boat on the Western Coast, be extended for three years from the present time, and be paid to such person or persons as shall in each year establish, and run weekly, a suitable British-registered Steam Boat between Yarmouth and Halifax, touching at the intermediate Ports of Liverpool and Lunenburg; to be drawn by Warrant from the Treasury, when it shall be certified to the satisfaction of the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, that such Boat has plied between the said Ports as hereinbefore mentioned, for seven months in each year. 500*l.* Steam Boat Western Shore.

III. *And be it enacted*, That the sum of 100*l.* granted in One Thousand Eight Hundred and Thirty-nine, for erecting a Wharf or Pier at Baxter's Harbor, and not yet drawn or expended, be now applied for the Pier or Wharf at Hall's Harbor, under the same restrictions, and upon the same conditions as if expended at said Baxter's Harbor. 100*l.* Pier Hall's Harbour.

IV. *And be it enacted*, That the sum of 25*l.* granted during the last Session of the 25*l.* Road Pictou. the

the Legislature, to repair the Road from Ruddick's Mill to Crockett's, (Middle River) and not appropriated or drawn from the Treasury, be applied in opening and making the new line of Road from John Douglas' (Middle River) to Allan Cameron's, (Lock Broom.)

Preamble.

And whereas, the sum of 10*l.* granted in the last Session for the repair of the Roads and Bridges from Robert Spicer's to Advocate Harbor, has not been expended :

10*l.* Road Advocate Harbour.

V. *Be it enacted*, That the above sum of 10*l.* be expended on the new Line of Road from Robert Spicer's, until it comes to the old Advocate Harbor Road.

Officers' Wines.

VI. *And be it enacted*, That the Board of Revenue for the time being, shall be, and they are hereby authorised and empowered to allow a Drawback upon all Wines imported for, or consumed by, the Commissioned Officers of Her 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 Board, that the Wines whereon a Drawback or-relinquishment of Duty is claimed, were actually imported for, or consumed by, such Officers of the Army : Provided the whole amount do not exceed the sum of 300*l.* in any one year.

Bridge casualties.

VII. *And be it enacted*, That if any of the Bridges on the Main Post Roads in this Province, shall give way during the recess, or any of such Roads shall be unexpectedly obstructed by any unforeseen obstacle or accident, it shall and may be lawful for His Excellency the Lieutenant-Governor 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 lawful further for the Lieutenant-Governor, or Commander-in-Chief for the time being, to draw Warrants on account and in favor of such Commissioner or Commissioners—provided the sum shall not exceed in the whole the sum of 500*l.* ; and the sum so drawn shall be charged at the next Session of Assembly, as against the several Counties in which the same shall be expended.

Duties on Live Stock, &c.

VIII. *And be it enacted*, That the Collector of Impost for the Port of Halifax shall, and he is hereby authorised, empowered, and directed, to keep a distinct Account of all Duties by him collected upon the importation from the United States of America, of Live Stock, Apples, Onions, Fruit, Biscuit and Bread, under the Act passed in the eighth year of Her present Majesty's Reign, entitled, 'An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce and Fisheries thereof, 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 Transient Poor—provided the amount so paid do not exceed 1000*l.*

Members' pay.

IX. *And be it enacted*, That the sum of 1*l.* per day, be granted and paid to each and every Member of the House of Assembly, for their attendance in General Assembly for the present Session ; to be paid on the certificate of the Speaker ; also the travelling charges as heretofore—provided that no Member shall receive pay for more than forty days' attendance.

Sections of Acts continued.

X. *And be it enacted*, That the ninth, twelfth, sixteenth, and eighteenth Clauses or Sections 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;" also the eleventh, twelfth, and thirteenth Sections of the Act passed in the fourth year of the Reign of His late Majesty King William the Fourth, entitled, "An Act for applying certain Monies therein mentioned for the service of the year of Our Lord One Thousand Eight Hundred and Thirty-four, and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province," shall be, and each of the said Clauses or Sections is hereby continued in

force,

force, in as full and ample a manner as if herein repeated word for word, until the thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

CAP. IX.

An Act to continue and amend the Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the eighth year of the Reign of Her present Majesty, entitled, Act 8, Vic. amended and continued. An Act for granting Colonial Duties of Impost for the support of Her Majesty's Government within this Province, and for promoting the Agriculture, Commerce, and Fisheries thereof, which Act will continue in operation until the thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-six, and every matter, clause and thing in the said Act contained, except as altered or amended by this Act, shall remain thenceforth in operation, and be further continued until the thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

II. *And be it enacted,* That on and after the thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-six, in all cases in which in and by the Act hereby continued and amended, the Duties upon Rum or Spirits distilled in this Province from Molasses, Grain or Fruit, or imported, are imposed in reference to five per cent. above proof, the Duties shall be imposed, levied, and paid in reference to the strength of proof by Syke's Hydrometer, and so in proportion for any greater strength than the strength of proof; and further that on and after the same time, instead of the Duties imposed upon Cordage by said Act, all Cordage tarred or untarred, and whether fitted for rigging or otherwise, shall be Duty free. Duties on Spirits. Cordage.

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

CAP. X.

An Act in relation to Loans out of the Road Monies for the present Year.

(Passed the 20th day of March, 1846.)

WHEREAS, the Members representing certain Counties and Townships in this Province have set aside a certain portion of the Monies allotted for the service of the Roads and Bridges within their respective Counties, for relieving the Distress among the Poor Settlers therein, and also for the purchase of Seed for the present Year, and it is expedient that such Members or any of them should be authorised in cases where the circumstances of the parties applying for relief may seem to warrant it, to appropriate portions of such Monies by way of Loan instead of absolute gift, and to take security for the repayment thereof: Preamble.

I. *Be it enacted, by the Lieutenant Governor, Council, and Assembly,* That it shall

Loan of Road Monies by Members.

shall and may be lawful for the said respective Members so representing any County or Township in which any sum may have been so set apart for the purposes aforesaid, in cases where it shall be deemed advisable so to do, to appropriate any portions thereof by way of Loan, and to take Promissory Notes, either with or without security, for the repayment of such monies, which said Notes shall be made payable in Money or otherwise to the Clerks of the Peace for the several Counties and Districts within which the same may have been Loaned, or to such other person as may by such Members or any of them be appointed for that purpose respectively, and at such time or times respectively as may by such Members or any of them be deemed proper.

Payments on account of Loan by Labor.

II: *And be it enacted*, That any persons desirous to pay the whole or a part of the Money due by them upon any such Promissory Notes, shall and may make application to the said Members or any of them who may have furnished such Monies for permission so to do, whereupon such Members or any of them shall have power to allot such persons as may be convenient to and amongst the respective Commissioners for the expenditure of the Road Monies for the present Year, or for any subsequent Year, and direct the number of day's work to be performed by every such person, and the Commissioner or Commissioners under whom the Labour is to be performed, shall be specified, and notice thereof shall be given to the respective Commissioners who are hereby directed to obey the instructions in relation to the labour to be so performed by such persons, which in that behalf they shall receive from such Members or any of them, and such Commissioners shall respectively give to such person or persons a memorandum in writing specifying the number of day's work performed by every such person respectively under the provisions of this Act, and also the amount to which every such person shall be entitled, at the rate of wages agreed on between every such person and the Commissioner or Commissioners, which Memorandum in writing shall be delivered to the Clerk of the Peace for the County or District wherein such labour shall have been performed, or other person to whom such Notes shall be made payable, who shall endorse on the Note of the person or persons respectively who may have performed the same the amount to which he or they may appear entitled under such memorandum, and the balance only of such Notes respectively shall remain due and payable by the person or persons making the same.

Collection of Notes.

III. *And be it enacted*, That the said respective Clerks of the Peace or other persons holding such Notes respectively, shall, after the said Promissory Notes shall become due and payable as aforesaid, in case the same shall not be paid, proceed to collect the amounts or balances due thereon respectively, unless otherwise directed by such Members or any of them, and shall and may recover such respective amounts and balances by suit in their own individual names respectively, in the same manner, and by the same ways and means, and with the like costs of suit as if such Promissory Notes and the amounts due thereon respectively were private contracts and Debts made and due to the Clerk of the Peace, or other person so suing therefor, and all such monies so recovered, shall be paid by such respective Clerks of the Peace or such other person as aforesaid to the Treasurer of such Counties or Districts respectively.

Application of Money.

IV. *And be it enacted*, That all Monies paid into any County or District Treasury under this Act, shall be from time to time applied by the Governor, Lieutenant Governor, or Commander in Chief for the time being, with the advice of the Executive Council, for and towards the repair of the Roads and Bridges within such Counties and Districts respectively.

CAP. XI.

An Act for the appointment of Commissioners of Sewers.*(Passed the 20th day of March, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, by and with the advice of the Executive Council, at the request of any of the Proprietors of any Marsh, Swamp, or Meadow Lands within this Province, to nominate, appoint, and commission, such and so many persons as shall be deemed requisite, as Commissioners of Sewers, in and for the County, Township, or place in which such Lands shall lie, who shall be respectively sworn to the faithful discharge of their duty, by some one of Her Majesty's Justice of the Peace, who shall grant a certificate thereof, all which certificates shall be by the Commissioners respectively so attesting, given to the Clerk of the Peace for the County or District wherein such Commissioners have jurisdiction, and the said Clerk shall make a record of every such oath in his Books, and such record shall be evidence of such oath having been duly administered in any Court of Law in this Province in any action or suit whatever, from and out of which Commissioners so appointed and sworn, two thirds in interest of persons owning any Marsh, Swamp, or Meadow Lands within the limits of the jurisdiction of such Commissioners, shall and may, by themselves or their Agents, select and choose one or more, as may to them appear proper, to act as Commissioner or Commissioners of Sewers, to take charge of and carry on from time to time, any work or works necessary for reclaiming any such Lands, in such County, Township, or place, and such two-thirds in interest shall have power from time to time to add to, diminish, or supersede any such Commissioner or Commissioners of Sewers selected and chosen by them under this Act, and to choose another or others in his or their stead and place, and such Commissioner or Commissioners of Sewers so chosen, shall have power to call upon the Proprietors of such Lands to furnish Men, Carts, Teams, Tools and Materials; respectively, for the purpose of building and repairing such Dikes or Weirs as may be necessary to prevent inundation, and also for damming, flowing, or draining such Marsh, Swamp, or Meadow Lands, and for securing such Lands from the sea, rivers or brooks, by Aboiteaux, Breakwaters, or otherwise, as to him or them may seem advisable, and in case of the refusal or neglect of such Proprietors to furnish such Men, Carts, Teams, Tools or Materials, then to employ the same at the expense of such Proprietors, and to consult such other Commissioner or Commissioners within the County, Township, or place for which they may have been appointed, as two thirds in interest in such Land, by themselves or their Agents, shall name as to the practicability of the work, or anything relating thereto: *Provided always*, that in the commencement of any such new work two-thirds in point of interest of the parties interested in such Lands, shall by themselves or their Agents have agreed thereto.

Appointment of Commissioners.

Powers of Comrs.

Proviso

II. *And be it enacted*, That such Commissioner or Commissioners so appointed and sworn, shall have power to appoint from among the Proprietors of such Lands, such number of Overseers as he or they shall think necessary, to assist him or them in carrying on any such work, and shall also appoint one or more fit and proper person or persons to perform the respective duties of Clerk and Collector, who shall be sworn to the faithful discharge of his or their duty before any one of Her Majesty's Justices of the Peace, who shall grant a certificate thereof, which certificate shall be by such Clerk recorded in his book.

Comrs. to appoint Overseers, Clerks, and Collector.

III. *And be it enacted*; That it shall be the duty of such Commissioner or Commissioners so appointed and chosen, to cause three days notice, exclusive of Sunday, to be given in all ordinary cases to the Proprietors of such Lands, or their known Agents, when they reside within ten miles of the works at or for which such Proprietors are required to labor, or to furnish materials—but in all cases of a sud-

To give notice to Proprietors.

den breach, or apprehension thereof, in any such works, the immediate attendance of each Proprietor may be required by such Commissioner or Commissioners.

To assess and tax
Owners of Land.

IV. *And be it enacted*, That such Commissioner or Commissioners so appointed and chosen, or the majority of them, shall from time to time assess and tax the owners or possessors of such Lands towards the charges and expenses incurred by them or their predecessors, whose accounts may remain unsettled on said Lands, of any such Dikes, Wears, Drains, Aboiteaux, or Breakwaters, including the sum of Seven Shillings and Six-pence per day for every such Commissioner while actually employed, and a reasonable sum for the payment of the Clerk, Overseers, Assessors' Assistant, and Collector, having regard to the quantity and quality of Land of each owner or possessor; and the benefit to be by him received: *Provided always*, that where any such rate shall exceed Seven Shillings and Six-pence per acre, on the whole quantity of rateable Land, the Commissioner or Commissioners shall summon the owners or possessors of such Lands, or the known Agents of such owners, or such of them as shall reside within ten miles of the work, to meet on a certain day, being at least three days, exclusive of Sunday, after such summons, at which meeting two-thirds in interest of such Owners or Possessors present, shall have power to elect not less than three, nor more than five Assessors, not being interested in said appraisalment, and also a fit and proper person not interested in said appraisalment, as Assessors' Assistant, whose duty it shall be to show the Assessors the boundaries of the several Lots belonging to the different Proprietors, and who shall be respectively sworn to the faithful discharge of their duties in the same way and manner as the Clerk and such Assessors, or the majority of them, with such Commissioner or Commissioners, shall assess and tax all such Owners or Possessors as aforesaid, towards the charges and expenses as aforesaid, including a sum not exceeding Seven Shillings and Six-pence per day for each Assessor while actually employed in making such assessment: *Provided always*, that an assessment may be made in the manner hereinbefore mentioned, on the Proprietors of Meadow Lands and Swamps for the original opening or draining thereof, although the rate so assessed may be less than Seven Shillings and Six-pence per acre on the quantity of rateable Land, in such Meadow or Swamp: *Provided* that where the Owners or Possessors, or their Agents, attending such meeting, shall unanimously agree at any such meeting to an estimate and assessment, either previously made or then agreed upon, and to be then and there entered on the books of such Commissioner or Commissioners, such assessment so made shall be valid and binding to all intents and purposes, in the same manner as any other rate or assessment made hereunder.

Proviso.

Proviso.

Proviso.

Collection of Fines,
Rates, &c.

V. *And be it enacted*, That all Fines, Rates, and Assessments made or incurred under this Act, shall and may be sued for, collected, and recovered, by and in the name or names of such Commissioner or Commissioners so appointed and chosen as aforesaid, in the same manner and by and with the like process and costs as if the same was or were a private debt or debts due to such Commissioner or Commissioners, and a copy of the Assessment, or of such part thereof as may relate to the particular rate so sued for, shall be sufficient proof of such Assessment having been made and of the liability of the owner or possessor of such Land to pay the same and such Fines, Rates, and Assessments made and incurred under this Act, shall not be subject to any set off whatever of a private nature, nor shall such Fines, Rates, and Assessments on the part of the person or persons suing for the same, be connected with any other claim whatever other than the said Fines, Rates, and Assessments.

Cours. to let or sell
lands to pay rates
and expenses.

VI. *And be it enacted*, That when no Goods or Chattels of any such owner or possessor of any such Land can be found within the County where such Lands lie, or the Commissioner or Commissioners shall not think it prudent to proceed under any Judgment so obtained against such Goods and Chattels, it shall be lawful for such Commissioner or Commissioners to Let so much of the said Land as will pay any such Rate and Expenses thereon, first giving Twenty days notice by Handbills posted

posted up in at least Three of the most Public places in the Township wherein the Lands lie for at least Twenty days previous to such Letting, and in case any such Lands cannot be Let for a sufficient sum to pay such rate, the Sheriff of the County, or his Deputy, at the request of such Commissioner or Commissioners, shall Sell the same or so much thereof as may be necessary to pay such Rate and Expenses, having given Three months previous notice of the time and place of such Sale by Advertisement in the Royal Gazette, Newspaper, at Halifax, and by having Hand-bills posted up in at least Three of the most Public places in the Township in which such Lands lie, and to make, execute, and deliver to the Purchaser or Purchasers at such Sale a good, legal, and valid Deed of such Lands, for which Deed and attending in and about such Sale such Sheriff shall be entitled to receive and take out of the proceeds of such Sale, Ten Shillings and no more: *Provided always*, that in no case shall any School or Glebe Lands be sold under this Act.

Proviso.

VII. *And be it enacted*, That in all cases where the present or former Owner or Possessor of any such Land or his known Agent shall not have agreed to the building of any such Dike, Wear, Aboiteaux, or Breakwater, or to such Damming, Flowing, or Draining, as aforesaid, the Land only so reclaimed belonging to such Owner or Possessor, shall be liable for any such Rate or Assessment.

Rate where owner disagrees to building Dyke, &c.

VIII. *And be it enacted*, That any deficiency in the amount of any Rate shall and may be levied and collected in the same manner as any original Rate.

Collection of Deficiency.

IX. *And be it enacted*, That no Commissioner or Commissioners shall be liable to any Suit, Action, or Damage for any demand for Work done or Materials furnished at the instance of any such Owner or Possessor, or his known Agent, until all Rates and Expenses thereon against the Lands of such Owner or Possessor shall have been paid in full, nor until after a reasonable time for making up the Rate Bill and collecting the same, and in all cases of any such Letting or Sale as aforesaid, the amount due the Owner or Possessor of such Lands for Work or Materials as aforesaid, shall first be deducted from the amount due from such Owner or Possessor.

Actions—in what cases Comrs. liable.

X. *And be it enacted*, That all Owners or Possessors of any such Lands or their Agents, shall, when so required by such Commissioner or Commissioners, furnish and provide a sufficient number of Laborers, with Tools, Carts, and Teams, at the time and place required, in proportion to the quantity of Land they own or possess, and for refusal or neglect so to do, in case of a sudden breach, or the apprehension of one, every such Owner or Possessor shall pay over and above his Rate or Assessment, a fine of Five Shillings for each days' neglect or refusal for each Labourer so required, and a like sum for each Cart or Team so required, and all such fines, and all other fines recovered under this Act, shall be applied for the benefit of such Lands generally.

Owners of Land to furnish Laborers, &c.

Fines.

XI. *And be it enacted*, That when the sods or soil shall have been cut off the Land of any Proprietor, diked in common with other Proprietors, for the purpose of diking the same, or the Lands of such Proprietor shall have been washed away or diked out, or shall have been injured by carting over the same by order of the Commissioner or Commissioners, for the purpose of making or repairing any such Dike, Wear, or Breakwater, such damage shall be valued, assessed, and paid in the same manner as Dike rates are assessed, taxed, and paid, under and by virtue of this Act: *Provided always*, that when there shall be any such Land so reclaimed lying undivided and in common, the same shall be so far as available for that purpose, set off and allotted to such person or persons as may have sustained such injury, and the balance, if any, shall alone be assessed as aforesaid.

Damages done land—how satisfied, &c.

Proviso.

XII. *And be it enacted*, That such Commissioner or Commissioners shall keep, or cause to be kept by their Clerk, a Record of all their proceedings, and a fair account of all monies expended by them, which shall be open to the inspection of all persons interested therein on payment for each search and examination of the Book made at one and the same time, One Shilling; and a copy thereof shall be

Record to be kept by Clerk.

furnished

furnished to every person so interested therein, when demanded, on payment of Sixpence for every ninety words of such copy.

Benefit done other
Marsh.

XIII. *And be it enacted*, That whenever by the making or repairing of any Breakwater, any Salt Marsh lying below such Breakwater shall be benefitted thereby, the same shall also be taxed and assessed towards the expense of such Breakwater, in proportion to the increased value thereof.

Partial benefits by
Draining.

XIV. *And be it enacted*, That whenever in the draining of any Swamp or Meadow Land, a part only of such Land of any Proprietor shall be benefitted thereby, the proportion of expense thereof shall be assessed on the Lands so benefitted only.

Clerk, Overseers,
to be competent
Witnesses.

XV. *And be it enacted*, That any person appointed as a Clerk, Overseer, or Collector, under this Act, shall and may lawfully be examined as a competent witness to prove any fact arising from or connected with the execution of the duties of his office, notwithstanding such Clerk, Overseer, or Collector, may be a Proprietor, or otherwise interested in the Land included in any such assessment, touching which, or any rate thereunder, or any proceeding taken for enforcing the same, any suit or question shall be depending: *Provided always*, that no such Clerk, Overseer, or Collector, shall be a witness in any matter touching the particular rate or assessment upon his own Land or himself in relation thereto.

Proviso.

No Comr. to be Clerk
or Collector.

XVI. *And be it enacted* That no Commissioner or Commissioners of Sewers shall, under any pretence whatever, have, hold or exercise, the office of Clerk or Collector.

Actions not to be
barred.

XVII. *And be it enacted*, That no action or suit for any rate or rates, made by or under the authority, order or direction of any Commissioner or Commissioners of Sewers, shall hereafter be subject or liable to be barred by any Act or Acts of the General Assembly now in force for the limitation of Actions, anything in the said Acts or any of them contained to the contrary notwithstanding.

Plan of Marsh.

XVIII. *And be it enacted*, That whenever any Commissioner or Commissioners of Sewers, having the charge, management, and direction of any Land, under and by virtue of this Act, shall deem it necessary to have a Plan made thereof, shewing the several Lots and Boundaries, and the names of the Owners or Occupiers thereof respectively, such Commissioner or Commissioners shall have full power and authority to employ a Surveyor to make such Plan, and to order the expense thereof to be assessed on such Land so Surveyed, in like manner as other charges in and about the same, and to require all Owners or Possessors of such Lands, or their Agents, to point out to the Surveyor the limits and boundaries of their respective Lots, and all such Owners and Possessors, or their Agents, having been so called upon, shall be bound by the Survey and Plan made as aforesaid.

Contribution toward
Outer Dykes how
determined.

XIX. *And be it enacted*, That hereafter when any Lands already enclosed by any Dike or Dikes, shall by any other Dike or Dikes now or hereafter erected outside the same, be enclosed and protected, the Commissioner or Commissioners of Sewers who shall have the charge of such Land so reclaimed by any such outer Dike or Dikes, shall call a Meeting of all the Proprietors of the Land within the whole level contained, and enclosed by the outer Dike or Dikes, who shall reside within the Township, or within Ten Miles of the place where such Lands lie, giving six days notice of the time and place of such Meeting to each Proprietor, or his known Agent, at which Meeting so called it shall be lawful for two-thirds in interest of such Owners or Possessors of Land within the whole level aforesaid, who shall be present, or in case of their refusal or neglect, then for such Commissioner or Commissioners to elect not less than Three or more than Five Freeholders, not interested in any of the said Lands, who shall be sworn to the faithful discharge of their duties before any one of Her Majesty's Justices of the Peace, and who shall enquire and determine what proportion or degree of benefit hath accrued and is likely to accrue to such old Dike or Dikes, and the Lands lying within the same, from the erection of such outer Dike or Dikes, and shall determine, settle, and declare the proportion of expense the Proprietors of such Lands lying within such

old Dike or Dikes, ought annually to contribute and be assessed for in each year, towards the support, maintenance, and repair of such new or outer Dike or Dikes respectively, and such persons or Commissioner or Commissioners, or two-thirds of them, shall make a report in writing of such their proceedings, which shall be entered in the books of the Commissioner or Commissioners of Sewers for such outer Dike or Dikes, and every such sum or proportion of expenses so determined, settled, and declared, shall be borne, paid, raised, levied, assessed, and collected, by, in, and upon the Lands lying within such inner Dike or Dikes; in the same manner as other Dike Rates: *Provided always*, that in case such outer Dike or Dikes shall cease in whole or in part to protect such inner Dike or Dikes, such Lands lying within the said inner Dike or Dikes shall not be rated or assessed for or in respect of such annual proportion of expense, or any part thereof so determined, declared, and settled as aforesaid, for and during such time as the Lands lying within such inner Dike or Dikes, shall receive no benefit from such outer Dike or Dikes; *And provided also*, that in case two-thirds in interest of the Proprietors of any such inner Dike shall be apprehensive that any new or outer Dike lying beyond or enclosing the same, is unsafe and out of repair, it shall be lawful for two-thirds in interest of the Proprietors of the whole level, to call upon one or more Commissioner or Commissioners of Sewers to examine such new or outer Dike, and if it shall appear to him or them to require repair, such Commissioner or Commissioners, with the assent of the said two-thirds in interest of the Proprietors of the whole level, shall forthwith cause the same to be repaired, or otherwise, with the like assent, shall put the inner Dike in a state of repair as shall seem most advisable, and if such inner Dike should be so repaired, the charges and assessments incurred in respect thereof, shall be borne and paid by the Proprietors of such inner Dike alone.

Proviso.

Proviso.

XX. *And be it enacted*, That in all Actions, brought, commenced or pending against any Commissioner or Commissioners of Sewers, or any officer or person or persons acting under them, or any of them, for or on account of anything by them or any of them done, under this Act or any Act hereafter to be passed in amendment hereof, it shall and may be lawful for such Commissioner or Commissioners, Officer, or person or persons acting under them respectively, under the general issue or any plea setting forth generally that the doings or proceedings for which such Action is brought, have been done under and by authority of this Act or any Act hereafter to be passed in amendment hereof, to give in evidence upon the trial of such Action all such proceedings and doings in the same manner as if the same had been specially pleaded and set forth.

Proceedings of Comrs. to be given in evidence as if specially pleaded.

XXI. *And be it enacted*, That when any person or persons shall pasture any part of the Marshes or other Lands enclosed within any common Dike, or any Land without and adjoining such Dike, or shall make a Road over such Dike, whereby in any such case any part of the common Dike shall be injured, it shall and may be lawful for the Commissioner or Commissioners of Sewers from time to time, as often as there shall be occasion, to make an order upon such person or persons for the repairing of such injury, by a certain day to be named in such order, and in case of refusal to obey such order, such Commissioner or Commissioners shall cause the injury to be forthwith repaired.

Repairs of injury to Dykes.

XXII. *And be it enacted*, That any person neglecting or refusing to obey such order of the Commissioner or Commissioners, shall forfeit and pay for such offence the sum of Ten Shillings, which said sum, with the costs of such repair, shall and may be recovered in the same manner and applied as Dike Rates are under this Act.

Penalty for disobeying Comrs.

XXIII. *And be it enacted*, That all Commissions heretofore issued for the appointment of Commissioners of Sewers, shall be and continue in force until the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, shall otherwise direct, and from and out of such Commissioners of Sewers so appointed for any Lands, it shall and may be lawful for two-thirds in interest of the persons interested in such Lands to choose one or more to be Commissioner or Commissioners

Comrs. appointed previous to this Act to remain in Office

Commissioners

- Their powers and liabilities. missioners of Sewers for the purposes of this Act, and such Commissioner or Commissioners so chosen shall have the same and the like powers, and be liable and subject to the like duties and penalties as are by this Act conferred and imposed by and upon the Commissioner or Commissioners of Sewers to be commissioned, appointed, chosen, and sworn under this Act.
- Remedy for persons aggrieved by Comrs. **XXIV. *And be it enacted,*** That if any Owner or Possessor of Land shall think himself aggrieved by the proceedings of the Commissioner or Commissioners of Sewers, or any person or persons in pursuance of this Act, it shall and may be lawful to remove the proceedings of such Commissioner or Commissioners of Sewers, by Certiorari into the Supreme Court, where the whole of such proceedings shall be examined, if necessary, and such determination made thereon as by the said Court shall be deemed proper; *Provided,* that before any Writ of Certiorari shall be issued, sufficient security shall be given to the Prothonotary or Deputy Prothonotary of said Court, by the person or persons applying for the same, for payment of such costs as may be awarded and taxed by the said Court.
- Proviso. **XXV. *And be it enacted,*** That all Clerks, Collectors, Overseers, Assessors and Assistant Assessors, who shall neglect or refuse to comply with the provisions of this Act, shall be liable to a fine of Ten Shillings for each and every neglect or refusal, to be collected and appropriated as other fines imposed under this Act.
- Penalty for neglect of Clerks, Collectors, &c. **XXVI. *And be it enacted,*** That whenever it shall happen that any such Marsh, Swamp, or Meadow Lands lie partly in two Counties, one or more Commissioner or Commissioners of Sewers may be chosen and selected therefor out of one or both of the Counties in which such Lands lie.
- Comrs. for lands lying in two counties. **XXVII. *And be it enacted,*** That every notice required to be given under this Act, shall be a verbal notice either given to the parties in person, or left at their dwelling houses, if known, and within the distance limited in this Act.
- Notices to be verbal. **XXVIII. *And be it enacted,*** That the choice or dismissal of any Commissioner or Commissioners, or of any Assistant Commissioner or Commissioners of Sewers, to or from the management of any particular Lands, shall be made by an Instrument in writing, under the hands of two-thirds in interest in such Lands, which Instrument shall be entered on the Clerk's Book, or filed with him.
- Choice and dismissal of Comrs. &c. &c. **XXIX. *And be it enacted,*** That nothing herein contained shall be construed to prevent two-thirds in interest of the Proprietors of any such Marsh, Swamp or Meadow Land, if they shall think fit so to do, from making choice of a Collector, Overseer or Overseers, and Assessors' Assistant, ordering, confirming, or disallowing any plan of such Lands, and settling the wages to be thereafter paid to or for the Collector, Overseer, or Overseers, Assessors' Assistant, Labourers, Carts, Teams, and the price to be paid for materials—all which it shall be lawful for two thirds in interest of such Proprietors to do, and to cause the same to be entered in the book belonging to the Commissioner or Commissioners, for his or their guidance.
- Powers of proprietors. **XXX. *And be it enacted,*** That no Commissioner or Commissioners of Sewers, acting under this Act, shall be liable for anything had or done by his or their predecessor or predecessors in office, in or upon any work in which he or they are engaged, unless for the money they may or could have collected for and on account of work done by such predecessor or predecessors.
- Inability of Comrs. **XXXI. *And be it enacted,*** That all proceedings that have heretofore taken place under the authority of the Acts hereby repealed, or any of them, shall, to all intents and purposes, be as valid as if the said Acts were in force, and all work and proceedings that have been commenced by the direction of any Commissioners of Sewers before the passing hereof, shall be proceeded in and completed, pursuant to the provisions of the Acts hereby repealed, or to the provisions of this Act, as shall seem most expedient to two-thirds of the Proprietors, or to the Commissioners of Sewers, under whose authority and direction the same shall have been commenced, and all rates and assessments now made and due, shall be collected as though this Act had not been passed.
- Proceedings under previous Acts to be valid.

XXXII. *And be it enacted,* That the Act passed in the fourth year of the Reign of His late Majesty King George the Fourth, entitled; An Act for the appointment of Commissioners of Sewers, prescribing their power and authority, and for repealing the Acts now in force relating to that office ; also, the Act passed in the tenth year of the Reign of His late Majesty King George the Fourth, entitled, An Act in amendment of the Act relating to Commissioners of Sewers ; also, the seventh clause or section of the Act passed in the second year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning Rates and Assessments on certain Diked Marsh Lands in Cornwallis ; also, the Act passed in the fifth year of the Reign of His said late Majesty King William the Fourth, entitled, An Act in amendment of the Acts relating to Commissioners of Sewers ; also, the Act passed in the third year of the Reign of her present Majesty Queen Victoria, entitled, An Act to continue and amend the Act in amendment of the Acts relating to Commissioners of Sewers ; also, the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers, and every matter and thing in the said several Acts and clauses of Acts contained, shall be, and the same are hereby respectively repealed: *Provided always,* that the repeal of such Acts, or clauses of Acts, or any of them, shall not have the effect of bringing into operation any Act or Acts thereby repealed, but all such Acts shall be and remain repealed in the same manner as if this Act had not passed: *Provided always,* that nothing herein contained shall extend, or be construed to extend, to repeal or in any way affect the said Act passed in the second year of the Reign of His Majesty King William the Fourth, entitled, An Act concerning Rates and Assessments in certain Diked Marsh Lands in Cornwallis, except the seventh section thereof.

Act 4, Geo. 4, Act 10, Geo. 4, part Act 2, Wm. 4, Act 5, Wm. 4, Act 3, Vic., Act 8, Vic. repealed.

Proviso.

Proviso.

XXXIII. *And be it enacted,* That this Act may be altered, amended, or repealed by any other Act or Acts to be passed during the present Session of the General Assembly.

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

To continue 5 years.

CAP. XII.

An Act for relieving Insolvent Debtors from Imprisonment.

(Passed the 20th day of March, 1846.)

WHEREAS, the provisions of the several Acts heretofore made for the relief of Insolvent Debtors, have been found cumbersome, and in many instances defective, and it is desirable that the same should be consolidated and reduced into one Act:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That if any person who may now or hereafter be imprisoned under any Writ of Mesne Process or Execution, or any Attachment for nonpayment of costs, issued out of the Supreme Court of this Province, shall exhibit a Petition to any one of the Judges of such Court, or to any two Commissioners, duly appointed for such purpose in the County where such Prisoner is confined, praying for his discharge from such imprisonment, and accompanied by a Schedule of all his Property, both Real and Personal, and of all Debts due or accruing due to him, and of all securities by him held, which might by any possibility be made available, or which might become assets in the hands of his personal representatives, and so far as the same can be obtained by such Prisoner, a statement showing the amount of his liabilities, such Judge or Commissioners shall forthwith issue a Summons, by him or them signed and sealed, for the Creditor, at whose suit such Prisoner shall be confined, to appear

Judge to summon Creditors on petition from Prisoner.

Service of summons.

pear at a certain time and place therein mentioned, to show cause, if any there be, why such Prisoner should not be discharged, a true copy of which Summons shall be served upon such Creditor, where his place of residence shall not exceed ten miles from the place appointed for shewing cause as aforesaid, at least forty-eight hours before the time appointed for that purpose; and where such Creditor shall reside at a greater distance than ten miles from the place so appointed for showing cause, at least twenty-four hours before such time for every twenty miles of such distance, in addition to such forty-eight hours as aforesaid; and the original Summons, together with the Schedule and statement aforesaid, shall at the same time be exhibited to the said Creditor, the facts of which service shall in all cases where the same shall not be admitted by the Creditor, be duly attested to by the person serving the same, by an oath in writing, to be administered by any Justice of the Peace for the County, or by any other person duly qualified to administer an oath therein.

Oath to be administered prisoner.

II. *And be it enacted*, That at the time appointed for shewing cause as aforesaid, such Judge or Commissioners shall proceed to hear and determine upon the merits of such Petition, and shall, if desired by the Creditor, administer an oath to the Prisoner in the following form: "I, A. B. do swear that I will true answer make to all such questions as shall be asked me in relation to the matters contained in my Petition to _____, or the Schedule or statement accompanying the same, or touching any Property, Chattels, Debts, Credits, Effects, or Assets, which I or any in trust for me, or any of my representatives, had, or now have, or are entitled to, or liable unto, or may hereafter have or be entitled to or liable unto," or to that effect; and if upon such hearing, with or without such examination under oath, it shall appear to such Judge or Commissioners that the Prisoner has given a fair and honest account of his affairs and dealings, and of his Property, Debts, Credits, and Securities as aforesaid, the said Judge or Commissioners, shall direct an assignment to be forthwith made by such Prisoner to the Creditor in trust for the payment of his Debt, of all the Real and Personal Property, Money, Debts, Effects, and Securities, as aforesaid, of such Prisoner; and in cases of imprisonment under Mesne Process shall, if he or they are satisfied of the existence and amount of the Debt, cause the Prisoner to sign a Confession of Judgment therefor, and to do such other and further acts as he or they may deem right in the matter, and such Judge or Commissioners shall then, unless in cases where the same shall be waived by the Creditor, administer to the Prisoner an Oath in writing, to be by him signed, in the form following:

Judge to direct assignment of Real and Personal property, &c. &c.

Affidavit of truth of Schedule, &c.

"I, A. B., do solemnly swear that the Schedule annexed to my Petition to _____ (or "as now amended," if such shall be the case,) doth contain a true and full account of all the Real and Personal Estate, Debts, Credits, Effects, Assets, and Liabilities whatsoever, which I, or any in trust for me, or as my Representatives at the time of my said Petition had, or now have, or am, or are in any respect entitled to, or to my knowledge may hereafter have or be entitled to, (except the Wearing Apparel and Bedding for me or my Family, and the Tools or Instruments of my Trade or Calling, not exceeding Ten Pounds in the whole,) and that I have not at any time since my Imprisonment, or before, directly, or indirectly sold, leased, assigned, or otherwise disposed of, or made over in trust for myself or otherwise, other than as mentioned in such Schedule, any part of my Lands, Estate, Goods, Money, Debts, or other Real or Personal Estate, whereby to have or expect any benefit or profit to myself, or to defraud any of my Creditors, to whom I am indebted. So help me God."

Judge to discharge prisoner.

Upon the executing of which assignment, and the taking of such Oath (where required) and the complying in all other respects with the directions of such Judge or Commissioners in the premises, such Judge or Commissioners shall then, by an Order by him or them Signed and Sealed, direct the discharge of the Prisoner from Custody, and he shall be forthwith discharged therefrom at the suit to be expressed

in such Order, and a copy of such Order shall in all cases be given to the Sheriff of the County, or Gaoler thereof, and every such Sheriff and Gaoler, who shall discharge any Prisoner under any Order signed and sealed as aforesaid, shall be relieved from any responsibility in regard to the discharge of such Prisoner.

III. *Provided always, and be it enacted,* That if the Creditor shall be dissatisfied with the account given by the Prisoner upon such examination, under Oath as aforesaid, and shall forthwith, in the presence of such Judge or Commissioners, make and file an Affidavit in writing, setting forth that he has good reason to be dissatisfied with the account so given, and believes that the Prisoner has not disclosed the whole truth, and has other Property than that by him admitted, the said Judge or Commissioners shall remand the Prisoner, and appoint another day at as short a period as may seem just and reasonable, for the further hearing of the matter, and shall on that day again meet and hear such further evidence as may be adduced, and discharge or remand the Prisoner, or make such further orders and continuances as the justice of the case may seem to require. Proviso.

IV. *Provided also, and be it enacted,* That if in cases where the hearing and examination shall have been had before Commissioners, the Creditor shall be dissatisfied with the decision of the said Commissioners, and shall then make and file an Affidavit in writing, setting forth that he is really dissatisfied with such decision and appeals therefrom, and that such appeal is not made for the purpose of delay, but that substantial justice may be done therein, or to that effect, such Commissioners shall grant such appeal, and remand such Prisoner to Gaol, and return all the Papers in the matter to the Court of Appeal hereby constituted as next hereinafter mentioned. Proviso.

V. *And be it enacted,* That the Court or Tribunal for the hearing and determining of such Appeals respectively shall be as follows, that is to say: In all cases where the Supreme Court shall at the time of such Appeal be sitting in the County where such order appealed from shall be made, or where it shall be within Ten days previous to the day by Law appointed for the sittings of such Court in such County, then such Supreme Court shall be the Court of Appeal; and where such shall not be the case, then any two Judges of the Supreme Court, if present within the County where such Order so appealed from shall be made, shall constitute such Court of Appeal; and where such two Judges shall not be present, then the Prothonotary, or Deputy Prothonotary for the County or District where such order shall be made, to whom the said Commissioners making such order are hereby directed to return all the Papers in the matter, shall summon a Special Sessions of the Peace to be held within three days, to consist of the Custos Rotulorum of the County or District wherein such order has been made, and any two Justices of the Peace for such County, not including either of the Commissioners who shall have made the order appealed from, or in case of the said Custos having been one of the Commissioners making such order so appealed from, or being sick, or absent from the County or District, then to be composed of any Three of the Justices of the Peace for such County, not to include either of the Commissioners who shall have made the order appealed from, which Special Sessions so summoned, shall in such case constitute such Court of Appeal. Court of Appeal by whom composed.

VI. *And be it enacted,* That every such Court of Appeal, so constituted as aforesaid, shall proceed to hear and determine such appeal, and discharge or remand the Prisoner, or make such other Order or Orders therein as may seem proper, and all such orders so made by such Court of Appeal shall be final and conclusive in the Premises, and a copy of every such order shall be furnished to the Sheriff or Gaoler in whose custody such Prisoner shall be, and such Sheriff and Gaoler shall be thereby respectively relieved from any responsibility in relation to the discharge of such Prisoner. Court to hear Appeal discharge or remand prisoners. &c.

VII. *Provided always and be it enacted,* That if it shall appear to the said Judge or Judges, or Commissioners, or Court of Appeal, that the Debt in respect Debts fraudulently contracted.

whereof the said judgment was given, was fraudulently contracted, or that there have occurred any circumstances in respect of such Debt, or in respect of the conduct of the said Prisoner with regard to the disposition of his property, or any part thereof, or in respect to the delay of payment thereof, which, in the opinion of the said Judge or Judges, or Commissioners, or Court of Appeal, shall have been fraudulent, and render it proper that the said Prisoner should be longer detained in Prison, then, and in every such case, it shall be lawful for the said Judge or Judges, or Commissioners, or Court of Appeal, to remand the Prisoner for such longer period or periods not exceeding one year, as the said Judge or Judges, or Commissioners, or Court of Appeal, shall consider proper under all the circumstances of the case, and also from time to time to make such further order or orders as the said Judge or Judges, or Commissioners, or Court of Appeal, may deem equitable or proper: *Provided always*, that such Prisoner in cases before the Commissioners, shall be entitled, if he shall request it, to an appeal to the Court of Appeal hereby constituted, as in ordinary cases, and all such appeals, when demanded, shall be heard and determined by such Court of Appeal in manner aforesaid.

Provido.

Property acquired
after discharge.

VIII. *And be it enacted*, That in case any person who shall have been discharged from custody under this Act, shall subsequently to his discharge acquire Property, either Real or Personal, such property shall be subject to be levied upon and taken in execution, and sold thereunder, in as full and ample a manner to all intents and purposes, as if such person had not been committed to Gaol.

Justices to act as
Commissioners.

IX. *And be it enacted*, That where any person shall be committed to Gaol, under any Writ of Execution or Mesne Process, issued by any Justice or Justices of the Peace, any two of Her Majesty's Justices of the Peace for the County where such person shall be confined, shall and may extend to such person the benefit of this Act, in as full and ample a manner, and by the same ways and means, and subject to the same Orders and Appeals as the Commissioners under this Act are authorized to do and take, and their proceedings are subject unto, and all Orders by such Justices made, shall have the like force and effect as if made by such Commissioners.

Preamble.

And whereas doubts have arisen respecting the right of persons indebted to the Crown to their discharge under the Acts heretofore made for the relief of Insolvent Debtors, and it is expedient that the benefit of this Act should be extended to them under certain restrictions.

Prisoners at suit of
Crown how to ob-
tain discharge.

X. *Be it therefore enacted*, That any person who may now or hereafter be imprisoned at the suit of the Crown, may Petition any one of the Judges of the Supreme Court, or any two of the Commissioners appointed as aforesaid in and for the County in which such Prisoner shall be confined, praying for his discharge, which Petition shall be accompanied by a Schedule and Statement as aforesaid, upon which such Judge or Commissioners shall issue his Summons to shew cause in manner aforesaid, a true Copy of which Summons shall be served upon Her Majesty's Attorney General for at least the same time previously to the time appointed for the hearing thereunder, as in ordinary cases under this Act, and the original Petition, and Schedule, and Statement, shall at the same time be exhibited to the Attorney General, and at the time and place appointed, the said Judge or Commissioners shall examine such person upon oath, and by all lawful ways and means ascertain, so far as may be done, whether such Prisoner be insolvent or not, and if such Judge or Commissioners shall be satisfied that such Prisoner is unable to pay the said debt, he or they shall certify the same, together with an inventory of all the Property that such Insolvent Debtor may be possessed of, or entitled to, to the Governor, Lieutenant-Governor, or Commander in Chief for the time being; and it shall thereupon be lawful for such Governor, Lieutenant Governor, or Commander in Chief, with the advice of the Executive Council, if he shall think proper so to do, by Warrant under his Hand and Seal, to order Her Majesty's Attorney General to assent, on behalf of Her Majesty the Queen, to the discharge of such Insolvent

Debtor,

Debtor, either with or without an Assignment of any Property which the said Debtor may appear to be possessed of, or entitled to, any law, usage, or custom, to the contrary notwithstanding.

XI. *And be it enacted*, That the word "Creditor," as used in this Act, shall be taken to extend to and include the Creditor or Creditors, or the Attorney or Agent of such Creditor or Creditors respectively, and every word importing the singular number only, shall extend and be applied to several persons or things as well as one person or thing, and every word importing the masculine gender only, shall be applied to a Female as well as a Male.

Meaning of words used in Act.

XII. *And be it enacted*, That the Act passed in the third and fourth year of the Reign of His late Majesty King George the Third, entitled, An Act for the relief of Insolvent Debtors; also the Act passed in the forty-fourth year of His said late Majesty's Reign, entitled, An Act in addition to and amendment of an Act made and passed in the third and fourth years of His present Majesty's Reign, entitled, An Act for the relief of Insolvent Debtors; also the Act passed in the fifty-first year of His said late Majesty's Reign, entitled, An Act in further addition to and in amendment of an Act made and passed in the third and fourth years of His present Majesty's Reign, entitled, An Act for the relief of Insolvent Debtors; also, the Act passed in the fifty-third year of His said late Majesty's Reign, entitled, An Act in addition to and amendment of an Act passed in the third and fourth years of His present Majesty's Reign, entitled, An Act for the Relief of Insolvent Debtors; also, the Act passed in the fifty-seventh year of His said late Majesty's Reign, entitled, An Act for the more effectual Relief of Insolvent Debtors; also, the Act passed in the fifty-ninth year of His said late Majesty's Reign, entitled, An Act to repeal an Act passed in the fifty-third year of His Majesty's Reign, entitled, An Act in addition to and amendment of an Act passed in the third and fourth years of His present Majesty's Reign, entitled An Act for the Relief of Insolvent Debtors; also, the Act passed in the second year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the further Relief of Insolvent Debtors; also, the Act passed in the fifth year of the Reign of His said late Majesty King William the Fourth, entitled An Act in amendment of an Act made and passed in the fifty-seventh year of the Reign of His Majesty King George the Third, entitled, An Act for the more effectual Relief of Insolvent Debtors; also, the several Acts passed in the seventh year of the Reign of His said late Majesty King William the Fourth, respectively entitled, An Act in addition to and amendment of the various Acts made and passed by the General Assembly of this Province for the Relief of Insolvent Debtors, and an Act to extend the benefits of the Insolvent Debtors Acts to persons arrested upon Mesne Process; and also the Act passed in the second year of the Reign of Her present Majesty Queen Victoria, entitled An Act for the Relief of Insolvent Debtors imprisoned under Mesne Process, and every matter, clause, and thing in the said Acts respectively contained, shall be, and the same are hereby repealed, save and except that all proceedings heretofore had under and by virtue of said Acts, or any of them, shall be and remain valid and effectual to all intents and purposes, and all appeals had or taken thereunder shall and may be proceeded in and determined in the same manner as if this Act had not been passed.

Act 3 & 4 Geo. 3rd.
Act 44 Geo. 3rd.
Act 51 Geo. 3rd.
Act 53 Geo. 3rd.
Act 57 Geo. 3rd.
Act 59 Geo. 3rd.
Act 2 Will. 4th.
Act 5 Will. 4th.
Act 7 Will. 4th.
Act 2 Victoria Repealed.

Proviso.

XIII. *And be it enacted*, That the said Commissioners and the said Custos and his associates, and the said three Justices respectively, constituting Courts of Appeal as prescribed by this Act, shall return to the Prothonotary, or Deputy Prothonotary of the Court wherein the Judgment was signed, all the papers and documents connected with the said applications and appeals to them respectively, and the said Prothonotary, or Deputy Prothonotary, or Justice by whom the Judgment was given, shall forthwith file the said papers and documents with the papers in the cause wherein the original Judgment was given.

Commissioners and Justices to return papers, &c. to Prothonotary.

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

Act to continue 3 years.

CAP. XIII.

An Act in relation to Bastard Children.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That if any Woman shall hereafter become or be pregnant with a Bastard Child, which shall be likely to become chargeable to any Township or District in this Province, it shall be lawful for such Woman to go before some one of Her Majesty's Justices of the Peace for the County within which she shall be resident, and make Oath in writing before such Justice, setting forth that she is so pregnant, and who is the Father of such Child, which Oath shall be reduced to writing, and signed by such Woman, and thereupon such Justice shall forthwith issue his Warrant, under his Hand and Seal, to apprehend the said reputed Father, and cause him to be brought before him, or some other Justice of the Peace for the said County, and such reputed Father, when so brought up under such Warrant, shall be and he is hereby required to enter into a Bond, with one sufficient surety, to be approved of by the Justice before whom he shall be brought, to indemnify the Township or District to which such Child shall be likely to become chargeable as aforesaid, until after the Birth of such Child, and also until an order of filiation shall be made thereon, or the said reputed Father be discharged upon the examination and hearing, preparatory to the passing of such Order as hereinafter directed, and in default thereof shall be committed to the Jail of the said County, there to remain until such examination and hearing can be had, or until he shall enter into such Bond as aforesaid.

On Oath of woman pregnant Justice to issue Warrant for apprehension of reputed Father.

Justices to issue Warrant against Mother and Father.

To examine Mother under Oath.

To discharge reputed Father or make order of filiation, &c.

II. *And be it enacted*, That as soon as convenient after the birth of such Child, it shall be lawful for any two of Her Majesty's Justices of the Peace for the County, on application of one of the Overseers of the Poor for or of some substantial householder of such Township or District, to which such Child shall be or shall be likely to become chargeable as aforesaid, to issue a Warrant under their Hands and Seals, to bring up the Mother of such Child, and the reputed Father thereof, before such Justices at a certain time and place therein mentioned, and at such time and place the said Justices shall proceed to hear the evidence, under Oath, of the said Mother, who is hereby declared to be a legal witness therein, and also of any person or persons other than the said reputed Father, who shall not be a competent witness on such matter that may be produced by the said Mother, or reputed Father, for the purpose of corroborating or invalidating the testimony of the said Mother, as the case may be, and shall then and there, as the facts may warrant, proceed to discharge such reputed Father, or otherwise make up such order of filiation as may seem just and right, to indemnify the said Township or District for the expenses of lying in of the said Mother and other expenses connected with the birth and maintenance of such Child and the Mother thereof up to the time of passing such order, and also thereby to order the said reputed Father, respect being had to his ability, to pay such sum weekly, as they shall consider reasonable and right, towards the support and sustenance of the said Bastard Child, so long as he shall be chargeable to the said Township or District, and the said reputed Father shall, in such case, then and there enter into a Bond, with one sufficient surety, to be approved of by the said Justices, to perform and fulfil the said order of filiation, or shall pay into the hands of the Overseers of the Poor for the Township or District where such Child shall be born the sum of Twenty Pounds, for the support of each such Child or other Town uses; and in default of so doing shall be committed forthwith by such Justices to the County Jail, there to remain for a space, in the discretion of such Justices, not to exceed six calendar months, or until he shall have entered into such Bond, or paid such money as aforesaid.

III. *And be it enacted*. That in case the Mother of any such Bastard Child shall not previously to the birth thereof have made Oath before a Justice of the Peace,

Peace, touching the person of the reputed Father of such Child, it shall and may be lawful for any one of Her Majesty's Justices of the Peace, at any time within six months after the birth of such Child, on application of one of the Overseers of the Poor of the Township or District to which the same shall have become, or shall be likely to become chargeable, to take the Affidavit, in writing, of such Mother, declaring who is the Father of such Child, and thereupon a Warrant shall forthwith issue under the Hands and Seals of any two of Her Majesty's Justices of the Peace for the County, to bring the said reputed Father, and also the said Mother before such Justices, at a certain time and place therein mentioned, and all such other and further proceedings shall be had thereon as hereinbefore directed in relation to cases where the Father of any such Child shall have been declared by the Mother before the birth thereof.

Mode of procedure when the Mother has not sworn to the Father previous to Child's birth.

IV. *And be it enacted*, That in case any such reputed Father shall conceal himself, or otherwise avoid the service of any such Warrant as aforesaid, so that he cannot be brought before the said Justices at the time and place by them directed in said Warrant, for such hearing and examination as aforesaid, it shall and may be lawful for the said Justices to make up their order of filiation, notwithstanding the absence of such reputed Father, in the same manner as if he were present, and to issue their Warrant under their Hands and Seals to bring him before them at some subsequent day and place to be therein mentioned, to shew cause why he should not comply with such order, and enter into such Bond to indemnify the said Township or District from the charge of such Child, agreeably to such order of filiation, and at the time and place so appointed the said Justices shall proceed to confirm or reverse, or otherwise alter and modify the said order of filiation, as to them may seem right, and in case the said order shall be confirmed or modified, or a new one made, the said reputed Father shall immediately enter into a Bond with one sufficient surety, to be approved as aforesaid, to perform and abide by such order so confirmed, modified or made anew, or shall pay the sum of Twenty Pounds for each such Child as aforesaid; and in default thereof shall be subject and liable to the same penalties and imprisonment as hereinbefore prescribed in regard to the nonperformance of any such order of filiation as aforesaid.

Mode of procedure when the Father conceals himself.

V. *And be it enacted*, That if the reputed Father should think himself aggrieved by any such order of filiation so made as aforesaid, he may appeal to the next Supreme Court to be thereafter held in the County in which such order shall be made, when the whole matter may be heard and tried by such Court on the Verdict of a Jury, and the said order of filiation be confirmed or quashed, as may seem right, and the decision of such Court shall, in all, cases be final: *Provided always*, before any such Appeal shall be granted, the said reputed Father shall enter into a Bond with one sufficient surety to be approved of by the Justices before whom such order of filiation shall have been made, to abide by and perform the said order of filiation in case it should be confirmed by the said Supreme Court, and also in such case to pay and satisfy all costs and charges which shall or may be legally incurred by the Overseers of the Poor in consequence of such Appeal.

Reputed Father may appeal to Supreme Court.

VI. *And be it enacted*, That upon the examination and hearing preparatory to the making of the order of filiation as aforesaid, the Justices before whom the same shall be had and conducted, shall and may, if they think proper so to do, order and direct that the Mother of any such Child, shall bear a part or the whole of the expense of maintaining and supporting the same either by nursing or otherwise as may be directed and set forth in their order of filiation, or by any other order to be by them made in relation thereto.

Proviso.

Justices may order the Mother to support child.

VII. *And be it enacted*, That the Overseers of the Poor for the time being for any Township or Settlement, shall be entitled to sue in their own names upon any Bond entered into under this Act, whether the same shall have been made to them or their predecessors in the said office of Overseers of the Poor for such Township or Settlement, and any such Suit shall not abate by reason of the death or removal from office of such Overseers of the Poor, or any of them.

Overseers of Poor to sue on Bonds in their own name.

Peace for the said County, to find sufficient security to indemnify the said or in default thereof to commit him to the County Gaol, there to remain until an order of filiation shall be made pursuant to Law.

J. P. (Seal.)

Form of a Commitment where the reputed Father, when brought up before birth of a Child, refuses to enter into a Bond of Indemnity, to be indorsed on the Warrant.

Commitment on refusal to enter into Bond.

Whereas the within named A. F. is now before me, and hath refused to enter into a sufficient Bond to indemnify the of , I hereby order and direct that he be committed to the County Gaol, there to remain until he shall have given the said Bond of Indemnity, or be otherwise brought up for further examination in the premises:

Witness my Hand and Seal, this day of A. D. 18 J. P. (Seal.)

Examination of the Mother after the Birth of the Child.

Examination of Mother.

County of SS.

The examination of A. M. of in the said County taken upon Oath before me one of Her Majesty's Justices of the Peace for the said County, who deposeseth and saith that on the day of now last past, at in the of in the said County, she the said A. M. was delivered of a (Male or Female) Bastard Child, and that the said Bastard Child is likely to become chargeable to the said of and that A. F. of in the said County is the Father of such Child.

Sworn to before me this day of A. D. 18 A. M. J. P.

Bond of Indemnification.

Know all Men by these Presents that We, A. F of in the County of and A. S. of in the same County, are held and firmly bound unto the Overseers of the Poor for the of in the said County, and their successors in office, in trust for the Inhabitants of the said in Pounds of lawful money of Nova Scotia, to be paid to the said Overseers of the Poor, their successors in office, Attorney or Assigns, for which payment well and truly to be made, we bind ourselves and each of us by himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents.

Sealed with our Seals. Dated this day of A. D. 18

Whereas A. M. of hath by examination in writing, taken upon Oath before one of Her Majesty's Justices of the Peace for the said County of declared that she is with Child, and that such Child is likely to be born a Bastard, and to be chargeable to the said of and that the above bounden A. F. is the Father of the said Child.

Now the Condition of this Obligation is such, that if the said A. F. and A. S. or either of them, their or either of their Heirs, Executors, or Administrators, do and shall from time to time, and at all times forever hereafter, fully and clearly indemnify and save harmless the said Overseers of the Poor of the said of and their successors in office for the time being, and also all and singular the Inhabitants of the said of for the time being, of and from all Costs, taxes, rates, assessments, and charges whatsoever, for or by reason of the birth, education, or maintenance of the said Child, and of and from all actions, suits, charges or demands whatsoever, touching or concerning the same, then this obligation to become void, otherwise to remain in full force and effect.

Signed, Sealed, and Delivered, in the presence of

A. W.

A. F. (Seal.) A. S. (Seal.)

Warrant

Warrant for Father
and Mother after
Birth of Child.

Warrant to bring up the Mother and reputed Father after the Birth of the Child.

County of _____ SS.

To any of the Constables of the said County :

Whereas, A. M. of _____ in the said County _____ hath by her examination in writing on Oath taken before us _____ and _____ two of Her Majesty's Justices of the Peace for the said County, declared that on the day of _____ last past, she the said A. M. was delivered of a male (or female) Bastard Child, in the _____ of _____ in the said County, and that A. F. of _____ in the said County, is the Father of the said Bastard Child, and that the said Bastard Child is now living and chargeable to the _____ of _____ and the Overseers of the Poor of the said _____ of _____ have thereupon applied to us to issue this Warrant.

These are to command you that you bring the said A. M. and the said A. F. respectively, before us at the _____ of _____ in the said County, on the day of _____ at the hour of _____ noon of the same day, to be by us further examined, touching the premises to the end that upon such examination we may make such order thereon as to right may appertain, and also that you do personally attend at the same time and place in the further execution of your duty.

Witness, our Hands and Seals, this _____ day of _____ A. D. 18 _____

J. P. (Seal.)
K. P. (Seal.)

Order of Filiation.

Order of Filiation.

The order of J. P. and K. P. Esquires, two of Her Majesty's Justices of the Peace for the said County, concerning a male (or female) Bastard Child, lately born in the _____ of _____ of the body of A. M.

Whereas, upon the oath of the said A. M. it hath appeared unto us the said Justices, that on the _____ day of _____ now last past, she was delivered of a male (or female) Bastard Child in the _____ of _____ in the said County, and that the said Bastard Child is now chargeable to the _____ of _____ and likely so to continue, and that A. F. of _____ in the said County, is the Father of the said Child.

And whereas, the said A. F. hath been brought before us by our Warrant, (or has refused to appear as the case may be) to answer the premises, but hath not shown any sufficient cause why he the said A. F. shall not be deemed and be held to be the Father of the said Bastard Child.

Wherefore upon a full investigation of the matter, as well upon the oath of the said A. M. as otherwise, we do hereby adjudgè him the said A. F. to be the Father of the said Child, and thereupon we do order, as well for the better relief of the _____ of _____ as for the sustenance and relief of the said Bastard Child, that the said A. F. shall forthwith, upon notice to him given of this our order, pay or cause to be paid to the Overseers of the Poor for the said _____ of _____ or to some or one of them the sum of _____ for and towards the lying in of the said A. M. and the maintenance of the said Bastard Child up to this date.

And we do also further order that the said A. F. shall likewise pay or cause to be paid to the Overseers of the Poor of the _____ of _____ for the time being, or to some or one of them the sum of _____ weekly and every week from the day of the date hereof, for and during so long a period of time as the said Bastard Child shall remain chargeable to the said _____ of _____ for and towards the support and maintenance of such Child.

And we do also further order that the said A. M. shall also pay or cause to be paid to the Overseers of the Poor of the said _____ of _____ or to some or one of them the sum of _____ weekly and every week so long as the said Bas-

tard

tard Child shall be chargeable to the said nurse and take care of the said Child.

in case she shall not herself

Given under our Hands and Seals this

day of

A. D. 18

J. P. (Seal.)

K. P. (Seal.)

Commitment to be indorsed on the Order of Filiation.

Commitment to be
endorsed on order.

County of SS.

Whereas A. F. named in the within Order of Filiation, by us this day made, hath refused to comply with such order, or to give sufficient Bonds to the Overseers of the Poor to indemnify the of in the said County, in respect of the support of the Bastard Child within referred to, We do hereby order and direct the High Sheriff of the said County, or his Gaoler, to receive the said A. F., and commit him to the Common Gaol of the said County, there to remain in close confinement for the space of or until he shall have given such Bonds as aforesaid, or shall otherwise be removed according to Law.

Witness our Hands and Seals, this day of A. D. 18

J. P. (Seal.)

K. P. (Seal.)

Warrant to apprehend reputed Father after order of Filiation, where he shall have avoided service of previous Warrant.

Warrant after order
of Filiation.

County of SS.

To any of the Constables of the said County.

Whereas a Warrant was issued by us, two of Her Majesty's Justices of the Peace for the said County, to bring before us on the day of A. M., of in the said County, and A. F., of in the said County, which said A. M. duly appeared under the said Warrant, but the said A. F. could not be found, and on hearing the evidence then adduced before us, we did on that day make up an Order of Filiation, in the absence of the said A. F., but he the said A. F. has not complied therewith:

These are therefore to command you to bring the said A. F. before us, at the on the day of at o'clock, noon, that he may be examined by us touching the said Order of Filiation, and shew cause why he should not comply with such order, and enter into Bonds for the performance thereof, and otherwise be dealt with according to Law.

Given under our Hands and Seals, this day of A. D. 18

J. P. (Seal.)

K. P. (Seal.)

The Form of Commitment the same as that under the Order of Filiation, where the Father shall have been present.

Commitment after
order of Filiation.

Bond to abide and fulfil the Order of Filiation.

Bond to fulfil order
of Filiation.

Know all Men by these Presents, that We, A. F. of in the County of , and A. S. of are held and firmly bound unto the Overseers of the Poor for the of in the said County, in trust for the Inhabitants of the said in Pounds of lawful Money of the Province of Nova-Scotia, to be paid to the said Overseers of the Poor, and their Successors in Office for the time being, of the said of , or their certain Attorney, Executors, Administrators and Assigns, for which payment to be well and truly made, we bind ourselves, and each of us by himself, our, and each of our Heirs, Executors, and Administrators, firmly by these Presents. Sealed with our Seals, dated this day of A. D. 18

Whereas by an Order of Filiation duly made by and Esquires, two of Her Majesty's Justices of the Peace for the County aforesaid, in the matter of a Bastard Child lately begotten on the body of A. M. the said A. F. hath been adjudged to be the Father of such Child, and to pay the

respective amounts hereinafter set forth for the support and maintenance of the same, and other expenses therewith connected.

Now the Condition of this Obligation is such, that if the said A. F. and A. S. or either of them, their, or either of their Heirs, Executors, or Administrators, do and shall well and truly pay, or cause to be paid, to the Overseers of the Poor of the of in the said County, or either of them, the full sum of , as in and by such Order of Filiation directed, for the expenses of the lying in of the said A. M., and the expense of the sustenance of the said Bastard Child up to the time of the making up of the said Order, and also shall and do pay, or cause to be paid to the said Overseers of the Poor for the said of , and their Successors in Office for the time being, or to some or one of them, the full sum of weekly, and every week, for and towards the support and maintenance of such Child, as also in and by said order directed, then this obligation to become void, otherwise to remain in full force and effect.

Signed, Sealed and Delivered } A. F. (Seal.)
in the presence of } A. S. (Seal.)

Form of Bond where Appeal has been made.

The like where an Appeal from such Order shall have been made to the Supreme Court.

Know all Men by these Presents, that We, A. F., of in the County of , and A. S. of are held and firmly bound unto the Overseers of the Poor for the of in the said County, in trust for the Inhabitants of the said in Pounds of lawful Money, of the Province of Nova-Scotia, to be paid to the said Overseers of the Poor, and their Successors in Office for the time being, of the said of , or their certain Attorney, Executors, Administrators and Assigns, for which payment to be well and truly made, we bind ourselves, and each of us by himself, our and each of our Heirs, Executors, and Administrators, firmly by these Presents. Sealed with our Seals, dated this day of A. D. 18

Whereas, by an order of Filiation duly made by and Esquires, two of Her Majesty's Justices of the Peace for the County aforesaid, in the matter of a Bastard Child lately begotten on the body of A. M. the said A. F. hath been adjudged to be the Father of such Child, and to pay the respective amounts hereinafter set forth for the support and maintenance of the same, and other expenses therewith connected, from which order the said A. F. hath appealed to the Supreme Court.

Now the Condition of this Obligation is such, that in case the said order shall be confirmed by the said Supreme Court, then, and in such case, if the said A. F. and A. S. or either of them, their or either of their Heirs, Executors, or Administrators, do and shall well and truly pay and satisfy, or cause to be paid and satisfied, all costs and charges which shall or may be legally incurred by the Overseers of the Poor for the of in the said County, in consequence of such appeal ; and also in such case do and shall well and truly pay or cause to be paid to the Overseers of the Poor of the of in the said County, or either of them, the full sum of as in and by such order of Filiation directed for the expenses of the lying in of the said A. M. and the expense of the sustenance of the said Bastard Child up to the time of the making up of the said order, and also shall and do pay or cause to be paid to the said Overseers of the Poor for the said of and their successors in office for the time being, or to some or one of them, the full sum of weekly, and every week, for and towards the support and maintenance of such Child, as also in and by the said order directed. Then this obligation to become void, otherwise to remain in full force and effect.

Signed, Sealed, and delivered } A. F. (Seal.)
in presence of } A. S. (Seal.)

TABLE OF FEES REFERRED TO IN THIS ACT.

Table of Fees.

Justices' Fees.

The Examination of the Woman in writing,	£0	1	0
Warrant to apprehend the reputed Father before birth of Child,	0	2	0
Bond to indemnify the Township or District,	0	3	0
Warrant to bring the reputed Father and Mother before the Justices,	0	3	0
All Commitments, each,	0	1	0
Bond to perform order of Filiation, whether on Appeal or otherwise,	0	3	0
Warrant to apprehend reputed Father, when he shall not have appeared at the time of making order of Filiation,	}	0	2
Order of Filiation every 90 words, 6d.			

Constables' Fees.

Serving every process, each 1s.	£0	1	0
Travel—3d per mile from the residence of the party served to that of the Justice or Justices.	}		

CAP. XIV.

An Act relating to the Treasury Notes, the Funded Debt, and the Halifax Savings' Bank.

(Passed the 20th day of March, 1846.)

WHEREAS it is expedient to withdraw the Treasury Notes heretofore issued from circulation, and to issue in lieu of such Notes as shall be withdrawn, the like number and amount of Treasury Notes of a different impression: *And whereas*, there is due by the Province to divers persons, upon Loan Certificates, bearing Interest at the rate of five per cent. per annum, the sum of Twenty Thousand Pounds, and to divers other persons the sum of Ten Thousand Pounds, bearing Interest at the rate of four per cent. per annum, and it is expedient to provide for the due payment of the said sum of Ten Thousand Pounds, and for the gradual liquidation of the said debt of Twenty Thousand Pounds: *And whereas*, there is also due to the Savings' Bank at Halifax the sum of Twenty-seven Thousand Pounds, and it is necessary to repeal the Laws now existing relative to the said Bank, and to make other regulations in lieu thereof:

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That it shall be lawful for the Governor, with the advice of the Executive Council, to appoint and commission three fit and proper persons to be Commissioners for issuing Treasury Notes, and for other the purposes of this Act, and from time to time to supply all vacancies caused by the death, resignation, or removal of the said Commissioners, or any of them, so that the said Commissioners may always continue to be three in number: *Provided always*, that the Commissioners now appointed for issuing Treasury Notes, shall be and remain Commissioners during pleasure, for the purpose of this Act, in the same manner as if they had been appointed hereunder; and that all such Commissioners shall be respectively sworn before one of the Judges of the Supreme Court to the faithful discharge of the duties imposed upon them by this Act.

Appointment of Commissioners.

II. *And be it enacted,* That it shall be lawful for the Governor, with the advice of the Executive Council, to direct the Secretary of the Province to procure a new Plate for the issue of Treasury Notes, the impression from which, with any variations that may be found necessary or proper, without altering the substantial meaning, shall be to the effect following, that is to say:

One

Form of new Note.

One
Pound.

£1
No.

One
Pound.

Province of Nova-Scotia: The bearer hereof is entitled to receive at the Treasury Twenty Shillings. Dated at Halifax the _____ day of _____ 18

_____ } Commissioners.

_____ Treasurer.

And also from time to time, as the requirements of this Act shall make it necessary, to cause the said Secretary to procure in proper quantities, impressions therefrom, and all impressions to be struck from the said Plate, shall be lodged with and securely kept by the said Secretary.

Secretary to deliver
Notes to Commrs.

III. *And be it enacted*, That the said Secretary, by order of the Governor, with the advice of the Executive Council, shall from time to time on the written requisition of the Commissioners for issuing Treasury Notes, or any two of them, deliver to such Commissioners bound in books prepared for the purpose, so many of the said impressions as the exigencies of this Act may on each occasion require, taking a receipt therefor from such Commissioners, and the Commissioners shall prepare the said impressions for issuing by inserting in each note the number thereof, and a certain date, and by two of the Commissioners signing the same, and the Commissioners in the said books from which the notes shall be cut, shall make an entry in the margin opposite each note issued of the number thereof, and the Commissioners shall also keep a record of each issue of notes specifying the whole number thereof, and their dates, and the names of the Commissioners signing the same.

Commis'srs to ex-
change new Notes
with Treasurer.

IV. *And be it enacted*, That the Commissioners shall from time to time deliver to the Treasurer as many of the said Treasury Notes as will replace such of the present Treasury Notes as may from time to time be delivered by the Treasurer to the Commissioners, and the Treasurer shall immediately sign the said Treasury Notes so from time to time received by him from the Commissioners.

Old Notes to be cal-
led in.

V. *And be it enacted*, That as soon as new Treasury Notes shall be ready for issue under this Act, all Treasury Notes which shall have been or may be issued under any Act or Acts of this Province heretofore passed, shall be called in to be exchanged for such new Treasury Notes by a day to be named by the Governor, with the advice of the Executive Council, and whereof Public Notice for at least six months shall have been given by Proclamation in the Royal Gazette, and after such day the said old Treasury Notes shall not be received in payment for any Duties whatsoever, but the same, on presentment at the Treasury, shall continue to be exchanged by the Treasurer for new Treasury Notes, to be issued under authority of this Act, and the Commisssioners and Treasurer shall keep and annually submit to the Governor, to be laid before the General Assembly, an account of all such old Treasury Notes as shall be so called in and exchanged for Treasury Notes issued under this Act, distinct from the re-issue of Treasury Notes issued hereunder.

Old Notes lodged in
Secretary's Office.

VI. *And be it enacted*, That the Notes now existing and in circulation as they come into the Treasury, shall be by the Treasurer delivered to the Commissioners, who shall cut therefrom and destroy the name of the Treasurer, and seal the said cancelled Notes in a packet and deliver them into the hands of the Secretary of the Province, to be lodged in his office, and afterwards examined and destroyed by the Joint Committee of the Council and House of Assembly, appointed to examine the Public Accounts.

Payment of War-
rants on Treasury,
&c.

VII. *And be it enacted*, That as often as money shall become payable by Law at the Treasury, and Warrants for the same are presented for payment to the Treasurer, he shall pay the amount of such Warrants in Gold or Silver, if such be in the Treasury, or in the said Notes to be issued under this Act, to the person or persons entitled to receive the same, which Notes shall be again received at the Treasury, and also by the Collectors of Impost and Excise, and of Light Duties throughout this Province at their specified value in Gold or Silver, when and as often as the same are presented and offered in payment of Duties, in like manner as the

the Notes now in circulation are received at the Treasury, and by the said Collectors.

VIII. *And be it enacted*, That the Treasurer shall from time to time re-issue the Notes issued under this Act; and the Commissioners shall make and deliver from time to time to the Treasurer, other Notes in lieu of such of the said Notes so issued under this Act as may be torn and defaced, and whensoever the Commissioners shall deliver other Notes in lieu of such defaced Notes as aforesaid, they shall cut therefrom and destroy the name of the Treasurer, and seal up the said cancelled Notes in a packet, and deliver the same into the hands of the Secretary of the Province to be lodged in his office, and afterwards examined and destroyed by the Joint Committee of the Council and House of Assembly, appointed to examine the Public Accounts: *Provided* that the Notes to be issued and in circulation under this Act, shall never exceed in amount the sum now issued. Re-issue of Notes, exchange of defaced Notes, &c.

IX. *And be it enacted*, That it shall not be lawful for the Commissioners to make or issue any more Notes of the form now in use, after Treasury Notes shall be ready for issuing under this Act.

X. *And be it enacted*, That henceforth it shall not be lawful for the Treasurer to accept or receive from any of the Officers of Her Majesty's Customs, for any sums of money by them collected for any Duties imposed by any Act or 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 Officer or person 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, and not offered in payment in contravention of the provisions hereof. Duties to be paid into the Treasury in Gold or Silver.

XI. *And be it enacted*, That it shall be lawful for the Governor, with the advice of the Executive Council, to direct the Treasurer from time to time to pay off such portion of the Funded Debt, which is not due to the Savings' Bank, as the Public credit and interest may require to be paid off: *Provided* the Public Creditors who may be so paid off shall have such previous notice as may be prescribed by the Governor, with the advice of the Executive Council, in that behalf, and if it shall be necessary for effecting such payment, it shall be lawful for the Governor to direct the Treasurer to contract a Loan with any person or persons at as low a rate of Interest as possible, but not to exceed Five per cent. per annum: *Provided* that public notice for thirty days shall be given of the sum required, and that Tenders will be received therefor in such manner as shall be directed by the Governor; and provided that an amount of the Funded Debt be paid off equal in amount to the sum so borrowed, and certificates in such form as shall in that behalf be prescribed by the Governor, shall be granted to the person or persons who may contract such Loan, or any portion thereof. Payment of Funded debt.

XII. *And be it enacted*, That it shall be lawful for the Treasurer to call upon the holders of Loan Certificates of the Funded Debt, to deliver up such Certificates in exchange for new Certificates, bearing the same rate of Interest, to be substituted therefor in the form specified in the Schedule A to this Act, and signed by two of the Commissioners, and countersigned by the Treasurer, and such old Certificates shall be delivered by the Treasurer to the Commissioners, who shall seal up and deliver the same to the Secretary of the Province, to be delivered to the Joint Committee of the Council and House of Assembly, appointed to examine and report upon the Public Accounts, to be by them cancelled: *Provided* that if the holders of Certificates for any portion of the Debt of Ten Thousand Pounds, bearing Interest at Four per cent. shall be desirous to prolong the time of payment of the same for a specified period, it shall be lawful for the Governor, with the advice of the Executive Council, to ascertain and determine such period, not to exceed five years, and to cause such time of payment to be inserted in the new or substituted Certificates granted therefor. Treasurer to call in Loan Certificates to be exchanged.

Loan Certificates to be transferable by endorsement.

XIII. *And be it enacted*, That all Loan Certificates to be granted under this Act, whether by way of substitution or of Loan, shall be transferrable by indorsement, and the interest thereon shall be payable to the actual holders thereof, at the Treasury, on the first day of January, and first day of July, annually, and the said holders by themselves, or their Agents, shall produce to the Treasurer the certificates whereon payment is required.

Treasurer to be Director of Savings Bank.

XIV. *And be it enacted*, That the Treasurer shall be the Director of the Savings' Bank at Halifax, and shall be and is hereby invested with all necessary powers, rights and privileges, for the due ordering, managing, and conducting the affairs of the said Bank, and the Governor, with the advice of the Executive Council, shall have full power and authority from time to time to make such rules, orders, and regulations as may be deemed proper for the conducting of the said Bank, the times of receiving Deposits and paying out the same, regulating the periods at which interest shall be payable to depositors, and all other matters necessary for the orderly conduct and management of the same.

Appointment of Cashier of Savings Bank and Clerk to Treasurer.

XV. *And be it enacted*, That the Governor, with the advice of the Executive Council, shall appoint a fit person to be Cashier of the said Bank and Clerk to the Treasurer, who shall hold his office during pleasure, and shall receive for his services as such Cashier and Clerk, an annual Salary to be granted out of the general Revenues of the Province.

Cashier to give security.

XVI. *And be it enacted*, That the said Cashier shall give security for the performance of his duty, in such form and manner as shall be prescribed in that behalf by the Governor, the said Cashier in the sum of One Thousand Pounds, and two sufficient sureties each in the sum of Five Hundred Pounds.

Books and Accounts of Savings' Bank.

XVII. *And be it enacted*, That improved Books, to be kept on the system approved in England for keeping the Accounts of Savings' Banks, shall be procured and kept by the said Cashier, under the direction of the said Director, in which shall be exhibited separate Accounts of the Principal and Interest payable to the Depositors, and a distinct statement of the undrawn interest, and of the nett surplus thereof, which at the end of each year shall remain to be carried to the credit of the Province, and the said Director shall personally superintend the weekly payments and receipts of the said Cashier, and shall examine his Accounts and Vouchers every month, and certify them to be correct; and the said Cashier shall file yearly in the Provincial Secretary's Office a full abstract of the said Accounts and proceedings, certified by the said Director, which, with a Report upon the state of the Bank made by the Director to the Governor, shall be laid before the Legislature.

Interest or deposits.

XVIII. *And be it enacted*, That no greater rate of Interest shall be allowed to Depositors in the said Bank than four per cent. per annum, and no person shall be allowed to deposit more than Fifty Pounds in any one year.

Amount of deposits.

XIX. *And be it enacted*, That the said Director shall be authorised to receive deposits for the further sum of Thirteen Thousand Pounds, so that the deposits received and at any one time in the said Bank, shall not exceed in the whole the sum of Forty Thousand Pounds; and also that the whole amount due to the said Bank shall bear interest at the rate of four per cent. per annum, to be paid half yearly, on the first day of January, and first day of July.

Payments from Bank into Treasury, &c.

XX. *And be it enacted*, That the said Director shall from time to time pay into the Treasury the said sum of Thirteen Thousand Pounds, as the same is deposited in the said Bank, as often as the sum of One Hundred Pounds shall be in the hands of the said Cashier, and which shall be applied by the Treasurer, under the direction of the Governor, to the reduction of the Funded Debt, under the provisions of this Act, and to no other purpose; and on every such sum of One Hundred Pounds, interest at the rate of four per cent. per annum shall be payable to the said Bank.

XXI. *And be it enacted*, That the Treasurer shall open an Account with the said

said Bank, and therein enter to the credit of the Bank the sum of Twenty-seven Thousand Pounds now due thereto, or such other sum as shall be due at the time of the opening of such Account, as also such further sums as shall from time to time be paid into the Treasury on behalf of the said Bank; and also all such sums as shall be due from time to time for interest at the said rate, from the Province to the said Bank, and such sums as shall be paid either for principal, or for interest, upon the principal sum which shall from time to time be due by the Province to said Bank, and the Treasurer shall annually render an Account of the payments to the Treasury, and of the receipts from the said Bank, and of the state of the Account of the said Bank with the Treasury, to be audited and examined by the Joint Committee for the examination of the Public Accounts, in like manner as the other Public Accounts are annually audited and examined, and the amount of any sums advanced from the Treasury, and of any Loan or Loans, shall be forthwith charged against the said Bank in the said Account.

Treasurers account
with Bank, &c.

XXII. *And be it enacted*, That if at any time there shall be a demand upon the said Bank beyond what the Cashier can meet from the monies of the Bank in his hands, or there shall be a probability of such demand, the Director shall immediately submit the same to the Governor, who shall, by the advice of the Executive Council, if it shall appear necessary and advisable so to do, order such sums of money to be advanced to the said Bank out of the Treasury as may be necessary for the purpose of meeting such demand, or providing for the probability thereof, which sums of money so advanced shall be charged by the Treasurer to the said Bank.

Advance to be made
from Treasury to
Bank if necessary.

XXIII. *And be it enacted*, That if the state of the Treasury shall not admit of any advance therefrom, it shall be lawful for the Governor, with the advice of the Executive Council, to open a Cash Account, at an interest of not more than five per cent. with such one or more of the Banks in Halifax, as shall offer or be willing to open such Account on the most advantageous terms for the Province.

Cash account in fa-
vor of Bank to be
opened if required.

XXIV. *And be it enacted*, That all sums of Money to be paid out of the Treasury under this Act, shall be paid by Warrant of the Governor.

XXV. *And be it enacted*, That this Act may be altered, amended, or repealed, by any other Act or Acts to be passed during the present Session of the General Assembly.

Monies to be paid by
Warrant.

XXVI. *And be it enacted*, That wherever the word "Governor" is used in this Act, it shall be construed to mean the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being; wherever the word "Commissioners" is used it shall be construed to mean Commissioners for issuing Treasury Notes, now appointed or hereafter from time to time appointed by the Governor; wherever the word "Treasurer" is used, it shall be construed to mean Treasurer of the Province for the time being; wherever the words "Director" and "Cashier" are used, they shall be construed respectively to mean Director and Cashier of the Savings' Bank; and wherever the word "Treasury" is used, it shall be construed to mean the Provincial Treasury.

Meaning of words
used in Act.

XXVII. *And be it enacted*, That the Act passed in the Fifty-second year of the Reign of His late Majesty King George the Third, entitled, An Act to empower the Lieutenant-Governor, or Commander-in-Chief for the time being, to appoint Commissioners to issue Treasury Notes; also the Act passed in the Fifty-third year of the Reign of His said late Majesty, entitled, An Act to authorize the Treasurer of the Province to call in and pay the Treasury Notes heretofore issued; and to empower the Lieutenant-Governor or Commander-in-Chief for the time being, to appoint Commissioners to issue other Treasury Notes; also the Act passed in the Fifty-seventh year of the Reign of His said late Majesty, entitled, An Act to empower the Lieutenant-Governor, or Commander-in-Chief for the time being, to appoint Commissioners to issue Treasury Notes; also the Act passed in the Fifty-eighth year of the Reign of His said late Majesty, entitled, An Act to

Act 52, Geo. 3,
Act 53, Geo. 3,
Act 57, Geo. 3,
Act 58, Geo. 3,
Act 59, Geo. 3,
Act 60, Geo. 3,
Act 1 & 2, Geo. 4,
Act 4, Geo. 4,
Act 7, Geo. 4,
Act 9, Geo. 4,
Act 10, Geo. 4,
Act 11, Geo. 4,
Act 2, Wm. 4,
Act 3, Wm. 4,
Act 5, Wm. 4,
Act 6, Wm. 4,
Act 2, Victoria,
Act 8, Victoria,

empower

Act 7, Geo. 4,
Act 2, Wm. 4,
Act 7, Wm. 4,
Act 4, Victoria,
Repealed.

empower the Lieutenant-Governor or Commander-in-Chief for the time being, to appoint Commissioners to issue Treasury Notes; also the Act passed in the Fifty-ninth year of the Reign of his said late Majesty, entitled, An Act for the appointment of Commissioners to issue Treasury Notes, and to establish Loan Offices in the Counties of Annapolis and Kings' County; also the Act passed in the sixtieth year of the Reign of His said late Majesty, entitled, An Act to authorise the Governor, Lieutenant-Governor, or Commander-in-Chief for the time being, to appoint Commissioners to issue Treasury Notes to an amount not exceeding Twenty Thousand Pounds; also the Act passed in the first and second year of the Reign of His late Majesty King George the Fourth, entitled, An Act to authorise the cancelling of Treasury Notes, and to issue others in lieu thereof; also the Act passed in the fourth year of the Reign of His said late Majesty George the Fourth, entitled, An Act in addition to an Act passed in the fifty-eighth year of His late Majesty's Reign, entitled, An Act to empower the Lieutenant-Governor, or Commander-in-Chief for the time being, to issue Treasury Notes; also the Act passed in the seventh year of the Reign of His said late Majesty George the Fourth, entitled, An Act to authorise the further issuing of Treasury Notes, and cancelling those heretofore issued; also the Act passed in the ninth year of the Reign of His said late Majesty George the Fourth, entitled, An Act for issuing Treasury Notes, and cancelling those now in circulation; also the Act passed in the tenth year of the Reign of His said late Majesty George the Fourth, entitled, An Act to authorise an additional issue of Treasury Notes; also the Act passed in the eleventh year of the Reign of His said late Majesty George the Fourth, entitled, An Act in amendment of the several Acts now in force relative to the issuing of Treasury Notes; also the Act passed in the second year of the Reign of His late Majesty King William the Fourth, entitled, An Act to authorise an additional issue of Treasury Notes; also the Act passed in the third year of the Reign of His said late Majesty William the Fourth, entitled, An Act concerning Treasury Notes; also the Act passed in the fifth year of the Reign of His said late Majesty William the Fourth, entitled, An Act concerning the Funded Debt; also the Act passed in the fifth year of the Reign of His said late Majesty William the Fourth, entitled, An Act in amendment of and in addition to an Act entitled, An Act concerning Treasury Notes; also the Act passed in the sixth year of the Reign of His said late Majesty William the Fourth, entitled, An Act for borrowing money for the use of the Province; also the Act passed in the second year of Her present Majesty's Reign, entitled, An Act in addition to, and in amendment, of the Act concerning Treasury Notes; also the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act relating to the Funded Debt of the Province; also the Act passed in the seventh year of the Reign of His said late Majesty George the Fourth, entitled, An Act to facilitate the establishment of Banks for Savings; also the Act passed in the second year of the Reign of His said late Majesty William the Fourth, entitled, An Act to amend the Act to facilitate the establishment of Banks for Savings; also the Act passed in the seventh year of the Reign of His said late Majesty William the Fourth, entitled, An Act relative to the establishment of Banks for Savings; and also the Act passed in the fourth year of Her present Majesty's Reign, entitled, An Act to increase the usefulness of the Savings' Bank at Halifax—and every matter, clause and thing in the said several Acts contained, except in so far as the same may be necessary to carry into effect any of the provisions thereof, or of any one of them, in respect to any proceedings which may have been had or taken thereunder, or which may be necessary for the purposes of Justice, or of punishing Criminal offenders in respect to the said Acts, or any proceedings relative thereto, shall be, and the same are hereby respectively repealed.

SCHEDULE A.

No.

Certificate for One Hundred Pounds bearing Interest at per cent.

HALIFAX, NOVA SCOTIA.

The Province of Nova-Scotia this day stands indebted to (insert the name and description) in the sum of One Hundred Pounds, of lawful money of Nova-Scotia: Form of Certificate.

Wherefore, We, the Treasurer of the Province, and the Commissioners for issuing Treasury Notes, have in pursuance of the Act passed in the ninth year of the Reign of Her Majesty Queen Victoria, entitled, An Act relating to the Treasury Notes, the Funded Debt, and the Halifax Savings' Bank, granted this Certificate, and by virtue hereof the said or the Assignee to whom this Certificate shall be transferred by endorsement hereon, hereby declared to be by Law entitled to receive at the Treasury the said sum of One Hundred Pounds, and also Interest after the rate of Pounds, by the year—which Interest shall be payable on the first days of January and July in every year, until this Certificate shall be cancelled.

Witness our Hands at Halifax, this day of A. D. 18
(Signature of the Treasurer), *Treasurer.*

(Signature of two of the Commissioners.) } *Commissioners.*

CAP. XV.

An Act to alter the Terms or Sittings of the Supreme Court on the Western Circuit.

(Passed the 28th day of February, 1846.)

WHEREAS it is expedient to alter the times by Law established for the Sittings of the Supreme Court at the several places hereinafter mentioned: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That the respective Terms or Sittings of the Supreme Court hereafter mentioned, shall be held at the several places hereinafter mentioned, at the respective times following, that is to say:* Terms of Sup. Court on Western Circuit.

At Windsor, in the County of Hants, on the first Tuesday of May, instead of the last Tuesday of April. Windsor.

At Kentville, in the County of King's County, on the second Tuesday of May, instead of the first Tuesday of May. Kentville.

At Annapolis, in the County of Annapolis, on the third Tuesday of May, instead of the second Tuesday of May. Annapolis.

At Digby, in the County of Digby, on the fourth Tuesday of May, instead of the third Tuesday of May. Digby.

II. *And be it enacted, That all Writs, Process, Recognizances, Complaints, or other proceedings which are now or shall be made returnable to the Supreme Court in the said several respective Counties in this Province, hereinbefore mentioned in the said several Terms or Sittings in the Supreme Court, which are altered by this Act, shall be returned, and held and deemed to be returnable on the respective days herein and hereby appointed for the Terms or Sittings of the said Supreme Court at the said respective places hereinbefore mentioned, and all parties, witnesses, officers, and persons who are or may be summoned or bound to appear at the said several Courts, whereof the Terms or Sittings are hereby altered, or any of them respectively, at the said Terms or Sittings thereof respectively, which are hereby altered respectively, shall be held and obliged to appear at such Court at the days and times on which such Terms or Sittings are hereby directed to be held.* Return of Writs, Process, &c.

Attendance of Witnesses Officers, &c.

XVI.

An Act for the Regulation of Sheriffs' Fees.*(Passed the 28th day of February, 1846.)*

Rate of Sheriffs' Fees.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That instead and in lieu of the Fees now by Law established, the Fees hereafter to be allowed and taken by the several Sheriffs for the services hereinafter mentioned to be performed in the discharge of their office, shall be as follows, that is to say :

For serving every Summons and making return thereof, Three Shillings and Six-pence.

Serving every other Writ of Mesne Process or Scire Facias, and making return thereof, Five Shillings.

Serving every Execution, and making return thereof, Five Shillings.

Returning every Execution where the same has not been served, One Shilling and Six-pence.

Serving every Writ of Possession, and making return thereof, Fifteen Shillings.

Travel, Three-pence per mile for every mile from the place of residence of the Sheriff, to the place where he shall serve any Writ, and no more; and One penny per mile, and no more, for every mile from the place of residence of the Sheriff to the Court House where such Writ is returnable—provided such Court House be out of his Bailiwick, and not otherwise; and also provided such Writ shall actually be served.

Every Bail Bond, Three Shillings.

Summoning a Jury in each Cause, Two Shillings and Six-pence.

Executing Writ of Enquiry, summoning a Jury, and making return, Ten Shillings.

Returning every Special Jury, Fifteen Shillings.

On Execution or Attachments (where a sale shall take place) extended on Personal Property sale, and payment of the monies received to the Plaintiff or his Attorney as follows, that is to say :

For any sum not exceeding Fifty Pounds, One Shilling in the Pound.

From Fifty Pounds to One Hundred Pounds, Nine-pence in the Pound; and

For all above One Hundred Pounds, Six-pence in the Pound and no more.

For making Inventory of Goods and Chattels attached, such reasonable Fees as shall be taxed by the Court out of which the Writ shall have issued.

For certifying copy of Attachment levied on Real Estate, and making and delivering to the Registrar or Deputy Registrar of Deeds copy of Appraisalment of such Real Estate, Five Shillings.

On the sale of all Real Estate, whether under and by virtue of any Execution or Attachment, or under and by virtue of any rule or order of any Court of competent jurisdiction, and payment of the proceeds of such sale to the Plaintiff or his Attorney, Six-pence in the Pound, and no more.

Every Deed, Ten Shillings.

Bringing up a Prisoner by Habeas Corpus, Five Shillings.

Attending Prisoner before Judge on any special occasion, Three Shillings and Six-pence.

For every Member returned duly elected to serve in General Assembly, to be paid out of the Treasury in lieu of all other expenses chargeable upon the Treasury, Thirty Shillings.

II. *And be it enacted*, That whenever in future any person who shall hereafter be committed to Gaol, shall be discharged from custody under and by virtue of any Act or Acts of the General Assembly now in force, or hereafter to be made for the relief of Insolvent Debtors, the party or parties at whose suit such person shall have been committed, or in case of absence from the Province of such party or parties, then his or their Attorney or Attornies shall be liable in Law, and bound

Fees when Prisoner is discharged under Insolvent Debtor's Acts.

to pay to the Sheriff who shall have served the process under which such person shall have been committed, the full Fees of such Sheriff for the service and return of such process, and his travel in and about the same, any Law, usage, or custom to the contrary notwithstanding.

III. *And be it enacted*, That if any Sheriff or his Deputy shall demand and take any other or greater Fees in respect of any of the services hereinbefore mentioned, than are ascertained and allowed by this Act, the party so offending shall for each offence forfeit the sum of Ten Pounds, to be recovered by Action of Debt, Bill Plaintiff, or Information, in the name of any person who shall sue for the same in any Court of Record within this Province, and the one half of every such penalty, when recovered, shall be paid over to the Treasurer of the Province for the use thereof, and the other half thereof to the person who shall have sued for the same—and the party so offending shall further pay double the amount of the excessive Fees taken, to the party aggrieved.

Penalty for over-charge of Fees.

XVII.

An Act to amend the Act to encourage the Killing of Wolves.

(Passed the 28th day of February, 1846.)

WHEREAS, it is expedient to amend so much of the Act passed in the last Session of the General Assembly, entitled, An Act to encourage the killing of Wolves, as relates to the Bounty to be paid thereunder :

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That instead and in lieu of the sums provided in and by the first section of the said Act, every person being at the time an Inhabitant of this Province, who shall kill a Wolf of any kind within any County of this Province, shall be entitled to a Bounty of Five Pounds for every such Wolf, to be allowed and paid in the same manner, and under the same regulations, as if such Bounty had been inserted in the said first clause of the said Act, instead of the sums thereby made payable.

Bounty for killing a Wolf Five Pounds.

XVIII.

An Act to continue and amend the Act, entitled, An Act for Regulating the Militia.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for regulating the Militia, except as altered or amended by this Act, shall be continued, and the said Act, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for one year, and thence to the end of the then next Session of the General Assembly.

Act 4, Victoria, continued as amended by present Act.

II. *And be it enacted*, That the Act passed in the Sixth year of the Reign of Her present Majesty, entitled, An Act to continue and amend the Act for regulating the Militia ; and also the Act passed in the Seventh year of Her present Majesty's Reign, entitled, An Act to continue and amend the Acts for regulating the Militia, and every matter, clause, and thing, in the said respective Acts contained, shall be and the same are hereby repealed.

Act 6, Victoria, Act 7, Victoria, repealed.

III. *And be it enacted*, That it shall be discretionary with the Governor, Lieutenant Governor, or Commander in Chief for the time being, whether he will order

Governor to order Drill at discretion.

any

any of the Meetings for Discipline and Drill, directed or authorised by the Fifty-first section of the Act hereby continued and amended.

IV. *And be it enacted*, That this Act may be altered or amended by any Act or Acts to be passed during the present Session of the General Assembly.

To be in force 1 year.

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

XIX.

An Act to amend the Act relating to Commissioners of Sewers, so far as respects the Wickwire Dike in Horton.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS the repairing of the New or Wickwire Dike in Horton frequently requires a sum to be assessed exceeding Seven Shillings and Six Pence per Acre on the whole quantity of Land within the said Dike, and the mode of making the same, provided in and by the Act passed during the present Session of the General Assembly, entitled, An Act for the appointment of Commissioners of Sewers, would entail an unnecessary expense on the Proprietors of such Lands, and it is expedient to amend the said Act in this particular, so far as respects the said Wickwire Dike.

Comms to Assess for repairs less than Twenty Shillings per acre.

I. *Be it enacted, by the Lieutenant Governor, Council, and Assembly*, That whenever any Sum shall be required for the repairs of the said Wickwire Dike, which shall amount to less than Twenty Shillings per acre on the whole quantity of Land in such Dike, it shall not be necessary for the Commissioner or Commissioners of Sewers having the same in charge, to cause to be appointed Assessors, or to proceed in that behalf in the manner prescribed by the said Act, hereby amended, to assess and tax such sum so required for the repairs of such Dike, but the said sum so required shall be assessed, taxed and apportioned by the said Commissioner or Commissioners upon and amongst the Owners or Possessors of Land in the said Dike, according to the number of assized Acres of Land held by such Owners or Possessors, respectively, the said assized Acres to be reckoned according to, and to be ascertained from, the assessment last made thereof, without appointing any Assessors, or having the Land in such Dike newly assized, and every such apportionment and assessment so made by the said Commissioner or Commissioners, shall be of the like force and effect, and shall and may be received and recovered by the same method, ways and means, as Assessments made under the said Act are recoverable; *Provided always*, that when any sum shall be required, exceeding Twenty Shillings per acre on the whole quantity of Land within the said Dike for the repairs thereof, or in any other case where the sum may be less, but it shall appear to the said Commissioner or Commissioners expedient so to do, it shall be lawful for the said Commissioner or Commissioners to have Assessors appointed, and proceed as in said Act is prescribed and mentioned.

Proviso.

Act 6, Wm. 4; Act continuing same repealed.

II. *And be it enacted*, That the Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act relative to the Assessment of Dike Rates for the New or Wickwire Dike in Horton; and also the Act passed in the last Session of the General Assembly, to continue the said Act, and every matter, clause and thing in the said Acts contained, shall be, and the same are hereby repealed; *Provided always*, that all proceedings and suits had or brought, shall be prosecuted and completed in the same manner as if this Act had not been passed.

Proviso.

CAP. XX.

An Act relative to the Boundary Line between the Counties of Shelburne and Yarmouth.

(Passed the 28th day of February, 1846.)

WHEREAS, some doubts may arise under the First clause of the Act passed in the Sixth year of the Reign of His late Majesty King William the Fourth, entitled, An Act to erect the County of Shelburne into two separate Counties, as to the true line of division between the thereby erected Counties of Shelburne and Yarmouth and it is, desirable that the same should be more distinctly defined and settled :

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That* the County of Shelburne shall hereafter comprehend and comprise all that part and portion of what, previous to the passing of the said Act, constituted the former County of Shelburne, except the Townships of Yarmouth and Argyle, and also except that part thereof which is hereinafter particularly described ; and the County of Yarmouth shall comprehend and comprise the said two Townships of Yarmouth and Argyle, and also such part of the said former County of Shelburne as lies to the North West of a Line to run in a North Eastwardly direction from the North East corner of a Grant on the East side of the Great Pubnico Lake, made to David Larkins and others, to the bounds of the County of Digby, at the Point where the same is intersected by the County of Queen's.

CAP. XXI.

An Act to amend the Act to divide the Township of Maxwellton into separate Districts for the support of the Poor.

(Passed the 28th day of February, 1846.)

WHEREAS, in and by the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to divide the Township of Maxwellton into separate Districts for the support of the Poor, the said Township was divided into three separate Districts respectively, called the Eastern, Middle, and Western Districts thereof :

And whereas it has been deemed necessary to alter the Boundary Lines of said Eastern and Middle Districts :

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly, That* the Boundaries of the said Middle and Eastern Districts respectively, shall be such as are hereinafter mentioned, to and for all intents and purposes whatsoever, in the same manner and to the same extent as if such boundaries had been and were inserted in the first clause of the said Act hereby amended, instead of the Boundaries and description of such Districts respectively therein given, that is to say : that the said Middle District shall hereafter begin on the South side of the Harbor of Merigomishe, at the Line marked between the Huggen Farm and Thomas Copeland's on the Plan hereafter referred to, and running South along said Line to the end thereof, thence East along the rear Line of said Copeland's Land until it comes to the West Line of Daniel Ross's Land; thence South along the said Line to the end thereof, thence East along the rear Line of said Ross's Land until it comes to the West Line of Hugh McDonald's and Angus Stewart's Lot, thence South along said Line until it comes to the front or North Line of Barnabas McGee's Lot, thence East along said Line until it comes to the East Line of said Lot, thence South along said Line until it comes to the rear or South Line of said McGee's

Gee's Lot, thence West along said rear Line and the North Line of James Gillis's Land, until it comes to the North West angle of said Gillis's Land, thence South along the West Line of said Land, and the West Line of Lots in the second range West of the West branch of Barney's River, and of Lots in the same range as the last mentioned until it comes to the North Line of a Tract of Land granted to John Roxbery and others, North of the Garden of Eden, thence East along said North Line until it comes to the East Line of said tract of Land; thence South along said Line a distance of two miles; thence East until it comes to the East Line of the County of Pictou; thence North along said Line until it comes to the new road leading through Marshhope towards Antigonishe, thence following said Road in a Westerly and Northerly direction until it comes to the Eastern Line of the Lots granted to William Gordon, Donald Robertson, and James Robertson, on the East branch of Barney's River; thence Northward along said Line and along the rear or Eastern Line of the Front Lots on the Eastern side of said Branch and the main branch of Barney's River, until it comes to the rear Line of the Lot marked Murhead Paten and John Finlayson; thence West along said Line and across the Lots of John McDougal and Pattersons, until it comes to the East Line of David Murray's Farm; thence South along said Line until it comes to the rear Line of said Farm; thence West along the rear thereof until it comes to the West Line; thence North along said West Line until it comes to Barney's River; thence following said River until it comes to the Harbor aforesaid, and thence following the Southern shore of said Harbor in a Westerly direction to the place of beginning, according to the red colored Lines marked and delineated on a certain plan made by James McKenzie, Deputy Surveyor, bearing date the Twenty Second day of January last, duly certified and deposited at the office of the Treasurer for the said Township of Maxwellton, and that the same shall be called the Western Division of the Township of Maxwellton; and the said Eastern Division shall hereafter be bounded on the East by the Line between the Counties of Pictou and Sydney, on the West by the rear Line of the First range of Lots on the Eastern side of Barney's River, according to the red colored Lines on the Plan hereinbefore referred to, on the Southward by the new Line of Road through Marshhope according to the red coloured Lines on the said Plan, and on the North by the Sea Shore including the property of David Murray, together with the Big Island of Merigomishe.

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

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

CAP. XXII.

An Act relating to the Appraisement and Sale of Property taken under Attachment.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Appraisers of Goods, Chattels, or Estates, taken under Attachment, shall be allowed Two Shillings and Six-pence each for such appraisement, or where the property is so extensive or complicated as to require a long time to ascertain its value, Three Shillings and Six-pence each, for every day while they are actually and *bona fide* employed in such Appraisement, and where Goods and Chattels of a perishable nature, or Live Stock of any kind, shall be taken by Attachment and Appraised and the party whose Goods or Stock are so taken, shall not, within

Rates of Assessments &c, already made.

Act to continue 1 year.

Allowance to Appraisers.

three days after notice of such Appraisement being made, give sufficient security for the value thereof according to Law, it shall and may be lawful for any Judge of the Supreme Court, or in the absence of all the Judges of such Court, the Prothonotary or Deputy Prothonotary of such Court for the County wherein such Goods or Live Stock may be Attached, upon application of the Plaintiff, and notice thereof to the Defendant, or if the Defendant be an absent or absconding Debtor, to his Agent, Factor, or Trustee, if he have any, and no good cause to the contrary shown, to order the Goods, Chattels, or Stock so Attached and appraised, to be sold by the Sheriff at Public Auction, and the money arising from such sale to be retained in the hands of the Sheriff or paid into Court, to respond the Judgement to be afterwards given in such cause.

Sale of appraised Goods.

II. *And be it enacted*, That the ninth clause or section of the Act passed in the Thirty Fifth Year of the Reign of His late Majesty King George the Third, entitled, An Act to amend and reduce into one Act the several Acts made by the General Assembly relating to the Office of Sheriffs, and also for altering the form of the Summons heretofore used, and every matter and thing in such clause contained, shall, be, and the same are hereby repealed.

9th clause Act 35, George 3, repealed.

CAP. XXIII.

An Act to disable certain persons from holding seats in the Executive or Legislative Council, or House of Assembly, within this Province.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That when and so soon as Her Majesty's assent shall be given hereto, then, but not before, this Act shall come into and be in operation.

Act to come into operation on Her Majesty's assent.

II. *And be it enacted*, That thereafter no person or persons who shall by himself or themselves, or by his or their Deputy, or any other in trust for him or them, or for his or their use and benefit, take, have, hold, enjoy, or execute, or continue to hold, enjoy, or execute any the offices, employments, or places of trust, profit or emolument hereinafter mentioned, shall be capable of being appointed to, or of holding a seat in Her Majesty's Executive Council for this Province, or of being appointed to or of sitting or voting in the Legislative Council for this Province, nor shall any such person be capable of being elected or chosen as a Representative to serve in the House of Assembly of this Province for any County, Township, or place therein, or of sitting or voting in such House of Assembly as a Representative for any such County, Township, or place, that is to say:

Persons holding offices herein mentioned to be incapable of holding seats in the Executive or Legislative Council, or House of Assembly.

No person who shall be Collector of Her Majesty's Customs in and for this Province, or who shall be a Sub-Collector of such Customs, in and for any Port, Place, or District within the same.

Nor any person who shall be a Collector of Impost and Excise, or of Light Duties in and for any Port, Place, or District, in this Province.

Nor any person who shall be an Officer of any kind in or about any such Customs, Impost, and Excise, and Light Duties Departments respectively, or a Clerk therein, or who shall be in any way directly or indirectly concerned in and about the collecting, receiving and managing of any sums of money, duties, or other aids heretofore granted, or which shall hereafter be granted by any Act or Acts, whether of the Imperial Parliament, or of the General Assembly of this Province, to Her Majesty, Her Heirs and Successors, and to be collected at any Custom House, or at any office of Impost and Excise, or of Light Duties, within this Province, or at any office or place whatsoever, at which such Duties, whether of Customs or of Impost and Excise, or of Light Duties, can or may by Law be collected.

Nor

Nor any person who shall be Deputy Post Master General in and for this Province, or who shall have a general control, management, direction, or superintendance in and over the Post Office Department in this Province, or who shall be a Deputy Post Master at Halifax, or who shall be an officer of any kind, or a Clerk, or other person whatsoever, directly or indirectly concerned and employed in and about such Post Office Department at Halifax.

Penalty for persons
incapacitated
holding office.

III. *And be it enacted*, That if any person hereby declared to be disabled from and rendered incapable of being appointed to a seat in such Executive Council, or of being appointed to or of sitting or voting in the Legislative Council of this Province, or of being elected for or of sitting or voting in the House of Assembly of this Province, shall nevertheless be appointed to a seat in such Executive or such Legislative Council, or being elected or returned as a member to serve in such House of Assembly, for any County, Township, or place within this Province, such appointment, election, or return, shall be, and the same are hereby respectively declared to be void to all intents and purposes whatsoever; and every person so hereafter appointed, elected, or returned, and declared to be disabled, or to be rendered incapable by this Act to be so appointed or elected, and every person who shall become disabled or incapacitated by the having, holding, accepting, or taking of any office, place, or employment in this Act enumerated and particularised, who shall presume to take his seat as a Member of such Executive Council, or to sit or vote as a Member of the Legislative Council, or of the House of Assembly aforesaid, shall forfeit Ten Pounds for every day in which he shall so sit in the said Executive Council, or shall so sit or vote in the said Legislative Council, or House of Assembly, to be recovered by such person or persons as shall sue for the same, by Action of Debt, Bill Plaintiff, or Information, in the Supreme Court of this Province.

Proviso.

IV. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be construed to extend, in any way to affect any persons or persons who may be at present a Member or Members of such Executive or Legislative Council, or of the House of Assembly of this Province, until from and after the dissolution of the present General Assembly.

CAP. XXIV.

An Act in relation to the Conveyance of Lands by Married Women.

(Passed the 28th day of February, 1846.)

Grants and Conveyances by Married Women.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That all Grants and Conveyances, whether executed under Power of Attorney, or otherwise, which shall hereafter be made by any Married Woman resident within this Province; jointly with her husband, or which shall be concurred in by a separate Conveyance executed by such husband, of Estates to which she is entitled, or in which she may have any present or future interest, whether in her own right or by way of Dower, or in any other way or by any other means whatsoever, shall be good and valid in Law, and of the same force and effect as if the same Grants or Conveyances had been made by a *Feme Sole*, or by any other person or persons whomsoever: *Provided* the Deed or Deeds by which such Grants or Conveyances shall be made by such Married Women, or the Power of Attorney under which the same shall be made, shall have been or shall be after the execution thereof acknowledged by such Married Woman, before any Judge of the Supreme Court of this Province, or before any of Her Majesty's Justices of the Peace therein, as her free act and deed, and to have been executed by such Married Woman without any compulsion, or to that effect.

Proviso.

CAP. XXV.

An Act to continue and amend the Act in relation to Trials of Summary Causes in the Supreme Court.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the eighth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act in relation to Trials of Summary Causes in the Supreme Court, and every matter, clause and thing therein contained, save and except the third clause or section thereof, which is hereby repealed, shall be continued, and the same, except as before excepted, are hereby continued for three years, and thence to the end of the then next Session of the General Assembly.

Act 8, Victoria, except 3rd clause continued.

And whereas, various proceedings were taken, and Judgments entered under the supposition that such of the clauses of the Act passed in the third year of the Reign of His late Majesty King George the Fourth, entitled, An Act for the Summary Trial of Actions as related to the Summary Trial of Actions in the Supreme Court, were in force, whereas the same were by mistake allowed to expire, and it is expedient that such proceedings and judgments, if in other respects regular, should be confirmed:

Preamble.

II. *Be it enacted*, That notwithstanding the expiration of the said clauses of the said last mentioned Act, all Actions for the recovery of any Debt between Five Pounds and Twenty Pounds heretofore brought thereunder in the Supreme Court, according to the forms in use therein, and all judgments given thereon, if in other respects legal and valid, shall be, and the same are hereby confirmed and made valid and binding in like manner and to the same extent as if the said clauses of the said Act had not been suffered to expire, but had been re-enacted and continued as other annual Laws are re-enacted and continued.

Actions brought under Act 3, Geo. 4.

CAP. XXVI.

An Act in relation to the Sittings of the General Sessions of the Peace in the County of Shelburne.

(Passed the 20th day of March, 1846.)

WHEREAS, owing to the great increase of the population of the Township of Barrington, in the County of Shelburne, and the distance from Barrington to Shelburne, in the said County, where the General Sessions of the Peace is now held, it is advisable to provide for the holding of one Term of such General Sessions of the Peace at Barrington:

Preamble.

I. *Be it enacted*, by the Lieutenant-Governor, Council, and Assembly, That from and after this present year, the Court of General Sessions of the Peace in and for the said County of Shelburne, instead of the times and places now by Law established for the sittings thereof, shall be held at the times and places following, that is to say—at Barrington, in the said County, on the first Tuesday of May, and at Shelburne in the same County, on the first Tuesday of October in each year.

Sessions for Shelburne.

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

Grand Jury and Town Officers.

CAP. XXVII.

An Act relating to the General Sessions of the Peace in the County of Inverness.

(Passed the 20th day of March, 1846.)

Sessions for Inverness.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That hereafter the Court of General Sessions of the Peace in and for the County of Inverness, shall be held on the first Tuesday of April, and first Tuesday of October in every year, including this present year, instead of the times now by Law established therefor.

Summoning of Grand Jury.

II. *And be it enacted,* That the Grand Jury in and for the said County, shall be summoned and bound to appear at such Court of General Sessions to be held on the first Tuesday of April in every year, instead of on the first Tuesday of October, as now by Law required, so that Town Officers may be appointed, and all other County business requiring the intervention of a Grand Jury, transacted at such April Term or Sittings of each General Sessions of the Peace.

Proceedings at March Sessions.

III. *And be it enacted.* That all proceedings, matters and things, whatsoever, transacted or done at the March Sittings of the said General Sessions in Inverness, held under the Law during this present year, if in other respects legal and valid, shall be and remain valid in the same manner as if this Act had not passed.

Act 7, Victoria, repealed.

IV. *And be it enacted,* That the Act passed in the seventh year of Her present Majesty's Reign, entitled, An Act to provide an additional Sittings of the General Sessions of the Peace in the County of Inverness, and every matter, clause, and thing therein contained, except as to any act, matter, or thing done thereunder, shall be, and the same are hereby repealed.

CAP. XXVIII.

An Act to prevent Coasting on the Highways.

(Passed the 28th day of February, 1846.)

Courts of Sessions to make regulations, impose fines, &c.

BE it enacted by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for the respective Courts of General Sessions of the Peace in the several Counties and Districts of this Province, from time to time to make such regulations as they may deem necessary, for preventing Boys and other persons from Coasting or Sliding on the Snow or Ice in Sleds or Sleighs, or otherwise howsoever, down the Hills or any of them in particular, on the Streets or Highways in their said Counties and Districts respectively, and to impose a Fine not exceeding the sum of Five Shillings for each offence, for breach of the said Regulations or any of them, so by them respectively made.

Children under age apprentices, &c.

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

Recovery of Penalties.

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

To be in force 1 year.

IV. *And be it 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. XXIX.

An Act to authorise the Conveyance of Lands for the benefit of Schools.

(Passed the 20th day of March, 1846.)

WHEREAS persons are often willing and desirous to give Lands for the purpose of erecting School Houses thereon, but are unable at present to give any legal conveyance of such Lands, and it is expedient to provide a remedy therefor :

*I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That in case any person or persons shall hereafter desire to convey any Lands, Tenements, or Hereditaments, for the purpose of the erecting of any School House thereon, or for the benefit of any School, it shall and may be lawful for such person or persons, by any Deed or Deeds of Conveyance thereof, or by any last Will and Testament, to convey, devise, and assure to the Commissioners of Schools for the time being for the County or District wherein such Lands may be situate, by their name of office as such Commissioners of Schools, all and every such Lands, Tenements, and Hereditaments, which Deed or Deeds, or last Will and Testament, shall be sufficient to vest the legal Estate of and in all such Lands, Tenements, and Hereditaments, in such Commissioners of Schools, and their successors in office, or the Commissioners thereafter appointed for the District in which the same may be situated, in trust to and for the uses in such Deed or Deeds, or in such last Will and Testament expressed, concerning the same, and all such Commissioners of Schools in whom any such Lands, Tenements, or Hereditaments shall be vested, under and by virtue of this Act, shall and may sue and be sued in any Court of Law or Equity whatsoever, by their name of office as such Commissioners of Schools, for and in respect of any act, deed, matter, or thing whatsoever, done, committed, or suffered, in respect of any such Lands, Tenements, or Hereditaments: *Provided always*, that no such Commissioners shall, by virtue of this Act, be held to have any control over any School House erected on any such Lands or over any such Lands, Tenements, or Hereditaments, as against the Trustees of the School District, in which the same may be situate, or the Inhabitants thereof, other than as may be specially conferred upon them by such Deed or Deeds, or last Will and Testament, or by any Act or Acts of the General Assembly now in force, or hereafter to be made in relation thereto.*

Preamble.

Conveyances of Lands, &c., for the benefit of Schools to be lawful.

Proviso.

CAP. XXX.

An Act in relation to Roads over the Ice.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That it shall and may be lawful for the Justices of the Peace in their General Sessions of the Peace in the respective Counties and Districts of this Province, if they shall think fit so to do, from time to time to make such regulations as they may deem necessary, for ascertaining the safest track for Roads over the Ice, on any of the Harbors, Rivers, Creeks, Lakes, or Bogs, within their respective Counties and Districts, and for putting down, placing, and continuing bushes or other marks for the purpose of defining and distinctly shewing the course of any such Roads, and to prevent the destruction or removal of such bushes or other marks respectively, and to affix a penalty not exceeding the sum of Twenty Shillings for each offence for breach of the said Regulations, or any of them, so made as aforesaid.

Trustees to make regulations for roads over the Ice—affix penalties, &c.

II. And be it enacted, That every such penalty shall and may be recovered, with costs of suit, before any Justice of the Peace for the County wherein the offence shall

shall have been committed, by and in the name of any person who will sue for the same, in the same manner, and by the like ways and means, as if the same were a private Debt due to such person, and when recovered shall be applied one half thereof to the use of the person who shall have sued for the same, and the other half to the repair of the Roads and Bridges within the said Counties and Districts respectively, under the direction of the Justices in their General Sessions of the Peace for such respective Counties and Districts.

Expense of placing marks to be paid by assessment.

III. *And be it enacted*, That all such sums of money as shall from time to time be required to provide for the expense of putting down, placing, or continuing any such marks as aforesaid, or in and about the protection of the same, shall and may from time to time be presented by the respective Grand Juries for the said Counties and Districts, and confirmed by the respective Courts of General Sessions of the Peace for the same, and when so presented and confirmed, shall be assessed, levied, and collected, in the same manner, and by the same ways and means, as monies for other County purposes are assessed, levied, and collected.

CAP. XXXI.

An Act to alter the Act for the encouragement of Schools.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS it is necessary to amend the Act passed in the eighth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the encouragement of Schools, in order that the Commissioners of Schools in and for the County of Pictou, may be enabled to afford aid to the Infant School founded and maintained in the Town of Pictou :

Comms. authorized to assist Infant School.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That it shall and may be lawful for the said Commissioners of Schools for the said County of Pictou, to appropriate and allow out of the sum of One Thousand One Hundred and Twenty-two Pounds set apart by the said Act for the encouragement of Schools in that County, if they shall see fit so to do, the sum of Twenty-five Pounds in each and every year during the continuance of said Act, in aid of the Funds of the said Infant School in the Town of Pictou.

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

To be in force 3 years.

CAP. XXXII.

An Act to Incorporate the Trustees of Saint Matthew's Church in Halifax.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS the circumstances and situation of the Congregation and property of Saint Matthew's Church, in Halifax, render it necessary to provide for the appointment and Incorporation of Trustees, in and to whom the care, custody, control, management, and title of such property can and may be more efficiently and advantageously committed and vested :

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That the present Committee of Management in the said Church, that is to say:—Thomas Williamson, William Young, Robert Noble, William Murdoch, John Esson, Archibald Sinclair, and Robert M. Brown, and their respective successors in office, to be elected annually as hereinafter mentioned, shall be, and are hereby declared the Trustees of the said Church, and shall be, and are hereby declared to be a Body.

Present Committee to be a Body, Politic and Corporate.

Body, Politic and Corporate, in Deed and in Name, and shall have succession forever, by the name of "The Trustees of Saint Matthew's Church in Halifax"; and by that name shall and may sue and be sued, implead and be impleaded, answer and be answered unto, and prefer and prosecute any Bill or Bills of Indictment or Information, or Informations whatsoever, in any Court or Courts or places whatsoever in this Province, and shall have full power and capacity to purchase, receive, take, have, hold, possess, and enjoy, for the use and benefit of the said Church, as well Goods and Chattels, as Lands, Tenements, and Hereditaments, and improve and use the same for the benefit of the said Church, according to their best discretion, and the true intent and meaning of the donors by whom the same shall or may be given, devised, or bequeathed to the use and benefit of the said Church.

II. *And be it enacted*, That annually on the tenth day of June, unless such day shall happen on Sunday, and then and in such case on the day following, at a General Meeting of the Congregation of such Church, seven persons being registered Pewholders of and in such Church, and respectively holding at the least one half of a Pew in the same, shall be elected as such Trustees, in the same manner as is prescribed and directed by the Rules and Regulations made and now in force for the government of the said Congregation, with respect to the election of the Committee of such Church, or in such manner as by any Rules or Regulations hereafter to be in force as hereinafter mentioned may be prescribed and directed, so as the number of Trustees to be so elected shall always consist of seven persons being such Pewholders.

Trustees to be elected annually.

III. *And be it enacted*, That annually on the day aforesaid, at such General Meeting as aforesaid, it shall and may be lawful for the said Congregation to make, and from time to time to alter, change, abrogate, annul, revoke, and make anew such Rules and Regulations for the calling and holding of Meetings of the Congregation, for defining the qualification of voters, and the conduct of business at such Meetings, for the appointment of officers, for the sale and letting of Pews, the recovery, disposal, and application of Pew Rents, and other monies and funds of the said Church, the leasing, mortgaging, and disposal of the Goods, Chattels, Lands, Tenements, and Hereditaments, or any of them, or any part thereof belonging to the said Congregation, and which may from time to time be held by the said Trustees hereby incorporated for the use and benefit of the said Church, for the call, selecting, and supporting of the Minister of such Church, regulating the contract with such Minister, and the annulling thereof, and for dissolving the connection between the Minister and Congregation, and generally for the good order, due care and conduct of the said Congregation, its affairs and business; as to the said Congregation may seem meet and proper.

Proceedings at Annual Meeting.

IV. *Provided always, and be it enacted*, That until the same shall be altered, annulled, revoked or made anew, in such manner as is therein and thereby directed, the Rules and Regulations passed at a Meeting of the said Congregation held on the tenth day of March, in the year of our Lord One Thousand Eight Hundred and Forty-three, and signed by Robert Hume as Moderator, and by the then Committee of Management, and by a majority of the Pew holders of and in such Church, shall continue and be the Rules and Regulations of such Congregation.

Proviso.

V. *And be it enacted*, That the General Meeting of the said Congregation to be held annually in June as hereinbefore directed; shall be called and held in the said Church, at some hour of the day hereby appointed for said Meeting, not earlier than ten o'clock in the forenoon, nor later than one o'clock in the afternoon, and that notice for such Meeting shall be given in the manner now or hereafter to be prescribed and directed in and by the Rules and Regulations of the said Congregation now or from time to time to be in force.

Hour of holding Annual Meeting and notice thereof.

VI. *Provided always, and be it enacted*, That whenever any alteration or revocation of a Rule or Regulation, or any new Rule or Regulation shall or may be proposed, or intended to be offered for the consideration of the said annual Meeting of

Notice of alterations or new regulations

the said Congregation, then, and in every such case, in addition to the notice of such Meeting, which is or may be so directed to be given, in and by such Rules or Regulations, a printed notice of the purport and substance of the proposed alteration or revocation of any then existing Rule or Regulation, or of the proposed new Rule or Regulation, shall be deposited, placed and left, previous to the commencement of morning service in said Church, on the Sunday immediately preceding the day of such Meeting, in every Pew in the said Church, and a declaration to be entered by such Meeting on their Minutes of such printed notices having been so deposited, placed, and left as aforesaid, shall be held and taken to be conclusive evidence of the fact, for all purposes whatsoever.

Real Estate vested
in Trustees.

VII. *And be it enacted*, That all those Lots or parcels of Land whereon the said Church of Saint Matthew's is now erected and built, as the same are now occupied held, possessed and used with the said Church situate in Halifax aforesaid, bounded in front Eastwardly by Hollis Street, and on the North by Prince Street, together with all and singular the appurtenances thereof; as also all that Lot, Piece, or Parcel of Land, situate at the corner of Barrington or Pleasant Street, and Bishop Street, conveyed by Lewis Johnston, and Mary Anne, his wife, to the Honorable Michael Wallace, James Fullarton, and Thomas Wallace, by Deed, dated on the fifteenth day of July, One Thousand Eight Hundred and Twenty-eight, with all the Buildings and appurtenances of the same, and all other Lands and Tenements, or Hereditaments, in which the said Church or Congregation thereof may be interested, howsoever and in whomsoever the legal title of the said Church, and the said pieces or parcels of Land, or the said Tenements or Hereditaments may be now vested, shall be and the same are hereby declared to be vested in the said Trustees of Saint Matthew's Church, in Halifax, and their successors and assigns, and shall be so held and deemed, and adjudged to be so held by and in all Courts whatsoever, saving, however, to all Tenants, Purchasers, Lessees, or Occupiers of the Pews of the said Church respectively, and to all Tenants and Occupiers of the said several Lots, Pieces, or Parcels of Land, on any part or portion thereof, their present respective legal rights of, in, and to the same.

Recovery of Pew
Rents, &c.

VIII. *And be it enacted*, That all Pew Rents, or other monies whatsoever, now or hereafter to be due, owing, coming, or in arrear, to or for the use and benefit of the said Church or Congregation, shall be and become due and payable to the said Trustees of Saint Matthew's Church in Halifax, hereby incorporated, and their successors, and shall be secured, sued for, and recovered by them in their corporate name and capacity, for the use and benefit of the said Church or Congregation, in the same manner and by the same means as debts of the like amount may or can be sued for and recovered: *Provided always*, that no Pew Rents now in arrear, shall be claimed or recoverable from any person but such as now hold Pews in the said Church.

Proviso.

Trustees authorised
to mortgage lease,
&c.

IX. *And be it enacted*, That the said Trustees hereby incorporated, and their successors in office, or any five of them, shall and may from time to time, and at all times hereafter, mortgage, lease and apply, and they, or any five of them, are hereby fully authorised and empowered so to do, all or any Lands, Tenements, or Hereditaments, Goods, Chattels, Monies or effects, of the said Church, held or to be held by the said Trustees, or their successors, for the use and benefit of the said Church, in such manner, and to and for such purposes as by the said Congregation by any Rule or Regulation made, or to be made as hereinbefore mentioned, or by any Resolution or Resolutions passed at any meeting of the said Congregation, to be called and held in conformity with any such Rules and Regulations as are now or may be hereafter in force for the government of the said Congregation, may be ordered and directed.

Proviso.

X. *Provided always, and be it enacted*, That whenever any Mortgage of such Real Estate, Lands, Tenements or Hereditaments shall be intended to be proposed to any meeting of the said Congregation in addition to the notices required to be given

of such meeting by the Rules or Regulations of the said Congregation then in force, a printed notice of the said intended Mortgage shall be deposited, left, and placed in every Pew of the said Church, on the Sunday immediately previous to such meeting before the commencement of Morning Service as hereinbefore directed in respect to the Rules and Regulations of said Congregation; and a declaration of such notices having been so deposited, left, and placed, entered on the Minutes of said meeting, shall be conclusive evidence of the fact for all purposes whatsoever.

XI. *Provided always, and be it enacted*, That no Lease or Leases of any Lands, Tenements or Hereditaments to be made by the said Trustees, under or by virtue of this Act, shall be valid, legal, or binding, for any greater term than five years. Proviso.

CAP. XXXIII.

An Act in addition to the Act to improve the Administration of the Law.

(*Passed the 20th day of March, 1846.*)

WHEREAS great inconvenience, delay, and unnecessary expense has been occasioned to parties in cases tried at the Circuit Courts in the different Counties in this Province, wherein points have been reserved, rules granted, or leave given to move at Halifax, and also to parties desirous of entering Judgments by Confession upon Warrants of Attorney during Vacation, by the transmission of the Judgment Books to Halifax for entry therein of such Judgments, and to prevent the like in future cases: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That from and after the passing of this Act, the Prothonotary shall provide and keep at Halifax a Book, wherein shall be entered any judgment given which appertained to the Supreme Court of any County other than Halifax, which shall be signed by any one of the Judges of the said Court, and the said Prothonotary shall, as soon as may be after the signing of every such Judgment, transmit to the Deputy Prothonotary of the Court in which such Judgment is required to be entered, a correct transcript of the entry of such Judgment, and the Deputy Prothonotary, to whom the same may be transmitted, shall, immediately on receipt of the same, copy such transcript into the Judgment Book of said Court, and file the transcript with the papers in the cause in which such Judgment is so entered as aforesaid. Entry and transcript of Judgments not belonging to the Supreme Court at Halifax.

II. *And be it enacted*, That the entry so made from such transcript shall be of the like force and effect in every particular, as if the same had been signed by a Judge of the Supreme Court, in the said Judgment Book, into which it shall be so copied as aforesaid. Entry from Transcript.

III. *And be it enacted*, That the Prothonotary at Halifax shall be entitled to receive for each entry and transcript made as aforesaid, the sum of Two Shillings and Six-pence, which, together with the postage thereof, to the County whither the same is transmitted, shall and may be taxed as part of the costs of the party obtaining such Judgment. Fee for Entry and Transcript.

CAP. XXXIV.

An Act to provide for the running of division Lines between different Counties.

(*Passed the 20th day of March, 1846.*)

WHEREAS disputes have arisen, and are likely to occur, in relation to the Boundary Lines between various Counties in this Province, and it is advisable Preamble.

to

to provide for running the same in cases of difference, or where it may be deemed necessary :

Court of Sessions to
appoint Surveyor,
day and place, and
give notice of Sur-
vey

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That it shall and may be lawful for the Court of General Sessions of the Peace, in and for any County of this Province, at any Term of such Court hereafter to be held, if it shall be deemed proper so to do, to nominate and appoint one fit and proper person, being a duly appointed Land Surveyor, or Deputy Land Surveyor, for the purpose of running any Boundary Line, or any part thereof, to be particularly designated between such County and any adjoining County, and shall then appoint a day and place for the running out of such Line or portion thereof as aforesaid, which day shall be at some convenient time after the then next Term of the General Sessions of the Peace in and for such adjoining County where such Line is to be run, and the appointment of such Surveyor, and the day and place named for commencing to run out the Line as aforesaid, shall be, by the Clerk of the Peace for the County, transmitted at or before the said next Term of the General Sessions of the Peace in such adjoining County, to the Clerk of the Peace therefor, to be laid before such General Sessions.

Appointment of Sur-
veyor by County
adjoining.

II. *And be it enacted,* That the said Court of General Sessions of the Peace in such adjoining County at such its next Term or Sittings, if it shall be deemed advisable so to do, shall and may in like manner nominate and appoint one person, being duly appointed Land Surveyor, or Deputy Land Surveyor, as aforesaid, to meet at the time and place so appointed as aforesaid, the Surveyor or Deputy Surveyor, appointed as first herein mentioned, and such two Surveyors, or Deputy Surveyors, or in case of the Court of General Sessions of such adjoining County declining or neglecting to make any appointment on the part of their County, then the Surveyor, or Deputy Surveyor, appointed as first aforesaid, shall proceed to run out, survey, and mark the Boundary Line or portion thereof directed to be surveyed as aforesaid, and shall make a return of such proceedings, with a Plan shewing distinctly such Boundary Line or portion thereof, to the Clerk of the Peace for each of such Counties respectively, and such Boundary Line or portion of it so run out and surveyed, shall be taken and held to be, so far as the same may extend, to all intents and purposes, the Boundary Line between the said two Counties.

Survey Line, &c.

Proviso

III. *Provided always, and be it enacted,* That in case such Surveyors or Deputy Surveyors, so appointed, as aforesaid, shall differ in opinion, as to the true Line of Division between such Counties, or any part thereof, such Surveyors or Deputy Surveyors, shall respectively make a separate Return of their proceedings, accompanied by a Plan, showing what in the opinion of each such Surveyor, or Deputy Surveyor, may be the correct dividing Line, to the Clerk of the Peace for the County on behalf of which such Surveyor, or Deputy Surveyor, may have been appointed, and such Clerk of the Peace shall forthwith transmit the same to the office of the Provincial Secretary, to be laid before the Governor, Lieutenant-Governor, or Commander in Chief for the time being, who, with the advice of the Executive Council, shall, upon such Returns and Plan, with or without further evidence, determine as to the correct Line of Division between such Counties, whether the same shall be in conformity with either of the said Plans, or shall be a new Line to be decided upon, and a Plan showing such Line so determined upon, shall be returned to the office of the Clerk of the Peace in each such adjoining County, and the Boundary Line so determined shall be deemed and held to be the true Line of Division between such Counties.

Expense of Survey,
&c.

IV. *And be it enacted,* That the expense attending the surveying and marking out of any such Line or portion thereof, and all other expenses incurred hereunder, shall, in all such cases, be divided between and borne in equal proportions by the said Counties between which the same shall be run as aforesaid, and shall be by the respective Grand Juries in such Counties presented, and by the Courts of General Sessions of the same respectively confirmed, at the respective Terms in

which

which monies for other County purposes are presented and confirmed; and shall be assessed, levied, and collected, together with and by the same means and in the same manner, as by Law directed, in respect to other monies to be assessed, levied, and collected, for County purposes.

V. *And be it enacted*, That this Act shall continue and be in force for Five years, and thence to the end of the then next Session of the General Assembly. To be in force for 5 years.

CAP. XXXV.

An Act to Incorporate the Liverpool Marine Insurance Company.

(Passed the 20th day of March, 1846.)

WHEREAS the Trade and Navigation of Liverpool, Port Medway, and Milton, in the County of Queen's County, in this Province, will be benefited by the establishment of a Marine Insurance Company, under proper guards and provisions: *And whereas*, the several persons hereafter named have united, with many others, to raise a Capital or Joint Stock in that behalf: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That John Barss, Sylvanus Morton, Thomas R. Patillo, William McGill, John Carten, James Barss, Benjamin Otis DeWolf, Matthew McLearn, John W. Scott, William S. Jacobs, John L. Darrow, Richard Mulhall, Gilbert Seely, Stephen Collins, senior, Mahlon Vail, and all and every such other persons and persons as shall from time to time become proprietors of Shares in the Company and undertaking hereby established as hereinafter is mentioned, and their respective Successors, Executors, Administrators and Assigns, shall henceforth be, and they are hereby united into a Company, and declared to be one Body politic and corporate, by the name of "The Liverpool Marine Insurance Company," and by that name shall have perpetual succession and a common Seal, with power the same Seal to change, alter, break, and make anew, as to the Company shall seem fit; and by that name also shall and may sue and be sued, plead, or be impleaded, at Law or in Equity, and shall and may prefer any Bill or Bills of Indictment against any person or persons who shall commit any misdemeanor, or other offence by Law indictable, and shall by that name be capable, authorised and empowered to purchase, have, hold, receive, possess and enjoy, Lands, Messuages, Houses, Hereditaments, and Real Estates whatsoever within this Province, either in fee simple, or for term of life or lives, or years, or in any other manner, but not exceeding in value Five Thousand Pounds, and likewise Monies, securities for Money, Goods, Chattels, Effects, and other things of whatsoever kind or quality, and shall by that name, and in their corporate capacity, be capable, authorised, and empowered, to grant, sell, assign, mortgage, demise, absolutely or conditionally, or otherwise dispose of all or any part of such Real and Personal Estate and Property as aforesaid, as to the said Company shall seem meet, and at their free will and pleasure: *Provided always*, that the purchase money of the Lands, Messuages, Houses, or Real Estate, requisite for the offices and buildings for the business of the Company, and the expenditure for the erection of such offices and buildings, shall not exceed the sum of Five Hundred Pounds, unless to replace the same, or to repair damages sustained by the accidental destruction thereof, a larger expenditure shall become necessary. Incorporation of Company.

II. *And be it enacted*, That it shall be lawful for the said Company, and the Subscribers thereto, or Shareholders therein, to raise or contribute among themselves, in such proportion as they shall think proper, for carrying on the business of Marine Insurance, an original Capital or Joint Stock of Ten Thousand Pounds, and at any future time an additional Capital or Joint Stock of Ten Thousand Pounds; and the same original Capital shall be divided into Four Hundred Shares Capital, Shares, &c. of Company.

of Twenty Five Pounds each, and any additional Capital into Shares of the like denomination, and all such Shares shall be numbered in regular progression, and every such Share shall always be distinguished by the number affixed thereto, and the said Shares shall be and are hereby vested in the several persons so raising and contributing the same, and their several and respective Executors, Administrators, and Assigns, proportionably to the sum they shall severally raise and contribute; and all persons, their several and respective Executors, Administrators, and Assigns, who shall severally subscribe for one or more Share or Shares, or such sum or sums of money as shall be demanded in lieu thereof, for the purpose of the said Company, shall bear and pay in the manner hereinafter directed, an equal and proportionable sum according to his or their number of Shares, towards carrying on the business of the said Company, and shall be entitled to and receive according to the number of Shares so held, and Money so by him or them respectively paid, distribution of an equal and proportional part of the nett profits and advantages that shall or may arise or accrue from the business and transactions of the said Company.

Entries to be made
in Registry Book.

III. *And be it enacted*, That the names and designations of the several persons who have subscribed for, or may at any time hereafter subscribe for, or be entitled to a Share or Shares in the said Company, with the respective numbers of such Shares, and also the proper number by which every Share shall be distinguished, shall be distinctly and clearly entered in the Books for the registration thereof, and to be called the Registry of Shares, to be kept by the Secretary of said Company; and after such entry, a Certificate under the Seal of the Company, and signed by such Officer as shall be appointed for this purpose, shall be delivered to every Proprietor upon demand, specifying the Share or Shares to which such Proprietor is entitled in the said Company, and such registry of the Certificate of a Share or Shares shall be evidence of the property or ownership thereof; but the want of such Certificate shall not hinder or prevent the owner of such Share or Shares from selling or disposing thereof.

Certificates of
Shares, &c.

Subscriptions how
payable.

IV. *And be it enacted*, That the several persons who become Subscribers towards the said undertaking, shall, and they are hereby required to pay the sum of money by them respectively subscribed, or such parts or proportions as from time to time shall be called for, as hereinafter is mentioned, at such times and places as shall be directed, in pursuance of the provisions of this Act; and in case any person or persons shall neglect or refuse to pay the same at the time and in the manner required for that purpose, it shall be lawful for the said Company to sue for, and recover the same, in any Court of Law or Equity, or otherwise for the Board of Directors, hereinafter established, at their option, to declare the share of any such Defaulter forfeited, as in and by the Bye Laws shall be provided.

Remedy in case of
non-payment of
subscriptions.

Shares deemed per-
sonal Estate but
not divisible.

V. *And be it enacted*, That all the Shares in the original or increased Capital of the said Company, and in the undertaking for which it is established, and in the profits and advantages thereof, shall be and be deemed Personal Estate, and as such Personal Estate shall be assigned and transmissible accordingly, but no Share shall be divisible, or divided, or assigned, in parts; and the several Shareholders or Subscribers to the said undertaking respectively, and their several and respective Executors, Administrators, and Assigns, shall not, except as hereinafter provided, be liable to any Debts of, or Demands against, the said Company, beyond the amount of their several and respective subscriptions, or the Shares they may severally and respectively hold or possess in the said Company, nor under any calls or Assessments to be made by the said Company or Board of Directors, or in any way, by any means, nor on any pretence whatsoever, be liable to the payment of any greater sum of money in the whole than the sum of Twenty Five Pounds, on or for each several Share subscribed for, or held by, or standing in the name of such Subscriber or Shareholder at the time of ordering any call or assessment, and that the said sum of Twenty Five Pounds shall include all the calls and payments

Liability of Share-
holders limited to
amount of their
Shares.

to be made on one Share, and that no greater sum than Twenty Five Pounds in the whole shall be paid on any one Share in the said Company.

VI. *And be it enacted*, That the said Joint Stock and Real and Personal Estate of the said Corporation, shall be liable for and subject to the payment of all debts contracted by the said Company, and that none of the present or future members of the said Company shall be liable for the payment of any debt contracted beyond the amount of the calls or assessments due and unpaid on the shares of the Stock, held by such individual Member, except in the cases hereinafter provided for. Joint Stock, &c. liable for debts of Company.

VII. *And be it enacted*, That the said original Capital of Ten Thousand Pounds shall be paid and contributed in and by the following calls or payments, that is to say, the first call or payment being the sum of Six Pounds Five Shillings for and upon each and every Share subscribed for, shall be paid within thirty days after public notice is given by the Board of Directors, in two of the Halifax Newspapers, that the same is required, and that all other subsequent calls or payments shall be in such sums and at such times as the Board of Directors, having reference to the state of the business and affairs of the Company, shall order and direct: *Provided always*, that of the day to be hereafter appointed respectively for any subsequent call or payment, notice shall be given by advertisements, published in at least two of the Halifax Papers, thirty days at least previous to such day. Payment of Capital.

VIII. *And be it enacted*, That every Subscriber to, or Shareholder in the said Company, shall at or before the time appointed for the payment of the first call, make, execute, and deliver to the said Company, either a Bond, with a Mortgage to accompany the same on Real Estate, or otherwise a Bond with two sufficient Sureties, to the satisfaction of the President and Directors, or a majority of them, said Bonds to be renewable as often as the President and Directors shall require, and to be conditioned for the payment of the residue of the calls to become due and payable as aforesaid on the several shares by him subscribed and taken in the said Company, which Bond or Securities shall be subject to the approval of the first seven persons named in this Act, until the Board of Directors shall be chosen, and afterwards to the approval of such Board. Proviso

IX. *And be it enacted*, That all Shares in any increased Capital shall be paid and payable in such proportion and at such times as the Board of Directors shall appoint, and such and the like securities as are hereinbefore required for the payment of the future calls of the original Capital, shall be taken from the Subscribers for Shares in any future increased Capital of such Company. Security to be given by Shareholders.

X. *And be it enacted*, That the management and regulation of the affairs and business of the said Company shall be conducted by and vested in a Board of Directors, to consist of a President and four Directors, and that the necessary Officers of the said Company shall be, and at all times, except in case of vacancies arising from death, resignation, or otherwise, shall consist of One President, Four Directors, and a Secretary, and Two Auditors or Examiners of the Accounts of the Company, and such other Officers and Servants as the Company shall think proper, to constitute and appoint for the better management and conducting the business thereof, and that the several powers, authorities, duties, rights, and privileges of such President, Directors, Secretary, Auditors, and other Officers and Servants of the said Company, so to be appointed, shall be as in and by this Act is or by the Bye Laws of the said Company shall hereafter be prescribed and established. Payment of Shares in increased Capital.

XI. *And be it enacted*, That no Shareholder in the said Company shall be qualified to be elected, or to sit or to act as President, or one of the Directors of the same, unless he shall, at the day of election, bona fide hold and possess, and during the time that he or they shall continue to be such President and Directors, continue to hold, and be possessed, of Five Shares at the least, of the Joint Stock of the said Company, nor unless if chosen at any election occurring after Eighteen Months from the passing of this Act, the said number of Shares shall have stood in his name on the books during at least Six Calendar Months before the day of election. Management of Business of Company.

Meetings of Compa-
ny, of Directors,
&c.

Proviso.

Qualifications of Vo-
ters, &c.

XII. *And be it enacted*, That the Annual General Meeting of the said Company shall be held in the Month of April, in every year after this present year, and at such day and place as the Board of Directors shall appoint, and that Special Meetings of the Company shall be summoned by the Directors when they shall deem the same necessary; or whensoever a Requisition therefor in writing, shall be delivered to the Board, signed by Twenty Shareholders, holding not less than Fifty Shares, and specifying the object of such meeting; and that Meetings of the Board of Directors shall be held at the office of the Company at least one day in every week, and at such other times as the Directors shall think proper, or as the business of the Company may require: *Provided always*, that notice of the day appointed for the Annual, or any General, or Special Meeting of the Company, shall be given by an advertisement, published at least ten days previous thereto, in five of the most public places in the Town of Liverpool.

XIII. *And be it enacted*, That at every Annual General and Special Meeting of the Company, every Proprietor or Shareholder having paid up all calls on him made, and then due and payable, shall be entitled to vote according to the number of Shares which any such Proprietor or Shareholder may possess in the Company, in manner following, that is to say: the owner of one Share shall be entitled to one vote, the owner of five Shares to two votes, and the owner of ten Shares and upwards to three votes, and may give such vote or votes by his or her proxy, duly constituted, according to the Bye Laws, such proxy being a Shareholder entitled to vote; and whenever any Share shall be held by more than one person, in such case the person present at the Meeting who is first named in the Stock Certificate or Registry, shall be entitled to vote therefor, and at every Meeting of the Board of Directors, each Director shall have one vote only, and every question, matter, or thing, which shall be proposed, discussed, or considered, at any General or Special Meeting of the said Company, shall be determined by a majority of the votes and proxies then given, and every question, matter, or thing, which shall be proposed, discussed, or considered, at any Meeting of the Board of Directors, shall be determined by the majority of votes then given by the Directors then present, and in case it should so happen, that at any General or Special Meeting of the Company, or Meeting of the Board of Directors, the votes shall be equal, then the President of the Company, or in his absence, the Chairman of the Meeting, or of the Board, shall be entitled to a casting vote upon the matters under discussion, besides and in addition to his own personal vote, unless such right to a casting vote shall be abrogated by the Bye Laws hereafter to be made.

Holding of Annual
or Special Meet-
ings.

XIV. *And be it enacted*, That no Annual or Special Meeting of the Company shall be held, unless there be present thereat, and at the giving of the votes, at least ten Proprietors holding at least fifty shares in the said Company; and at every such Annual, General, or Special Meeting of the Company, the President of the Company, or in his absence, the senior Director present, or in the absence of all the Directors, one of the Proprietors, to be chosen at such Meetings respectively, shall be Chairman of such Meeting or Meetings respectively, and that if at any day appointed for such Meetings of the Company, a sufficient number of Shareholders shall not attend within Two Hours after the time appointed for the Meeting, then, and in every such case, the Meeting shall be adjourned until the next or some future day, by the President or senior Director, or if no Director be present, by the Secretary of the Company, as the case may be, or by such person as may attend in his or their place.

Proceedings of
Meetings to be en-
tered by Secretary
and signed by Pre-
sident.

XV. *And be it enacted*, That the orders and proceedings of every General or Special Meeting of the Company, shall be entered by the Secretary of the Company, or such other person as shall attend in his place, in a Book or Books to be kept for that purpose, and shall then be signed by the President or Chairman of the Meeting, and being so entered and signed, shall be taken and deemed to be the original orders and proceedings of such Meeting, and shall be received as such, upon due proof thereof, in all Courts and places, and on all occasions whatsoever.

And

And whereas all the said Shares have been already subscribed and taken, by persons desirous of becoming Proprietors of the said Stock, none of whom are Subscribers for more than Twenty-five Shares :

XVI. *Be it therefore enacted*, That the four persons first named in this Act shall, as soon as conveniently may be after the passing hereof, by an Advertisement to be published in at least three of the Newspapers printed in Halifax, give notice that Subscription Books for taking Shares in the said Company will be opened on a day, and at a certain place to be mentioned, and shall then and there open proper Books for the purpose, and therein receive and take the Subscriptions of all persons who have agreed to take Shares as aforesaid, and shall be willing to stand and continue as Proprietors of Shares in, and members of said Company; and for want thereof, of all other persons who shall be willing and desirous to become Proprietors and Members as aforesaid, and the said four persons shall make an entry of the number of Shares taken by each Subscriber, and shall not permit any individual to subscribe or take, nor shall themselves take, nor shall any person hold a greater number than Twenty-five Shares therein, and when and as soon as the first call or payment on the said Shares becomes due, the said four persons shall receive the same, and the said seven persons first named in this Act shall also demand and take, for and on behalf of the Company, such securities as are hereinbefore directed to be taken for the payment of the future calls to be made on the said Shares respectively.

Subscription Books.

No person to hold more than 25 Shares.

XVII. *And be it enacted*, That so soon as the number of Four Hundred Shares of the said original Capital of Ten Thousand Pounds shall have been subscribed, the said four persons first named in this Act, shall, by public advertisement, to be printed and published in at least five of the most public places in the Township of Liverpool during ten days, appoint a day and place for the first General Meeting of the Subscribers, and shall assemble such Meeting, and a Chairman thereof being chosen from among the Subscribers present, with a Secretary, the Company hereby incorporated shall be formed and organised, and go into operation under this Act, and the said Subscribers then and there present, or their proxies, shall and may forthwith in the manner in this Act prescribed, proceed to elect five Directors for the said Company, and a Secretary, and Auditors, and such other Officers as may be deemed expedient for organizing the business thereof, and from and after such election, the persons so elected and chosen shall be and become forthwith the Officers of the said Company, and the said Directors shall choose and elect one from among themselves by ballot to be the President of the said Company for the ensuing year, during which time the said President shall remain in Office, unless by a vote of any General or Special Meeting of the Shareholders, his office shall be declared vacant, and the said Directors and other persons so to be elected, shall hold, exercise, and enjoy their respective offices, from the day of such their election, until the first Annual General Meeting in April, One Thousand Eight Hundred and Forty Seven, and thence continually until a new choice of Directors and Officers be made by the Company, pursuant to this Act, and the Bye-Laws in that behalf to be provided.

General Meeting for election of Officers, &c. to be held as soon as the whole Capital is subscribed.

XVIII. *And be it enacted*, That on the second Tuesday of April, in each and every year, the Directors of the said Company shall be elected by Ballot, in the following manner, that is to say : the Shareholders shall first elect Two Directors for the then ensuing year out of the Five who have served for the preceding year, and shall then elect two other Directors from the qualified Shareholders of the Company : *Provided always*, that it shall and may be lawful for the Shareholders to re-elect the whole of the Five Directors of the preceding year, if they shall think proper so to do.

Election of Directors.

Proviso.

XIX. *And be it enacted*, That the office of the President or Directors, Secretary or Auditors of the Company, shall become and may by the Board be declared vacant on the death, resignation, three month's absence, or permanent removal of such officer from the Province; by his ceasing to hold the number of shares required

Office of President, Directors, &c. to be declared vacant in certain cases.

as a qualification, or by a vote of the General Meeting of the Stockholders removing the Officer for misconduct or malversation in office, and every such vacancy, except in the office of President, shall be filled up by the choice of a Shareholder, to be made by the Board of Directors, and who shall serve until the Annual Meeting, and at every such annual meeting qualified persons shall be re-elected to supply the place of these Officers, who are, as aforesaid, to go out of office on the second Tuesday of April in every Year after the present Year, or whose Offices have been vacated as aforesaid, and all Officers elected at the Annual Meeting shall enter upon their Offices on the second Tuesday of April, in every Year after the present Year: *Provided always*, that any Director or other Officer, so going out of office, shall be capable of being re-elected by the Company.

Proviso.

When first instalment is paid, Directors to give Public Notice thereof, &c.

XX. *And be it enacted*, That when and so soon as the sum of Two Thousand Five Hundred Pounds shall have been actually paid to the proper persons in manner before provided upon the calls aforesaid by the several Proprietors of Shares, and sufficient securities shall have been given by said Proprietors for any balances of their shares, then, and in that case, it shall and may be lawful for the Board of Directors, by public advertisement, to be printed in at least two of the Newspapers in Halifax, to declare the same and make known the intention of the Company to transact the business of Marine Insurance, and to fix the time when the office will be open for such business, and whereupon the said Company shall and may at the day so named, commence and carry on in their Office at Liverpool, aforesaid, the business and operations of Marine Insurance in all its branches, and shall and may receive and accept orders, directions, and proposals for Insurance, and make Insurance upon all Ships and Vessels whatsoever, in Port or at Sea, or for or upon any Voyages or Adventures whatsoever, and for and upon all Goods, Merchandize, Property, and Effects whatsoever, and all Money Coins, Bullion, or other valuable things whatsoever, in and upon any such Ship, laden or to be laden, and in and upon the Freight of Goods or Merchandize, carried or to be carried upon any Ship or Vessel, or on any voyage whatsoever, and also upon Monies lent and advanced upon Bottomry or Respondentia, and upon expected Profits and Commissions or Adventures by Sea, and upon all subjects of Marine Insurance whatsoever, and the same shall and may insure against all losses, perils, and dangers whatsoever of the Seas, Fire, Enemies, Thieves, and other Risks of the Seas and Navigation, as usually insured against by Underwriters, and either for or during the respective voyage, or for any time or times whatsoever, and shall and may agree for, fix, and establish the Premiums and Compensations to them to be paid for such Insurances, and shall and may make and execute all such Writings and Policies of Insurance, and with or under such reservations and conditions as shall be agreed upon or ordered by the Board, and shall and may accept, receive, and take, the abandonment, relinquishment, and surrender, of any ship or vessel to said Company, abandoned under any such Insurance, and shall and may adjust and settle claims and demands for losses, for or in respect of any such insurances, or of any orders therefor, to the said Company given, and generally shall and may perform and transact all matters and things whatsoever relating to the business of an Insurance Broker, and Insurer or Underwriter on Ships, or Goods, belonging or appertaining, and to all intents and purposes whatsoever.

Orders for Insurance, Policies, &c. Payment of Losses, &c.

XXI. *And be it enacted*, That all orders and directions for such Insurance to the said Company given, and by them accepted, and all Policies of Insurance by the said Company made and Sealed with the Common Seal thereof, and signed by the President of the Company, or any Chairman of the Board of Directors, and Countersigned by the Secretary of the Company, shall be binding and obligatory upon the said Company, and all the Joint Stock, Capital, Funds, Property, and Effects thereof whatsoever, and the amount by such Policies insured, and which, upon adjustment of any loss, is or ought to be payable to the assured thereupon, shall be faithfully and truly paid and satisfied within Sixty Days from the time of such loss, settled and adjusted: *Provided always*, that until the expiration of one year, from

Proviso.

from the Constitution of the said Company as aforesaid, no greater sum than One Thousand Pounds, and after the said one year expired, no greater sum than One Thousand Five Hundred Pounds shall be insured by the said Company, and be at risk at any one time upon any one Ship or Vessel, or upon any Goods, Wares, or Merchandise on board thereof, or upon any Freight by such vessel to be carried, or Commission or Profits expected to arise during the voyage insured; or from the Cargo on board thereof, or upon any Security of the nature of a Mortgage, or Bottomry, or Respondentia, given for or upon such Vessel, her Cargo, or Freight; but the several Insurances made upon the several risks, in, or depending on, any one vessel, may collectively amount to any sum not exceeding One Thousand Pounds during the first year, and One Thousand Five Hundred Pounds afterwards: *Provided* always, that it shall not be lawful for the said Company to effect any Insurance hereunder, except the vessel upon which such Insurance shall be effected, shall, at the time of making the same, be owned, in whole or in part, by some Inhabitant or Inhabitants of the said County of Queen's County, or shall commence the voyage upon which such Insurance shall be made, from some Port in such County, or except the Cargo, or other subject matter of Insurance, upon which any such Insurance shall be effected, shall be owned, in whole or in part, by such Inhabitant or Inhabitants, whether the same shall be shipped from any Port in the said County, or elsewhere.

XXII. *And be it enacted,* That the Affairs and Business of the said Company shall be managed and transacted by the Board of Directors thereof, of whom two Directors with the President, or in case of his death, sickness, or absence from any other cause, four Directors, one of whom being Chairman of the Meeting shall constitute a Meeting, and the same Board of Directors for the time being, shall have full powers and authority to meet and adjourn, from time to time, and from place to place, as they shall see fit; and also, to direct, manage, and conduct, with the assistance of the Secretary, all the Business and Affairs of the Company, and the taking and accepting orders for Insurance, fixing the Premium therefor, executing, sealing, and delivering Policies of Marine Insurance, adjusting, settling, paying, or compromising for losses claimed under Policies, procuring, purchasing, or obtaining suitable Buildings, Offices; and places for the business of the said Company, and fitting the same with all things necessary therefor, and investing the Funds, and taking securities for the monies of, or the debts due to, the said Company, upon public or private Stocks, or Real or Personal Securities, and making and carrying into effect all contracts and bargains touching the said Company, and the affairs thereof, but subject nevertheless to such Orders, Bye Laws, Rules, and Regulations as at any time shall be duly made by the said Company, in restraint, control, or regulation of the powers and authorities hereby vested in the said Board of Directors.

XXIII. *And be it enacted,* That it shall be lawful for the said Board of Directors to allow and pay to the Secretary; and any other Officers and Servants of the Company, such compensation and allowances as may be reasonable or agreed upon.

XXIV. *And be it enacted,* That the surplus Funds remaining from Dividends, and the Capital Stock of the said Company, from time to time, as the same shall be paid in and collected, and all surplus of Monies received, shall be kept constantly invested in good Real or Personal Securities, to be taken by instruments under Seal, or in Public Funds at interest, Bank, or other Stocks, in the name of the Company, but no part thereof shall, beyond the sum absolutely necessary for procuring the necessary Buildings, Offices, and accommodations of the Company's business, be invested in Real Estate, nor shall any part thereof be lent or advanced on Bottomry or Respondentia, or on Mortgage of Ships or Vessels: *Provided* always, that for and as an additional security for any part of the Capital Stock or Surplus Funds of the said Company, which may be invested as aforesaid, or for or in respect of any debts that may be contracted with them, Mortgages of Real Estate or Personal Property may be made to and held by the Company: *And* *provided*

provided also, that Mortgage interests in Ships, Vessels, or Goods, may be insured thereby, nor shall the said Funds be used or employed in Merchandise, nor shall the Company trade or carry on any business as Merchants, or deal in buying and selling Goods or Personal Property whatsoever, nor shall any dividend be made on any pretence of the Capital or Joint Stock of the Company, or whereby the same shall be in any way reduced or impaired: *Provided also*, that no Loan of the Capital Stock at any time to be raised under the provisions of this Act, or any part thereof, shall be made directly or indirectly to any Director of the said Company, nor shall any such Director be a party to any security for any such Loan, and no Stockholder to whom any part of the Capital Stock shall have been lent, shall be eligible as a Director during the continuance of such Loan.

Books of Company to be balanced, and abstract thereof to be made yearly.

XXV. And be it enacted, That the said Board of Directors shall have power and authority, and they are hereby strictly required to cause to be balanced the Books of the said Company, on the last day of March, One Thousand Eight Hundred and Forty-seven, or at such other period as any General Meeting shall require, and the same being so balanced, shall be carefully examined and signed by the said Auditors, and approved by the said Board of Directors, and an abstract of the said balance, shewing clearly and explicitly the state of the Debts and Credits of the said Company, and shewing how many and what part of the Insurances made by the Company are determined, or remain undetermined and at risk, and what claims for losses are unsettled, and what deductions and allowances ought to be made thereupon, and also shewing how and in what manner the Capital Stock of the Company is invested or disposed of, and what sums of money are due to the Company, and also stating such further particulars as by the Bye Laws and Regulations of the Company shall be required, shall be produced by them at the Annual General Meeting, for the inspection of the Proprietors, and a duplicate thereof, in like manner signed and attested, shall be transmitted to the Office of the Secretary of the Province, for the information of the Lieutenant-Governor and Her Majesty's Council, and of the General Assembly.

Books to be open to Directors.

XXVI. And be it enacted, That the Books, Papers, and Correspondence, and all other Documents and Writings of the Company, shall at all times be open to the members of the Board of Directors, and shall be subject to the order and disposal of the Board, but the rendering such Accounts as aforesaid to the General Meeting, shall not be construed to confer on any Proprietor, not a Director, or Creditor, the right to inspect in the Books of the Company the Account of any individual, other than himself, with the said Company.

Allowance to be made for outstanding claims at Annual Meeting.

XXVII. And be it enacted, That at every Annual Meeting, or some adjournment thereof, there shall be made out of the clear residue of the profits and advantages, Rents and Premiums, and Interest, to the said Company accrued, or by the same previously made, after deducting therefrom an allowance sufficient to discharge the outstanding and probable claims against the Company, such dividend or dividends as the Proprietors at such Meetings shall order and direct, and such dividend or dividends shall be at and after the rate of so much for every share held by the members thereof, their Executors, Administrators, or Assigns, or else the said clear residue, or some part thereof, shall be directed to accumulate and be added to the Capital Stock: *Provided always*, that the monies received, or securities taken, for the Premiums of Insurance undetermined and outstanding on the last day of March, One Thousand Eight Hundred and Forty-seven, and in each year thereafter, shall not be deemed to be part of such profits.

Proviso.

Proviso.

XXVIII. Provided always, and be it enacted, That if, at the Annual Meeting in April, One Thousand Eight Hundred and Forty-seven, or at any subsequent Annual Meeting, the nett surplus and profits of the Company from the business of the year then next preceding such Meeting, shall suffice to make therefrom a dividend of more than five per cent. per annum, but less than ten per cent. per annum, or more than Ten Pounds and less than Fifteen Pounds per cent., or more than Fifteen

Fifteen Pounds and less than Twenty Pounds per cent., and so on in the like proportion for every share in the Company, then, and in each and every such case, all surplus and excess of profits more than sufficient to make the respective dividends of Five, Ten, Fifteen, or Twenty Pounds, and so on in the like proportion per cent., but not sufficient to increase such Dividends by the full sum of Five Pounds per cent. respectively, shall be added to, and form part of, the Capital or Joint Stock of the Company, and shall not be the subject of any Dividend.

XXIX. *And be it enacted*, That the said Company shall have full power and authority, from time to time, at the first or at any of the General Meetings as aforesaid, to make, ordain, and put in execution, such Rules, Orders, and Bye Laws; as to them shall seem meet and proper for regulating the proceedings of the Company, the Transfer, Forfeiture, and Registration of Shares, the enforcing Payment of Calls, the proceedings of the Board of Directors, the transaction of the Business of the Company; the Government and Regulation of all the Officers and Servants of the Company, and for the Superintendance and Management of the Affairs of the Company, in all respects whatsoever, and from time to time to alter and repeal such Rules, Orders, Bye Laws, or any of them, and to make others as to the Shareholders of the Company at a General Meeting shall seem meet and expedient, and all Rules, Orders and Bye Laws so made as aforesaid, being reduced into writing, and signed by the Chairman present at any such Meeting, and Sealed with the Seal of the Company, shall, in all or any Court of Law or Equity, be deemed and taken to be the Rules, Orders, and Bye Laws of such Company; *Provided always*, that such Rules, Orders, and Bye Laws be not repugnant to the Laws of the Province, or to the Laws in force within the same, or to the express directions and provisions of this Act: *And Provided also*, that no Bye Law of the said Company, and no repeal of any Bye Law shall be in force or executed until the same respectively is approved by the Lieutenant-Governor and Her Majesty's Council.

Regulation of affairs of Company.

Proviso.

XXX. *And be it enacted*, That the Books and Accounts of the the said Company shall, at all times, be open to the examination of such person or persons as the Lieutenant-Governor for the time being, with the advice of Her Majesty's Council, shall appoint to inspect the same, and that before any Policy of Insurance shall be issued by the said Company, the mode and securities in and upon which the surplus Capital Stock of the Company shall have been invested, shall be first sanctioned and approved by the Lieutenant-Governor for the time being, with the advice of the Executive Council.

Books and Accounts to be subject to inspection of Lieut. Governor.

XXXI. *And be it enacted*, That if it shall happen, that by or in consequence of any losses, or misfortunes, or other means whatsoever, the original or increased Capital and Joint Stock of the Company shall, at any time, be wholly expended, or claims against the Company shall be outstanding and unsettled, to an amount equal to the existing and available Capital and Funds of the Company, then as soon as the same shall be known to, or ascertained by, the President or Board of Directors, it shall not be lawful for the Company to make, or for the said Board to accept, orders for, or sign, or issue any new or further Insurance or Policies therefor whatsoever; and if any such further Insurances shall be made, or Policies therefor be signed or issued, after such knowledge of the state of the affairs of the Company had by the President or Directors, or any of them, then for and upon all losses, and monies payable for losses, under such Insurances and Policies so issued and signed, the said President and each of the said Directors, who shall accept or make such Insurances, or authorise or sign the same Policy, shall be personally, and in their Estates jointly and severally liable and accountable, to the full amount of such losses, and all charges incident thereto.

President and Directors liable on Policies issued after the Capital of Company is expended.

XXXII. *And be it enacted*, That upon the happening of such losses or misfortunes as last mentioned, to the extent of the said Capital and Funds, or upon the vote of three-fourths in number of the Proprietors in the said Company, holding at least three-fourths of the whole number of Shares in the said Company, it shall be lawful for the said Proprietors to dissolve the said Company, and to declare that

Company to be dissolved by vote of three-fourths of Proprietors.

the same shall cease on a day to be fixed, and therefrom the said Company on that day shall cease and determine; but the President, and Board of Directors, and Officers of the said Company, shall continue in office during such time as shall be required for winding up the affairs and business of the Company, and all Corporate powers for this purpose necessary and requisite, shall subsist and remain in force until the whole of its affairs shall be finally settled and closed; and the Board of Directors for the time being shall, and are hereby required to adopt, the most immediate and effectual measures for settling, winding up, and closing all the accounts, affairs, and business of the Company, ascertaining, adjusting, and paying the demands against the same, collecting the Debts due, and converting the Capital and Property of the Company into money, and for dividing and paying to, and among the Shareholders and Proprietors entitled thereto, the whole nett proceeds of the same, according to their respective shares and interest in the said Company.

Shareholders liable
for deficiency in
Capital.

XXXIII. *And be it enacted,* That in case of any loss or deficiency which shall or may hereafter arise or occur in the Capital or Joint Stock of the said Corporation, whether arising from the official mismanagement of the Directors of the said Company, or from any other cause whatsoever, the persons who are or may be Shareholders in such Company, at the time of any such loss or deficiency so occurring as aforesaid, shall, in their private individual capacities respectively, be liable to make good any such loss or deficiency so far as may be requisite and necessary to pay off and discharge any claims or demands against the said Corporation then existing: *Provided always,* that in no case shall any one Shareholder be liable to pay a sum exceeding the amount of the Stock then actually held by such Shareholder, in addition to the Stock so held by him; *Provided,* that nothing herein contained shall limit, or apply to, the liability of any President, Directors, or other Officers of the said Company, for official misconduct or mismanagement.

Pro viso.

Insurance effected
contrary to Act.

XXXIV. *And provided also, and be it enacted,* That in case any Insurance shall be effected by the said Company, contrary to the provisions of this Act, all and every the Shareholders of and in the said Company at the time of such insurance effected shall be personally and individually liable for any loss arising under the Policy or Policies of Insurance thereof.

To be in force for
ten years.

XXXV. *And be it enacted,* That this Act shall continue and be in force for the term of ten years and no longer, unless the same shall be determined in the manner before expressed.

CAP. XXXVI.

An Act to Incorporate the Educational Board of the Presbyterian Church of Nova-Scotia.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS, the Synod of the Presbyterian Church of Nova-Scotia are now in the possession and enjoyment of certain Donations, Bequests, and Collections made to, or by the said Presbyterian Church of Nova-Scotia, for the purpose of promoting Classical and Religious Education in connection with that body, and others of a similar nature may be made; *And whereas,* the said Synod having taken the said subject into consideration, have determined that the care and management of said Funds should be vested in a Board, duly constituted by them for such purpose, and that such Board should apply to the Legislature for the passing of an Act of Incorporation for enabling them to hold and manage their Funds and Property given, bequeathed, or collected, to or by the said Presbyterian Church of Nova-Scotia, for the purpose aforesaid, with greater care and convenience: *And whereas,* the said Board have so applied, and because the Incorporation of the said Board may be beneficial in manner and for the purposes aforesaid, it is fit and proper to grant the said request:

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That the Reverend John McKinlay, Abram Patterson, James Dawson, and Roderick McGregor, Esquires, the Reverend John Logan Murdoch, James DeWolf Fraser, Esquire, the Reverend Peter Gordon McGregor, Charles D. Hunter, Esquire, the Reverend James Smith, Adam Dickie, Isaac Logan, John D. Christie, and Anthony McLellan, Esquires, and the Reverend John Campbell, together with the Moderator, and Clerk of the said Synod for the time being—the said Board being duly nominated by said Synod—the said Moderator and Clerk to be *ex-officio* members—and all and every such other person or persons as shall be hereafter duly nominated and appointed by said Synod, as hereinafter provided, and their successors shall be, and are hereby appointed, a Body Politic and Corporate, in deed and in name, by the name of “The Educational Board of the Presbyterian Church of Nova-Scotia,” and by that name shall have succession forever, and have a Common Seal, and by that name shall and may sue and be sued, plead and be impleaded, at Law, and in Equity, and in all Courts and places, and be able and capable to have, hold, purchase, get, receive, take, possess, and enjoy Lands, Houses, Tenements, Hereditaments, and Rents, in Fee Simple or otherwise; and also Goods, Chattels, and all other things, Real, Personal, and Mixed; and also to give, grant, sell, let, assign, or convey the same, or any part thereof, and to do and execute all other things in and about the same, as shall or may be thought necessary or proper; and also to put out and invest the Funds and Monies now held and enjoyed by said Educational Board to and for the purposes aforesaid, upon Mortgage upon Houses or Lands in the said Province of Nova Scotia, or in the public Funds of said Province, in such sums and at such rates of interest as to said Board may appear expedient, and to collect the interest due thereon, and to call in, collect, and again to invest the said Funds, or any part thereof, and to have all the efficient and necessary powers for the due and faithful management of said Funds; and also shall have, from time to time, and at all times, full power and authority to constitute, make, and establish such Bye Laws, Rules, and Ordinances, (and at any future time to alter and change the same) as may be thought necessary for the rule and good government of said Board—declaring the extent, duration, and authority of the members of the said Board—their mode of appointment by the said Synod, and for promoting the objects and purposes of said Board: *Provided always*, that such Bye Laws, Rules, and Ordinances, be submitted to, and be approved of, by the said Synod, and also be not contradictory or repugnant to the Laws or Statutes of this Province, or of those in force within the same, or to the provisions hereof: *And Provided also*, that the said Board shall not hold at any time Lands, Tenements, Houses, Hereditaments and Rents, Goods, Chattels, Property, or Effects, of greater value than Twenty Thousand Pounds.

Proviso.

II. *And be it enacted,* That the two several Bequests following, to wit: a Bequest from the late Andrew McCara, Esquire, of Rogers' Hill, in the County of Pictou, and another Bequest from the Widow of the late Reverend Alexander Dick, of Shubenacadie, in the County of Hants, and the Funds in the power of, and under the control of the said Synod, entitled, “The Theological Professorship Fund,” shall be, and hereby are declared to be, vested in the said incorporated Board, to and for the purposes aforesaid: *Provided always*, nevertheless, that if at any time the said Presbyterian Church of Nova-Scotia, whether the said Church shall retain her present appellation or assume another, shall cease to be Orthodox, or her Constitutions and Standards as received by the said Church and exhibited and explained in the Basis or Articles of Union formed and agreed to in the Year of Our Lord One Thousand Eight Hundred and Seventeen, shall become so changed as to become essentially different from what they now are, then the said Funds, or any other Funds to be hereafter bequeathed, obtained, or collected, and vested in the said Board for the purposes aforesaid, shall become alienated, and shall be applied to the general purposes of Education by the Legislature, in and for said Province: *And Provided always*, that should the said Presbyterian Church of Nova-Scotia

Bequests from A. McCara, &c. &c. vested in Board.

Proviso.

Proviso.

at

at any time unite with any other Orthodox body, or bodies of Christians, the said Funds shall become the property of the united body on such terms as may be mutually agreed on by the contracting parties: *Provided always*, that no infringement shall be made thereby on the original intentions of the Donors of said Funds, or of any conditions annexed thereto: *And Provided also*, that if at any future time or times a division or separation should take place, or be agreed upon in the said Synod or Presbyterian Church of Nova-Scotia, that then, and in such case, the new Synod which shall adhere most closely to the Standards of the said Presbyterian Church of Nova-Scotia, as exhibited in the Articles or Basis of Union as aforesaid, in Government, Doctrine, and Discipline, shall be, and is hereby declared to be, the true, rightful, and legal owner of the said Funds and Property, of whatever nature or kind vested in, or belonging to said Board, and appertaining to, or forming any part of the Trust Funds then held and enjoyed by them, for the purposes as aforesaid.

Province

Nomination of Board.

III. *And be it enacted*, That so long as the said Presbyterian Church of Nova-Scotia, whether it shall retain its present appellation or assume another, shall continue to be Orthodox, or its Constitution and Standards as received by the said Church, and exhibited and explained in the Basis or Articles of Union, framed and agreed to in the year of our Lord One Thousand Eight Hundred and Seventeen, shall not become so changed as to become essentially different from what they now are, and so long as no union has been formed by the said Presbyterian Church of Nova-Scotia, with any other Orthodox Body or Bodies of Christians, the members of said Board shall be duly nominated and appointed by said Synod, and no person shall be eligible to be elected a Member of said Board, unless he be at the time in full communion with the said Presbyterian Church of Nova Scotia, and shall so remain so long as he continue a member thereof: *And provided always*, that the Moderator and Clerk of said Synod for the time being shall be at all future times *ex officio* Members of said Board.

Province

Removal, Resignation, &c. of Members.

IV. *And be it enacted*, That it shall and may be lawful for the said Synod to remove, displace, and to add to the said Board in lieu of the member of the said Board so removed or displaced; and further, that any member of the said Board shall at any time be at liberty to resign his seat or trust, and by such resignation to cease to be a member thereof.

Duty of Board.

V. *And be it enacted*, That it shall be the duty of the said Board from time to time, as occasion may require, to meet and consult on the state of the said Funds, and the best means of increasing and improving the same, and generally to overlook and review the affairs entrusted to the care of said Board, and to exercise a watchful supervision over the condition and value of the securities held by said Board, and upon the conduct and fidelity of all agents employed by them for the collection and management of said Funds, or any part thereof, and that any three of such Board shall form a *quorum*.

Annual Report.

VI. *And be it enacted*, That a report shall be annually made by said Board to the said Synod, of the progress and state of the said Funds, an abstract of the securities held by the said Board, and of the principal and interest due on each of them respectively, and generally of the affairs of said Board.

Act not to give Board any claim on the Legislature.

VII. *And be it enacted*, That the passage of this Act shall not be construed to pledge the Legislature of this Province to have any concern, share, or interest in the said Board, or to give the said Board or Presbyterian Body any claim of any sort or kind upon the Treasury or Government of this Province, it being the true intent and meaning of this Act, that the said Board or Presbyterian Body should proceed on their own Funds, and without the pledge or promise of any aid or grant from the Legislature of this Province, by reason of the passing of this Act.

CAP. XXXVII.

An Act to continue and amend the Acts for the Regulation of Juries.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the first year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the Regulation of Juries, except the fourth, seventh, and eighth clauses or sections thereof, which are hereby repealed; and also except as altered or amended by the Acts hereinafter mentioned, or by this Act; also, the Act passed in the third year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act for the Regulation of Juries, and to render valid the proceedings of certain Grand Juries, except as altered or amended by the Act hereinafter mentioned, or by this Act; also, the Act passed in the seventh year of Her present Majesty's Reign, to continue and amend the said Acts, except as altered or amended by the Act passed in the eighth year of Her present Majesty's Reign, entitled, An Act to amend the Act for the Regulation of Juries, or by this Act shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby respectively continued for one year, and thence to the end of the then next Session of the General Assembly.

Act 1st Victoria,
Act 3d Victoria,
Act 7th Victoria,
amended and con-
tinued.

II. *And be it enacted*, That at the first General Sessions of the Peace to be held in each County and District, from and after the first day of July next, there shall be selected, by the Justices present thereat, not less than Five nor more than Ten of their number, in their discretion, resident in the different Townships or Settlements of the County or District, provided they may be present; but if Justices from all such Townships or Settlements shall not be in attendance, then from such as may be present; which Justices, so selected, shall be duly sworn to the faithful and impartial discharge of their duties, and shall, together with the Sheriff of the County, forthwith prepare Lists of all persons lawfully qualified to serve as Grand Jurors within each of the several Townships and Settlements within the said County or District, and return the said Lists to the then next ensuing Supreme Court in the County, a copy of which List shall be posted up in the office of the Clerk of the Peace, and shall be open for the inspection of all persons, without Fee or Reward.

Selection of Jus-
tices to prepare
Lists of Grand
Jurors, return
Lists to Supreme
Court, &c.

III. *And be it enacted*, That if at any General Sessions of the Peace, held in and for such Counties and Districts respectively, at any time or times after the making up of such Lists respectively, the Justices attending thereat shall be satisfied from the oath of any party examined before them, or from other proof, that the name of any person not then qualified, or not then liable to serve as a Grand Juror has been inserted, or allowed to remain on the Lists so made up as aforesaid, it shall be lawful for such Justices to strike such name out of such List, and it shall also be lawful for such Justices to insert in such Lists the name of any person omitted, or who ought to be inserted therein, and likewise to reform any error or omissions which shall appear to them to have been committed in respect to the name, place of abode, or the nature of the qualification of any person included in any such List, and to make any alteration in such Lists as may be rendered necessary by the change of abode, or alteration in the nature of the qualification of any person inserted therein, or by any such person having become disqualified, or by any person becoming qualified who may not have been so inserted: *Provided always*, that no person's name, if omitted, shall be inserted in any such List, nor shall any name be struck out of such List, nor shall any error or omission in the description of any person in any such List be reformed by the Justices in their General Sessions as aforesaid, unless upon the application of such person respectively, or unless such persons respec-

Correction of Lists
by Justices, &c.

Proviso.

shall cause notice to be given to such persons respectively, requiring them to shew cause at the same General Sessions why their names should not be inserted or struck out of such List, or why any error or omission in the description of such persons in such List should not be reformed, or why any other alteration in particular should not be made in such List; and when any such alteration of any kind as aforesaid shall be made in any such List, the same alteration shall be made in the copy to be kept by the Clerk of the Peace as aforesaid, and shall be by such Clerk of the Peace forthwith returned to the Supreme Court for the County.

Courts of Sessions to
appoint the num-
ber of Justices.

Proviso.

IV. *And be it enacted*, That the Courts of General Sessions of the Peace within the several Counties and Districts of this Province, shall and may, from time to time, diminish or increase the number of Justices for the purpose of making up such Lists as aforesaid: *Provided*, such number shall not at any time be less than Five nor more than Ten; and also shall and may alter or change any one or more of the Justices so at any time selected, and select others in their room, or in the place of any one or more of them, and when any such increase or change shall take place or be made, the Justice or Justices newly selected, shall be sworn as aforesaid.

Revision of Lists.

V. *And be it enacted*, That the several Lists of Grand Jurors to be made and returned and amended as aforesaid, shall once in every three years, or oftener, if the said Courts of General Sessions shall so direct, be revised by the Sheriff, and the Justices to be appointed as aforesaid, and new Lists made up and returned and amended in the manner hereinbefore directed.

Drawing of Juries.

VI. *And be it enacted*, That the Lists so made up and returned and amended and revised as aforesaid, shall be the Lists from which the Grand Juries for the respective Counties, and the Special Juries allowed by Law, shall be drawn.

Levying of Fines
for non attendance.

VII. *And be it enacted*, That hereafter no Warrant, or other Process for the collection of any Fine imposed on any person for nonattendance as a Grand, Special, or Petit Juror, shall be issued, nor shall any such fine be levied until after the last day of the Term next following that in which such fine shall have been imposed, and in all such cases every person so fined shall be informed thereof by notice in writing, to be served by the Sheriff or his Deputy, at least fourteen days before the said next Term, in order that he may appear during the said Term, and shew cause if any he have, why the said fine should not be levied and collected.

Act not to extend to
County of Halifax.

VIII. *Provided always, and be it enacted*, That this Act, save and except the First Clause or Section thereof, shall not come into and be in operation until on, from and after the first day of July next, and that nothing herein contained shall extend or be construed to extend to the County of Halifax.

To be in force for 1
year.

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

CAP. XXXVIII.

An Act to regulate the Weighing and Selling of Beef.

(Passed the 20th day of March, 1846.)

Appointment of In-
spectors and
Weighers of Beef.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the respective Grand Juries for the several Counties and Districts of this Province, at the Court of General Sessions of the Peace at which the Grand Jury assemble, that shall be holden for each County and District respectively, next after the passing of this Act, and annually thereafter, at the first sitting of the said Court at which the Grand Jury shall meet in every year, shall nominate Five or more fit and proper persons in each and every Township within their respective Counties and Districts, out of whom the said Court shall appoint two or more for the purpose of inspecting and weighing Beef, as hereinafter mentioned, and every such person so nominated and appointed, shall be sworn to the faithful and impartial discharge of his duty, in the same manner as other Town Officers are sworn.

II. *And be it enacted*, That whenever any Cattle, from and after the appointment of such Officers, in any Township within this Province, shall be sold at a stated price by the pound or hundred weight; and shall be slaughtered in such Township, one of such Officers, to be named by the seller or sellers, if required, shall be employed to inspect and weigh such Cattle, who shall ascertain the just and true weight thereof, by weights duly assayed and stamped according to law, and also by deducting, at his discretion, what he shall deem to be a fair allowance for any loss that may be occasioned from the weighing of such Cattle immediately, or within four hours after having been slaughtered, and for any Bruises that may have been sustained by such Cattle, or by adding thereto what may appear to him a reasonable and fair addition to the weight of such Beef, for what may have been improperly trimmed off, and reduced in weight by the purchaser or purchasers.

Duty of Officers.

III. *And be it enacted*, That hereafter, all and every person and persons purchasing Cattle by weight, shall be compelled to pay not only for the weight of Beef but for the weight of the Hide and Tallow of such Cattle, so that in all sales of Cattle by weight, such weight shall include as well the Beef as also the Hide and Tallow; and every such Officer appointed for the inspection and weighing of Beef as aforesaid, shall, when required by the seller or sellers, always weigh the Beef, Hide, and Tallow of Cattle sold by weight.

Purchasers to pay for weight of hide and tallow.

IV. *Provided always, and be it enacted*, That no Officer appointed under this Act, shall, on any pretence, in inspecting and weighing such Beef, deduct therefrom more than what shall be a fair and reasonable allowance for any Bruises which may have been sustained by the Cattle from which such Beef shall be made, and shall appear to be injurious to the Beef, and for such shrinkage as may be reasonable and right when the Beef is weighed immediately or within four hours after being slaughtered.

Officers to make fair allowances for bruises.

V. *And be it enacted*, That such Officer so employed as aforesaid, shall receive from the seller or sellers of such Cattle at the rate of Nine Pence for every carcass by him inspected and weighed, when the same shall not exceed two, and when three or more are inspected and weighed at one and the same time, he shall receive at the rate of Six Pence for every such carcass.

Payment of officers.

VI. *And be it enacted*, That any purchaser or purchasers who shall not allow any one of the said Officers named and sworn as aforesaid, to inspect and weigh the Beef, Tallow, and Hide of all Cattle purchased and slaughtered by him or them as aforesaid, shall forfeit for every head of such Cattle the sum of Twenty Shillings.

Penalty for interfering with officers.

VII. *And be it enacted*, That every such Officer so nominated and appointed as aforesaid, who shall refuse or neglect to take upon himself the duties of such office, and to be sworn to the faithful discharge thereof as aforesaid, or having entered upon the discharge of such office shall neglect his duty therein, shall forfeit and pay a penalty of not less than Two Pounds nor more than Five Pounds, at the discretion of the Justices before whom the same shall be sued for.

Penalty for neglect of duty by officers.

VIII. *And be it enacted*, That every penalty by this Act imposed, shall be sued for and recovered in like manner and by the same means as if such penalty were a private debt due to the person who shall sue for the same, and shall be applied one half thereof to the use of the person suing for the same, and the other half to the use of the Poor of the Township or place where the offence hath been committed.

Recovery of Penalties.

IX. *Provided always, and be it enacted*, That nothing in this Act contained, shall extend, or be construed to extend, to prevent any person or persons from purchasing or selling Cattle by weighing them alive or otherwise, or to alter, impair, or in any way affect, any contract entered into previously to the passing hereof, by and between any person or persons whomsoever, or any contract now entered into by any person or persons with the Government or any public department within this Province, or any person or persons acting on behalf of such Government or public department.

Proviso.

X. *And be it enacted*; That the Act passed in the tenth year of the Reign of His

Act 10th Geo. 4th,

His

His late Majesty King George the Fourth, entitled, An Act to regulate the Weighing of Beef, and also the Act passed in the second year of the Reign of Her present Majesty Queen Victoria, to continue and amend the said Act, and every matter, clause, and thing, in the said Acts contained, shall be and the same are hereby repealed.

XI. *And be it 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.

CAP. XXXIX.

An Act in relation to the Carting of Deals and Timber on certain Roads in the County of Cumberland.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS the Carting of Deals and Timber on one pair of wheels has been found injurious to the Roads, and it is expedient to put an end to such practice over certain Roads in the County of Cumberland :

Deals and Timber to be carted on two pairs of wheels.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That it shall and may be lawful for the Court of General Sessions of the Peace for the County of Cumberland, upon the recommendation of the Grand Jury for said County, if it shall be deemed proper so to do, by any order or orders in writing by them to be made, to direct that no Deals or Timber shall be Carted on one pair of wheels only over any of the Roads in the County of Cumberland hereinafter mentioned, or over any particular parts or portions of such Roads, to be designated in such order or orders, that is to say : the Road from George Church's, in Fort Lawrence, to the Court House in Amherst, and thence to Goose River, by the way of Shine-macas—the Road from John Chapman's, Mill Brook, in Amherst, to the Bay Shore near Edward Rockwell's—and the Road from River Philip Bridge on the Main Post Road until it reaches a point opposite the residence of Richard Black, of the said River Philip ; and from and after the making of such order and orders respectively, it shall not be lawful for any person or persons to Cart any Deals or Timber over any such Roads or portions thereof, so designated as aforesaid, but all such Deals and Timber taken or conveyed over any of such Roads, or portions thereof so designated as aforesaid, shall be carted and conveyed on two pairs of wheels at the least.

Penalty for violation of Act.

II. *And be it enacted*, That any person or persons who shall violate in any respect the provisions of this Act, shall for each and every offence forfeit and pay a penalty of not less than Five Shillings nor more than Ten Shillings, at the discretion of the Justice before whom the investigation shall take place, to be sued for and recovered before any one of Her Majesty's Justices of the Peace for the said County of Cumberland, by and in the name of any person who shall sue for the same, in the same manner, and by the same ways and means, and with the like costs of suit as if the same were a private debt due to such person, and to be applied to the repair of the Roads and Bridges, under the direction of the General Sessions of the Peace for the said County.

Recovery of penalty.

To be in force five years.

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

CAP. XL.

An Act to continue the Act to amend the Act concerning Duties on Liquors distilled within this Province, and also further to amend the same.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth Year of the Reign of Her present Majesty, entitled, An Act to amend the Act concerning Duties on Liquors distilled within this Province, which Act will continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-six, and every matter, clause, and thing in the said Act contained, except as altered or amended by this Act, shall remain thenceforth in operation, and be further continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

Act 8th Victoria, amended and continued.

And for the purpose of removing doubts and checking Fraud :

II. *Be it declared and enacted,* That the Board of Revenue shall and may from time to time make, alter, and renew such Regulations, as to them shall seem expedient, for checking and detecting Frauds, and therein may provide for the supervision of the Distilleries and the Buildings in which the same are conducted when not in operation, as well as when at work, and for closing and keeping closed the Manufactories for Distilling Spirituous Liquors, and the Buildings in which such Manufactures are or may be conducted when not in operation, and for the expenses incident thereto, in such manner and under such Regulations as to the said Board may seem proper, and also for searching for concealed pipes, and other secret means, by which frauds may be perpetrated, and with that object for opening Doors or Windows, or otherwise entering Buildings, and taking down and removing partitions, floors, ceilings, and other impediments to such search which it may be necessary or proper to take down or remove for the purposes of such search, and also for making the Manufacturers, Occupiers, or Owners of such Distilleries or Buildings, when fraud shall be detected, liable for the expenses incident thereto, and generally to make, alter, revoke, and renew all such Rules and Regulations as to the said Board from time to time may seem necessary, for insuring a faithful account of the Duties payable by Law, and for carrying into effect the Acts made, or which may be made hereafter, for securing Duties payable on Spirituous Liquors Distilled in this Province.

Board to make regulations for detecting Frauds—supervision of Distilleries, &c.

III. *And be it enacted,* That if any person shall Distil or Manufacture Spirituous Liquors in this Province, before having given to the satisfaction of the Collector of Impost from year to year, the Bond and Warrant of Attorney required in and by the Act hereby continued and amended, every such person shall be liable to a penalty of Five Pounds for every day wherein he shall Distil or Manufacture Spirituous Liquors, before giving such Bond and Warrant of Attorney, to the approval of the said Collector in every year, to be recovered in a summary manner before any one of Her Majesty's Justices of the Peace for the County, where the offence shall be committed.

Penalty for violation of Act.

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

To be in force till 31st March, 1847.

CAP. XLI.

An Act to Incorporate the Pictou Gas Light Company.*(Passed the 20th day of March, 1846.)*Pictou Gas Light
Company incorpo-
rated.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That James Primrose, James Purves Thomas Gibson Taylor, James Crichton, John Yors-ton, James Daniel Bain Fraser, and George Moir Johnston, and all and every other person or persons who shall from time to time be and become Proprietors of Shares in the Corporation hereby established, their successors and assigns, shall be and are hereby erected into a Company, and declared to be a Body Politic and Corporate, by the name of "The Pictou Gas Light Company," and by that name shall have succession and a Common Seal, and by that name shall and may sue and be sued, implead and be impleaded, answer and be answered unto, defend and be defended, in any Court, or Courts of Law or Equity, or place whatsoever, and be able and capable in Law, to have, hold, purchase, take, receive, lease, possess, and enjoy any Houses, Lands, and Tenements whatsoever, in Fee Simple, Leasehold, or otherwise, and also any Goods and Chattels, and all other things real, personal, or mixed; and also to give, grant, sell, let, assign, or convey the same, or any part thereof, as shall and may be thought necessary and proper for the benefit and advantage of the said Company.

Proviso.

II. *Provided always, and be it enacted,* That the said Company shall not have, take, hold, possess, or enjoy, at any one time, Lands, Tenements, or Hereditaments, of greater value than Four Thousand Pounds.

Amount of Capital
of Shares, &c.—
Opening Subscrip-
tion Book, &c.

III. *And be it enacted,* That the original Capital or Joint Stock of such Com-pany hereby established, shall be the sum of Five Thousand Pounds, to be divided into One Thousand Shares, of Five Pounds each, and it shall and may be lawful for the persons mentioned in this Act, immediately after the passing thereof, to open a Book for subscription of Shares to the said Company, and no person shall be entitled to subscribe for more than One Hundred Shares, until thirty days shall have elapsed from the day on which such Subscription Book shall have been opened, and Public Notice thereof given by advertisement in the Newspaper at Pictou, and if, at the end of thirty days after Public Notice so given, the whole number of Shares of and in the said Joint Stock or Capital as hereinbefore prescribed, shall not be taken up or subscribed, then any person or persons may subscribe for the residue of such Shares, notwithstanding such person or persons may respectively subscribe for more than One Hundred Shares.

Appointment of Of-
ficers, making of
Bye Laws, &c.

IV. *And be it enacted,* That when and so soon as the said Company shall be formed, and at least Three Thousand Five Hundred Pounds of the Shares subscrib- ed for, it shall and may be lawful for the said Company, by a majority of votes at any Meeting or Meetings to be thereafter held, to appoint a President, Directors, and Officers of the said Company, and to make Bye Laws, Rules, and Ordinances, for prescribing the duties, powers, and authority of the President, Directors, and Officers of the said Company, for limiting the number of Directors, for regulating the payment, transfer, registry, and forfeiture of Shares, the time or times of the Meetings of the Company, or of the Directors, the making of Dividends of Pro- fits, and the keeping of the Accounts, and generally for the good order, conduct, and government of the said Company, its affairs and business as may be requisite and necessary: *Provided always,* that no Bye Law, Rule, or Ordinance shall be repugnant to this Act, or to the Laws or Acts of this Province, or those in force within the same: *And provided also,* that no Bye Law, Rule, or Ordinance shall be of any force or effect until approved by the Governor, Lieutenant-Governor, or Commander in Chief for the time being.

Proviso.

Company lay
Pipes, &c., erect
Lamp Posts, &c.

V. *And be it enacted,* That it shall and may be lawful for the said Company, when formed, to supply the Inhabitants of the Town of Pictou with Gas Light, and for that purpose, at a proper and convenient distance below the surface of the
Roads,

Roads, Streets, and Highways of the said Town, to cause Pipes, Leaders, and Tubes, to be laid and placed as may be proper and necessary; and in the Streets of the said Town to place and erect in convenient and fitting situations, Lamp Posts, or Burners, and supports for the same, as may be necessary and required for the proper lighting of said Town, or of such Streets, or parts of Streets, as may be lighted.

VI. *And be it enacted*, That for the purposes aforesaid, after Ten Days Notice given to the Commissioners of Streets of said Town, it shall and may be lawful for the said Company to break up and open the Roads, Streets, and Highways, in or near to the said Town, in any place where necessary, and to keep any such Road, Street, or Highway open for such reasonable time as may be necessary: *Provided always*, that the said Company shall faithfully and carefully close up, repair, and make good the said Roads, Streets, or Highways to be so opened at their own costs and charges, or otherwise shall be liable to defray all expenses to be incurred by the Commissioners of Streets, in closing up, repairing, or making good any Road, Street, or Highway, by the said Company to be opened up, which expenses shall be recoverable by said Commissioners against the said Company, with costs in Her Majesty's Supreme Court, by Suit or Action, against the said Company, in which it shall be sufficient for said Commissioners to declare for work and labor done by them for the said Company.

VII. *And be it enacted*, That whenever a majority of the Proprietors of Houses or Buildings, in any Street, or in any Block or Square of Lots in the said Town, shall desire that such Street or such Block may be lighted up with public Lamps or Burners, and the said Company shall agree to light the same, it shall and may be lawful for the said Proprietors and the said Company to apply to the Court of General Sessions of the Peace at Pictou, and if such Court shall be satisfied that a majority of the said Proprietors have actually consented and agreed that the Street or Block in question shall be lighted, then and in such case the said Court shall cause a fair and proportionable rate to be made upon the whole Property in such Street or Block by three sworn Appraisers, being proprietors of houses in said Town, to be appointed and sworn by the Court, who shall not be interested in the Street or Block in question, and when such rate shall be made and returned and approved by the said Court, the said Court shall order such Street or Block to be lighted, and that the expense thereof shall be borne by the proprietors of the houses and buildings in such Street or Block agreeably to the rate aforesaid, and on the refusal or neglect of any proprietor to pay such rate, the said Company shall be entitled to proceed against such proprietor and to recover such rate, with costs, by suit or action as if such rate were a debt due for money paid, and work and labour performed, by the said Company for the said Proprietor.

VIII. *Provided always, and be it enacted*, That if all the Proprietors of Houses or Buildings in any Street or Block in the said Town of Pictou shall, by written agreement, contract for lighting said Street or Block with the said Company, and fix and establish a Rate therefor, then, and in such case, it shall not be necessary to make any application to the said Court, but the Rate agreed upon shall be paid and recoverable as hereinbefore prescribed, in respect of the Rate to be established, by and under the direction of the Court.

IX. *And be it enacted*, That whenever it shall become necessary to increase the Capital or Joint Stock of the said Company, it shall and may be lawful for the said Company at any General Meeting to be called agreeably to the Bye Laws, Rules, and Ordinances to be made as aforesaid; to declare and direct that such increased Capital shall be raised, not exceeding Two Thousand Five Hundred Pounds, to be divided in Shares of the like amount, as in respect to the original Capital hereinbefore is prescribed, and such Shares shall be sold at Public Auction after notice in a public newspaper, for at least Thirty days, and if sold at any profit, such profit shall be divided and paid equally among the Proprietors as well of the increased Capital as of the original Capital.

Qualification of Vo-
ters.

X. *And be it enacted*, That at any General Meeting of the said Company, every Proprietor or Shareholder having paid up all calls on him made and then due and payable, if any be then due and payable under the Bye Laws, Rules, or Ordinances of the said Company, shall be entitled to vote according to the number of Shares which any Proprietor or Shareholder may possess, that is to say—the owner of one Share to have one vote, the owner of three Shares to have two votes, and the owner of five Shares to have three votes, and for each additional five Shares to have one vote, and may give such vote or votes by his or her proxy duly constituted, according to the Bye Laws, Rules, or Ordinances of the Company, such proxy being a Shareholder and entitled to vote, and every such vote by proxy shall be as good and sufficient to all intents and purposes as if such principal had voted in person, and whenever any Share shall be held by more than one person, then the person present at the Meeting who stands first on the Registry, or is first named in the Stock Certificate, shall vote therefor.

Votes of Directors.

XI. *And be it enacted*, That the mode of voting by the Directors at any Meeting of the Board, shall be regulated by some Bye Law, Rule, or Ordinance of the said Company, to be duly passed by the same.

Shares deemed.

XII. *And be it enacted*, That for and notwithstanding any Real Estate which the said Company may hold at any time, the Shares and Interests of the several Shareholders of and in the Capital Stock and Funds of the said Company, shall be held and deemed to be personal property, to all intents and purposes whatsoever.

Company not to lend
Money, under-
write, &c.

XIII. *And be it enacted*, That nothing herein contained, shall be held, or construed to give the said Company, the privilege of dealing in the lending of Money by way of Discount or otherwise, or engaging in any Banking operation whatsoever, or to underwrite or make as underwriters, any Insurance upon any Ship or Vessel, or Marine Risk, or upon any Loss by Fire, or upon any Life or Lives.

Payment of Shares.

XIV. *And be it enacted*, That the Shares subscribed for by any Shareholder in such Company, shall be payable in such manner, by such instalments or calls, and at such times, and upon such notices as by the Bye Laws, Rules, or Ordinances of the said Company, may be ordered and directed, and if such calls or instalments shall not be paid, it shall and may be lawful for the said Company to sue for and recover such calls or instalments by Suit or Action in the Supreme Court, against any Shareholder who shall make default in payment of any call or instalment.

Proviso

XV. *Provided always, and be it enacted*, That nothing herein contained, shall extend, or be construed or taken to relieve or discharge the said Company, or any of the present or future Shareholders in the said Company, from any responsibility, contract, duty, or obligation whatsoever, to which by Law, they, he, or she, now is, or are, or at any time hereafter may be, or would have been subject or liable, had this Act not have been passed, as between such Company and any other party or parties whomsoever, and the said Shareholders in the said Company, their Lands, Goods, and Chattels, shall be liable under any Execution that may be issued against the said Company, in the same manner, and to the same extent, as if this Act had not been passed: *Provided always*, that if the Directors of the said Company, shall, by any Contract or Engagement, incur any responsibility for any sum or sums of Money beyond the amount of the Shares subscribed for, without the sanction of the said Company first had and obtained at some General or Special Meeting of said Company, to be called and summoned agreeably to the Bye Laws of the said Company, the Directors of the said Company shall themselves be held and deemed personally liable for the amount so by them incurred.

Proviso

XVI. *And be it enacted*, That unless the said Company shall go into operation within five years from the passing of this Act, then this Act, and every matter and thing therein contained, shall be of no effect.

To go into operation
within 5 years.

CAP. XLII.

An Act to continue and amend the Act in relation to Barristers and Attornies.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the sixth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the better regulation of Barristers, Advocates, Attornies, Solicitors, and Proctors, practising in the Courts of this Province, and every matter, clause, and thing, therein contained, except as altered or amended by this Act, shall be continued, and the same are hereby continued for ten years and thence to the end of the then next Session of the General Assembly.

Act 6, Wm. 4, as amended continued for ten years.

II. *And be it enacted*, That hereafter all Barristers and Attornies of the Supreme Court in the Island of Cape Breton, who may have been admitted previously to the passing of the Act made in the first and second year of the Reign of His late Majesty King George the Fourth, entitled, An Act to extend the Laws and Ordinances of the Province of Nova Scotia to the Island of Cape Breton, admitted to practise as Attornies in the Supreme Court of the said Island of Cape Breton, and who may have, since the passing of the said Act, continued to practise as such Attornies and Barristers, shall be entitled to practise as Barristers and Attornies of the Supreme Court of the Province of Nova Scotia, and shall have the same rights and privileges as other Attornies and Barristers of such Court, and shall be entitled to receive into Articles, Clerks and Students at Law, in the same manner as Barristers and Attornies of the Supreme Court for the Province of Nova Scotia, and all Clerks or Students at Law so articulated, or who may heretofore have been so articulated, to any such Barrister and Attorney of the Supreme Court in the Island of Cape Breton, shall be entitled to their admission as Barristers and Attornies of the said Supreme Court for the Province of Nova Scotia, in the same manner as Clerks and Students of Barristers and Attornies of the said Supreme Court for the said Province, performing the duties and complying with all other rules and regulations by the Act hereby continued and amended, imposed on articulated Clerks or Students at Law.

Barristers and Attornies of Cape Breton to have the same privileges as Barristers of Nova Scotia.

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

To be in force for 10 years.

CAP. XLIII.

An Act for Shutting up a New Road at Napan, in the County of Cumberland.

(Passed the 20th day of March, 1846.)

WHEREAS, an order of the Court of General Sessions of the Peace in the County of Cumberland, for making an alteration on the Road leading from Thomas Bulmer's, in Napan, to Calvin Bent's, on the Main Post Road leading to Amherst, was sought for and obtained by James Shipley and others, not settlers upon the said Road: *And whereas*, the said alteration has ever been opposed by the residents upon said Road, and the completion thereof would involve a large expenditure of public Monies or of Statute Labour, to the hurt and damage of the said Settlers upon said line of Road, and the same is unnecessary, and in every respect uncalled for:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That from and after the passing of this Act, the said alteration shall be shut up, and the Public confined to the old line of Road.

New Road to be shut up.

CAP. XLIV.

An Act to Incorporate the Dartmouth Water Company.*Passed the 20th day of March, 1846.*Dartmouth Water
Company incorpor-
ated.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That Edward H. Lowe, Lawrence Hartshorne, John Tempest, John E. Fairbanks, Alexander Lyle, Charles Allen, and all and every other person or persons who shall, from time to time, be and become Proprietors of Shares in the Corporation hereby established, their successors and assigns, shall be and are hereby erected into a Company; and declared to be a Body, politic and corporate, in deed and in name, by the name of "The Dartmouth Water Company," and by that name shall have succession, and a Common Seal, and by that name shall and may sue and be sued, plead and be impleaded, answer and be answered to, and prefer any Bill or Bills of Indictment, Information, or other proceeding in any Court or Courts of Law, or Equity, or other place or places whatsoever, and be able and capable to have, hold, take, purchase, receive, lease, and enjoy, any houses, lands, tenements, or hereditaments whatsoever, in Fee Simple, Leasehold, or otherwise, and also any goods, chattels, or effects, and all other things, real, personal, or mixed; and also to give, grant, sell, let, assign, or convey the same, or any part thereof, as shall or may be thought necessary and proper for the benefit and advantage of the said Company: *Provided always*, that the said Company shall not have, take, hold, possess, or enjoy, at any one time lands, tenements, or hereditaments of greater value than Five Thousand Pounds.

Provide

Amount of Capital,
division into
Shares, &c.

II. *And be it enacted*, That the original Capital or Joint Stock of the said Company hereby established, shall be the sum of Four Thousand Pounds, to be divided into Four Hundred Shares of Ten Pounds each; and it shall and may be lawful for the persons first mentioned in this Act, or any of them, immediately after the passing thereof, to open a Book for Subscription of Shares to the said Company, and no person shall be entitled to subscribe for more than twenty Shares until thirty days shall have elapsed from the day on which such Subscription shall have been opened, and public notice thereof given in at least two of the Newspapers printed in Halifax, and if at the end of thirty days after public notice so given, the whole number of Shares of and in the said Joint Stock and Capital as hereinbefore prescribed, shall not be taken up or subscribed, then any person or persons may subscribe for the residue of such Shares, notwithstanding such person or persons may have subscribed for more than twenty Shares.

Appointment of Pre-
sident, Directors,
&c., making Bye
Laws, Rules, &c.

III. *And be it enacted*, That when and so soon as the said Company shall be formed, and one-fourth of the Shares taken up, it shall and may be lawful for the said Company, by a majority of votes at any Meeting or Meetings to be hereafter held, to appoint a President, Directors, and Officers of the said Company, and to make Bye Laws, Rules, and Ordinances of the said Company, for prescribing the duties, powers, and authority of the President, Directors, and Officers of the said Company, for limiting the number of Directors, for regulating the payment, transfer, registry, and forfeiture of Shares, the time or times of Meeting of the Company or of the Directors, the making of dividends of profits, and the keeping of the accounts, and generally for the good order, conduct, management, and government of the said Company, its affairs and business, as may be requisite and necessary: *Provided always*, that no Bye Law, Rule, or Ordinance so to be made, shall be repugnant to this Act, or to the Laws or Acts of this Province, or those in force within the same: *And provided also*, that no Bye Law, Rule, or Ordinance, shall be of any force or effect until approved by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, with the advice of the Executive Council.

Provide

Company to make
Reservoirs, lay
Pipes, &c.

IV. *And be it enacted*, That it shall and may be lawful for the said Company, when formed, to supply the inhabitants of the Township of Dartmouth with Water, and for that purpose, at a proper and convenient distance below the surface of the
Roads,

Roads, Streets, and Highways of the said Township of Dartmouth, or those leading to the same, to cause Reservoirs, Tanks, Fountains, Leaders, Pipes, and Tubes, to be laid and placed as may be necessary and proper.

V. *And be it enacted*, That for the purposes aforesaid, after ten days notice given to the Commissioners of Streets for the said Township, it shall and may be lawful for the said Company to break up and open the Roads, Streets, or Highways, in or near to the said Township, in any place where necessary, and to keep any such Street, Road, or Highway, open for such reasonable time as may be necessary: *Provided always*, that the said Company shall faithfully and carefully close up, repair, and make good the said Roads, Streets, or Highways, to be so opened at their own costs and charges, or otherwise shall be liable to defray all expenses to be incurred by the said Commissioners of Streets, in closing up, repairing, or making good any Road, Street, or Highway, which by the said Company may be opened up, and all such expenses shall be recoverable by the said Commissioners in any Suit or Action against the said Company, in Her Majesty's Supreme Court, in which Suit or Action, it shall be sufficient for such Commissioners to declare for work and labor by them done and performed for the said Company.

To open Roads, &c.
after notice to
Comrs. of Streets.

Proviso.

VI. *And be it enacted*, That whenever it shall become necessary to increase the Capital or Joint Stock of the said Company, it shall and may be lawful for the said Company, at any General Meeting to be called, agreeably to the Bye Laws, Rules, and Ordinances to be made as aforesaid, to declare and direct that such increased Capital shall be raised to any extent not exceeding Three Thousand Pounds, to be divided in Shares of the like amount as is hereinbefore prescribed in respect to the original Capital, and such Shares shall be sold to the original Shareholders, or at Public Auction, or partly to the original Shareholders, and partly at Public Auction, at the option of the Directors, and of any such Public Auction, thirty days notice at least shall be given, in at least two of the Public Newspapers, printed in Halifax, and if such Shares shall be sold at a profit, the profit shall be divided and distributed equally among the Proprietors, as well of the increased Capital as of the original Capital.

Meeting to increase
Capital—disposal
of such Capital,
&c.

VII. *And be it enacted*, That at any General Meeting of the said Company, every Proprietor or Shareholder, having paid up all calls made and then due and payable under or agreeably to the Bye Laws, Rules, or Ordinances of the said Company, shall be entitled to vote according to the number of Shares held or possessed by such Proprietor or Shareholder, that is to say—the holder of one Share shall have one vote, the holder of five Shares shall have two votes, and the holder of eight Shares and upwards shall have three votes, and no more.

Qualification of Voters

VIII. *And be it enacted*, That any Proprietor or Shareholder may vote by proxy, to be constituted in writing under the hand of such Proprietor or Shareholder, to any other Proprietor or Shareholder entitled to vote, and every such vote by proxy, to be given to a Proprietor or Shareholder, shall be as good, valid, and sufficient, as if the Principal were present and voted in person.

Votes by Proxy

IX. *And be it enacted*, That whenever any Share or Shares shall be held by more than one person, the person present at the Meeting, whose name shall be first in the Registry of Shares, or on the Stock Certificate, shall be entitled to vote upon or for such Share or Shares.

Vote on Share held
by more than one
person.

X. *And be it enacted*, That the mode of voting of Directors, at any Meeting of the Board of Directors, shall be regulated by some Bye Law, Rule, or Ordinance of the said Company, to be passed as hereinbefore prescribed.

Votes of Directors.

XI. *And be it enacted*, That for and notwithstanding any Real Estate which the said Company may hold at any time, the Shares and interest of the several Shareholders of and in the Capital or Joint Stock and Funds of the said Company, shall be held and deemed to be personal property, to all intents and purposes whatsoever.

Shares deemed personal property.

XII. *And be it enacted*, That nothing herein contained, shall be held or construed to give the said Company, the privilege of dealing in the lending of Money by way of discount or otherwise, engaging in any Banking operation, or to underwrite or make

Company not to lend
money, under-
write, &c.

make as underwriters any Insurance upon any Ship or Vessel, or Marine Risk, or upon any Loss by Fire, or upon any Life or Lives.

Payment of Shares,
&c.

XIII. *And be it enacted*, That the Shares subscribed for by any Shareholder in such Company, shall be payable in such manner, by such instalments or calls, and at such times, and upon such notice or notices, as by the Bye Laws, Rules, or Ordinances of the said Company may be ordered and directed; and if such calls or instalments shall not be paid, it shall and may be lawful for the said Company to sue for and recover such calls or instalments by suit or action in the Supreme Court, against any Shareholders who shall or may make default in payment of any call or instalment.

Proviso

XIV. *Provided always, and be it enacted*, That nothing herein contained shall extend or be construed, or taken to relieve, or discharge the said Company, or any of the present or future Shareholders thereof, from any responsibility, contract, duty, or obligation whatsoever, to which, by Law, such Company, or the said Shareholders are, or at any time hereafter may be, or would have been subject or liable, had this Act not been passed, as between the said Company and any other person or persons whomsoever, and the Shareholders in the said Company, their Lands, Goods, and Chattels, shall be liable under any Execution that may be issued against the said Company, in the same manner, and to the same extent, as if this Act had not passed: *Provided always*, that if the Directors of the said Company shall, by any contract or engagement, incur any responsibility for any sum or sums of money beyond the amount of the Shares subscribed for, without the sanction of the said Company first had and obtained at some General or Special Meeting of the said Company, to be called and summoned agreeably to its Bye Laws, Rules, or Ordinances, the Directors of the said Company shall themselves be and be held, and deemed personally liable, for the amount so by them incurred.

Provis

XV. *And be it enacted*, That whenever it shall or may be or become necessary for the purposes of this Act, that the said Company should obtain or be invested with the title or possession of, or in any lot, piece, or parcel of Land, situate in or near to the said Township of Dartmouth, it shall and may be lawful for the President and Directors of said Company, in case they cannot agree with the proprietor or proprietors of any such lot, piece, or parcel of Land, for the sale or lease thereof as may be required, to apply to the Supreme Court at Halifax in Term time, or to any two Judges thereof in vacation, by Petition, stating the nature and situation of the Land, and the Estate or Interest the said Company may require to have, and the proceedings had with respect to the same, and the names and places of abode of the owners, proprietors, and tenants thereof respectively, so far as they can be ascertained, and praying for the appointment of Appraisers to value the Land and the Estate, and Interest therein, required by the Company, and praying also the transfer and conveyance thereof to the said Company, whereupon the said Court or Judges shall appoint a time and place for considering such Petition, and shall order and direct to be given to all parties interested in any and every lot, piece, or parcel of Land petitioned for, who may then be in this Province, or in case of the absence of any such party, then to any person or persons who may be entrusted with the management, possession, or control of any such lot, piece, or parcel of Land, proper notice in writing, requiring such parties so interested, to attend before such Court or Judges in person, or by their Attorney or Agent, at the time and place so to be appointed as aforesaid.

Company to petition
Supreme Court to
appoint Apprais-
ers on refusal of
Proprietors to sell
or lease land.

Appointment of Ap-
praisers.

XVI. *And be it enacted*, That at the time and place so appointed, the said Court or two Judges shall require the President and Directors of the said Company to nominate one Appraiser on behalf of the said Company, and the party or parties interested in every respective lot, piece, or parcel of Land, referred to in the said Petition, to nominate two Appraisers, and the said Court or Judges shall nominate also two Appraisers, and in case the party or parties interested in any lot, piece, or parcel of Land referred to in the Petition and required by the Company, or the party or parties having the management, possession, or control of the said lot, piece, or parcel

parcel of Land, as hereinbefore mentioned, shall fail to appear at the time and place appointed, or having appeared, shall neglect or refuse to nominate Appraisers, then and in either of such cases the said Court or Judges shall nominate two persons to act as Appraisers for such party or parties, and the said Court or Judges by Rule or Order in writing, shall then and there constitute and appoint the said persons so to be nominated, as aforesaid, Appraisers, and authorise and direct them to Value and Appraise the Price or Value of any such lot, piece, or parcel of Land, or the Rent to be paid for the same, as the case may require.

XVII. *And be it enacted*, That the persons so named and appointed, shall, before they enter upon the performance of their duties as such Appraisers, severally make and subscribe an Affidavit in writing, in open Court, or before some one of the Judges of the said Supreme Court, or some Master in Chancery, that they the said Appraisers, will faithfully and impartially perform the trust and duties committed to and required of them by the Rule or Order of the said Court or Judges, which Affidavit, with the Petition, shall be filed in the office of the Prothonotary of the Supreme Court at Halifax.

Affidavit to be made
by Appraisers.

XVIII. *And be it enacted*, That the said Appraisers, so to be appointed and sworn, or the majority thereof, shall make a just and equitable valuation and appraisal of the fair and reasonable value of the Inheritance or Fee Simple of every Lot, Piece, or Parcel of Land in the said Petition referred to, whereof the Inheritance or Fee Simple is required by the Company, or of the fair Annual Rent or gross value of the term of years where any Lot, Piece, or Parcel of Land shall by the said Petition be required for a term of years, and shall make a return in writing under their hands, or the hands of the majority of them, to the said Prothonotary of the said Supreme Court, to be filed and kept in his office with the said Petition and Affidavit, whereupon, and upon the application of the President and Directors of the Company to the Supreme Court in Term, or to any Two Judges thereof in vacation, if the said Court or Judges shall be of opinion that the Appraisal and Valuation have been fairly, justly, and impartially made, and no sufficient cause shall be shewn against the same; the said Court or Judges shall by rule of Court, or order in writing, confirm the said Appraisal and Valuation, which rule of Court, or order, shall be filed with the said Petition and other papers, and thereupon the said Company shall pay to the person or persons entitled to receive the same, as well the amount of such Valuation and Appraisal as also all such costs and expenses as the said Court or Judges shall deem reasonable and proper, and shall adjudge and order the said Company to pay.

Valuation and Ap-
praisement.

XIX. *And be it enacted*, That the said Court, in Term, or any two Judges thereof in vacation, shall have full power and authority to enquire into and examine the said Appraisal and Valuation, and all proceedings connected therewith, and to hear cause shewn against the same, and to hear Witnesses under oath, and by other legal evidence, to investigate all such proceedings as aforesaid, and shall have full power and authority, if the same shall be deemed just and proper, to set aside any such Appraisal and Valuation, and either to direct and order the same Appraisers to review their said Valuation and Appraisal in any particular, or to nominate new Appraisers, and to make a Rule, or order for a new Appraisal, and thereupon such new Appraisers shall be nominated and sworn, and shall proceed to such new Appraisal and Valuation as hereinbefore is directed and prescribed, and their Award and Appraisal, or that of the major part of them, shall be returned as hereinbefore directed, and shall be final and conclusive, and shall be confirmed by the said Court, or two Judges thereof, and payment made in pursuance thereof by the said Company, with costs, in manner as is hereinbefore also directed.

Examination of Ap-
praisement.

XX. *And be it enacted*, That immediately upon payment of the Sum awarded with costs and expenses, as aforesaid, being made or lawfully tendered by the said Company, for any lot, piece, or parcel of Land, so petitioned for as aforesaid, the said Company shall be, and be held and deemed to be the rightful purchasers and

Payment of Award,
&c. &c.

owners of the Fee Simple and Inheritance of every lot, piece, or parcel of Land, with the appurtenances, whereof the Valuation or Appraisalment shall be for the price or value of the Inheritance or Fee Simple, or the Tenants of every such lot, piece, or parcel of Land, and its appurtenances, as in their Petition, or the Appraisalment to be made as aforesaid, may be applied for or awarded for a term of years, and for the term by the said Appraisalment to be fixed, so far as the true and rightful ownership of every such respective lot, piece, or parcel of Land, may have been correctly set forth in the Petition for the same.

XXI. *And be it enacted,* That upon application of the President and Directors of the said Company, it shall and may be lawful for the said Supreme Court in term, or for any two Judges thereof in vacation, on proof made of such payment or lawful tender as aforesaid, by any Rule or Order to be made in the matter of the said Petition, to require the party or parties in possession of or claiming title to any lot, piece, or parcel of Land, for which such payment or lawful tender has been so made, to deliver up possession of the same to the Company, or to authorise the President and Directors by the Officers and Servants of the Company, or any of them, to enter into any such lot, piece, or parcel of Land, with its appurtenances, and to retain and have possession thereof, and further, if need be, by any Rule or Order of the said Court or Judges, to empower the Sheriff or his Deputy to put the said Company, by any of its Officers or Servants, into quiet possession of any such lot, piece, or parcel of Land, and also by any Rule or Order of the said Court or Judges to require and direct any person or persons interested in any lot, piece, or parcel of Land, for which the said Appraised value, with costs, may have been paid or lawfully tendered as aforesaid, to make, sign, seal, and execute any Deed or Deeds, Grant or Grants, Conveyances or Demises, as may be necessary for the purpose of Conveying or Demising the same to the said Company, and if any person or persons shall neglect or refuse to comply with any such Rule or Order, then such person or persons shall be liable to the ordinary process for neglect or refusal to obey a Rule of Court, and such Process may be granted for neglect or refusal to obey any order of the said two Judges made in vacation, without previously making such Order a Rule of Court.

XXII. *And be it enacted,* That unless the said Company shall go into operation within five years from the passing of this Act, then this Act, and every matter, clause, and thing herein contained, shall be of no force or effect, any thing herein contained to the contrary notwithstanding.

CAP. XLV.

An Act further to amend the Act concerning the performance of Statute Labor on Highways.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That in the Counties of Yarmouth, Shelburne, Queen's County, and Lunenburg, instead of the time prescribed for the performance of Statute Labor, in and by the twelfth section of the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, An Act concerning the performance of Statute Labor on Highways, the time within which the Statute Labor shall hereafter be performed in each and every District of the said Counties respectively, shall be between the Fifteenth day of May and the Fifteenth day of September, in every year.

II. *And be it enacted,* That the Surveyors of Highways in the said Counties respectively, shall make their Returns on the first day of the Sittings of the Court of General Sessions of the Peace in such Counties respectively, which shall be held next after the said Fifteenth day of September, in every year.

Court to compel owners to give up property to Company.

Company to go into operation within 5 years.

Time for Statute Labor in Yarmouth, Shelburne, Queen's County, and Lunenburg.

Returns of Surveyors.

CAP. XLVI.

An Act to amend and explain the Act to alter the Laws for making Lands liable for the Payment of Debts.

(Passed the 20th day of March, 1846.)

WHEREAS doubts may arise under the Act passed in the fourth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to alter the Laws for making Lands liable for the Payment of Debts, in cases where judgments which have been or may be recovered, docketted, and signed, have been or may be registered pursuant to Law, to bind Real Estate within one year from the time of recovering, docketting, and signing the same; but where no Execution hath been or may be issued, within one year from the time of such recovering, docketting, and signing the same, whether in such cases it hath been or may be necessary, in order to revive such judgments, to issue a writ of *Scire Facias*, the expense and inconvenience attending the issuing of which, are in such cases unnecessary: Preamble.

I. *Be it therefore enacted and declared, by the Lieutenant-Governor, Council, and Assembly, That* in all cases wherein Lands have been or may be taken in Execution, wherein the judgments shall have been or may be duly registered according to Law, within one year from the recovering, docketting, and signing thereof, such Lands shall be held to be legally taken in Execution, notwithstanding a writ of Execution shall not have been or shall not be issued within one year from the time of the recovering, docketting, and signing of such judgment: *Provided always,* that nothing herein contained shall extend, or be construed to extend, to any of the cases mentioned or referred to in this Act, which have been, at any time before the passing of this Act, in litigation or question, before any Court of Law or Equity in this Province: *And Provided also,* that nothing herein contained shall extend, or be construed to extend, to render valid or legal any act, matter, proceeding, or thing, connected with making Lands liable for the Payment of Debts, not specially mentioned or provided for in and by this Act: *And provided also,* that in cases wherein Execution has not been issued within the year after the judgment has been signed, Execution shall not issue under this Act, or under the Act of which this Act is an amendment, after five years from the time the judgment has been signed shall have elapsed, until the special leave of the Court wherein the judgment has been entered up, shall have been given therefor. Lands taken in Execution. Proviso.

CAP. XLVII.

An Act to continue and amend the Act for regulating the Fishery in the River Shubenacadie.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for regulating the Fishery in the River Shubenacadie, and every matter, clause, and thing therein contained, except as altered or amended by this Act, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 4th, Wm. 4th, as amended continued.

II. *And be it enacted,* That instead of two or more persons, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, with the advice of the Executive Council, annually to appoint six or more fit persons to be Overseers of the Fishery in the said River Shubenacadie, who shall be respectively sworn to the faithful discharge of their duty by some one of Her Appointment of Overseers.

Her Majesty's Justices of the Peace, and shall be liable to the same penalty for neglect of duty, as Overseers appointed under the Act hereby continued and amended.

Duty of Overseers.

III. *And be it enacted*, That in addition to the duties, by the said Act hereby continued and amended, enjoined, it shall be the further duty of such Overseers, to order and direct what number of Nets, Wears, Hedges, or Fish Garths shall be set or kept by any one or more person or persons in Company in said River, and where any such person or persons in Company shall have set upon said River more than two Nets, Wears, Hedges, or Fish Garths, to the injury of any other person or persons who may be desirous of setting any such Net, Wear, Hedge, or Fish Garth, upon complaint thereof to them made, it shall be lawful for such Overseers, or any two of them, by any order or orders in writing, by them made and signed, to direct such Nets, Wears, Hedges, or Fish Garths, other than two, set by any such person or persons, to be removed, and any person or persons who shall refuse or neglect to comply with such order or orders, upon being notified thereof, shall forfeit and pay the sum of Twenty Shillings for each and every day during which he or they shall so refuse or neglect to obey such order or orders.

Penalty.

IV. *And be it enacted*, That any person or persons who shall sweep or enclose in any Seine, any Spent Fish after the season of Spawning, and on their passage down the said River to the Sea, shall forfeit and pay a penalty of Forty Shillings for each offence.

Recovery of Penalty.

V. *And be it enacted*, That all penalties by this Act imposed shall and may be sued for, recovered, and applied, in the same manner, and by the same ways and means, and with the like costs of suit, as penalties imposed under the Act hereby continued and amended, can and may be sued for, recovered, and applied.

To be in force for 3 years

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

CAP. XLVIII.

An Act to vest in Trustees certain Lands and Real Estate of the Presbyterian Congregation Assembling in the Town of Pictou, in the Church in which the Reverend John McKinlay now officiates, and to empower the said Congregation to appoint Trustees for that and other purposes.

(Passed the 20th day of March, 1846.)

Preamble

WHEREAS, a part of the Lands now in possession of the Presbyterian Congregation in the Town of Pictou, in the County of Pictou, who assemble in the House of Divine Worship situate therein, in which the Reverend John McKinlay at present officiates, was purchased by the original Proprietors of the said Church from one Samuel Copeland, Yeoman, of Pictou aforesaid, since deceased, and was by him conveyed by Deed, bearing date the ninth day of August, in the Year of Our Lord One Thousand Eight Hundred and Four, to Hugh Denoon, John Dawson, Edward Mortimer, Robert Lowden, and Robert Pagan, five Justices of the Peace for the County of Halifax, Esquires, and John Patterson, Senior, and John Fraser, two Elders of the Church, and their successors in office, in trust for the Proprietors of the said Church, and the said original Trustees are all since dead, leaving no successors in office, or other persons representing them, or any of them, who in Law can either claim or make title to the said Land and Premises: *And whereas*, other parts and portions of the Lands now in the possession of the said Congregation have been Deeded, by the assent of the said Congregation, to the

the said Reverend John McKinlay, their Minister, to be held by him and his Heirs, in trust for the use and benefit of the said Congregation: *And whereas*, the said Congregation propose to build and erect a new House for Divine Worship, on or near the site of the one now occupied by them, for which purpose it is requisite to procure some additional Land: *And whereas*, the said Congregation are desirous of securing and vesting the Title to said Lands, and such other Lands as they may hereafter purchase, in certain Trustees, to be appointed by, and subject to, the control of the said Congregation as hereinafter mentioned. Now in order to effect this object, and to enable the said Congregation to purchase, hold, dispose of, and convey Lands, Tenements, and Hereditaments, and to have the use and management thereof:

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That from time to time, and at any time after the passing of this Act, it shall and may be lawful for the said Presbyterian Church or Congregation in Pictou, assembling in the House of Worship in which the said Reverend John McKinlay now officiates, at any Public Meeting of the said Congregation of the time, place, and purpose, whereof due notice shall have been given to such Congregation in their House of Worship, during the time the said House shall be open for Divine Service, on the two Sundays next previous to such Meeting, by a vote of the majority of the Pew Holders of the said Congregation present at such Meeting, to nominate and appoint three fit and proper persons as Trustees of and for the said Congregation, to take charge of the Lands and Buildings thereon, now belonging to the said Congregation, under and by virtue of the said in part recited Deeds of Conveyance, or which may hereafter be purchased by, and erected for, the said Congregation; and also for such other purposes as are hereinafter specified: *Provided always*, that nothing in this Act contained, shall affect or prejudice the rights (if any such there be) of any other persons not mentioned herein, their Heirs or Assigns, in and to the aforesaid Lands and Premises, now in the possession of the said Congregation.

Appointment of Trustees of Presbyterian Church at Pictou, &c.

Proviso.

II. *And be it enacted*, That it shall and may be lawful for the said Congregation, upon due notice being given as aforesaid, whenever they may think it necessary, at any public meeting so called as aforesaid, to fill up any vacancy that may have been made in the said Trust, by death, resignation, or otherwise, or if they may think proper, to remove any one or more of the said Trustees from the office of said Trust, and appoint another or others in his or their place or places, and the same power and authority of the former Trustee or Trustees, shall vest in the succeeding Trustee or Trustees without any assignment or conveyance, for all purposes whatsoever mentioned in this Act; and that at every public Meeting for the purposes of this Act, some fit person shall be chosen Chairman, and some other fit person as Clerk, and that all proceedings thereat shall be duly entered in the Books of the Congregation, for that purpose to be provided, and the entries respectively shall be signed by the person presiding, and by the Clerk of the Meeting, and proof of such entry so signed, shall be deemed sufficient evidence of such proceedings, and of the regularity thereof respectively.

Filling up of vacancies in Trustees, &c.

III. *And be it enacted*, That for the purposes of this Act, the said Trustees when so nominated and appointed, and their successors in office, in all cases where necessary so to do, shall be named and styled, "The Trustees of the Prince Street Church, Pictou."

Name of Trustees

IV. *And be it enacted*, That by a vote and direction of the majority of the said Congregation present at any lawful Meeting thereof, called upon due notice as aforesaid, the said Trustees for the time being shall, and they are hereby required and empowered, to purchase, take, have, hold, and possess any Lands, Hereditaments, or Real Estate, which a majority of the said Congregation present at any such Meeting shall, by vote, think proper to purchase, and shall in any way provide the funds to pay for, and shall also grant, sell, lease, mortgage, or convey to such person or persons, and for such price, sums, rents, or terms, as by the majority of the said Congregation present at any such meeting, shall be agreed on, any Lands,

Proceedings at Meeting, &c.

Hereditaments,

Hereditaments, or Real Estate, belonging to the said Congregation, which a majority of the said Congregation present at such meeting, shall think proper to sell, lease, mortgage, or dispose of; and every deed, lease, mortgage, or conveyance of any such Property executed to or by the said Trustees, for the time being, shall be sufficient and valid in law, to vest all the title of the vender or venders in all such Lands, Hereditaments, and Real Estate so purchased, in the said Trustees for the time being, and their successors in office, or to convey to the grantees, lessees, mortgagees, or purchasers thereof respectively, either in perpetuity, pledge, or for a term of years, or otherwise, as the case may be, all such Estate, Title, Interest, and Property therein, as the said Congregation, or the Trustees thereof for the time being, and their successors in office, have, had, held, or were entitled to, in, to, or out of such Real Estate, Lands, and Hereditaments, sold, leased, mortgaged, or disposed of, or as the said Congregation designed, by such deed, lease, mortgage, or conveyance, to vest in the grantees, lessees, mortgagees, or purchasers, named therein.

Actions brought by
or against Con-
gregation, &c.

V. *And be it enacted*, That the said Trustees, and their successors in office, shall, and they are hereby respectively authorised, in their name of office aforesaid, to bring or defend, or cause to be brought or defended, any action, suit, or prosecution at Law or in Equity, touching or concerning any Lands, Real Estate, or Hereditaments of, or belonging to the said Presbyterian Congregation, held, or to be held, under this Act; and such Trustees, and their successors in office, shall, and may in any such action, suit, or prosecution, sue and be sued, implead and be impleaded, as Trustees, under their designation of office aforesaid; and no such suit, action, or prosecution, shall abate, or be discontinued, by the death, resignation, or removal from office, of any or all of such Trustees, but the same shall and may be proceeded in, or defended, by the succeeding Trustees respectively, any law, usage, or custom to the contrary notwithstanding; and the Trustees for the time being, shall pay or receive the like monies, costs, and expenses, as if the action or suit had been commenced or prosecuted by such Trustees as shall be in office at the time of the award and adjudication thereof, and such receipts and payments shall be held to have been received, and made for, and on account of the said Presbyterian Congregation, and by the said Trustees shall be accounted for to the said Congregation, and all such sum or sums of money as the said Trustees shall, for any purpose, be lawfully required to pay for the said Congregation, over and above what may be by them received, shall be reimbursed to them from the funds thereof.

Real Estate &c. held
in trust for Con-
gregation to be
held by Justices.

VI. *And be it enacted*, That all Lands, Hereditaments, and Real Estate, which were or are held in trust for the use of the said Presbyterian Congregation, by the said Hugh Denoon, John Dawson, Edward Mortimer, Robert Lowden, Robert Pagan, John Patterson, Senior, and John Fraser, deceased, and by the said Reverend John McKinlay, and their and his Heirs and Successors in office, shall, after the passing of this Act, absolutely vest in, and become the Estate and Property of the said Presbyterian Congregation as originally intended, as fully and effectually as if the said Hugh Denoon, John Dawson, Edward Mortimer, Robert Lowden, Robert Pagan, John Patterson, Senior, and John Fraser, deceased, or their Heirs or Successors, and the said Reverend John McKinlay, or his Heirs, had legally conveyed the same by Deed or Deeds to the said Congregation, and that the same Lands, Hereditaments, and Real Estate, together with all such other Lands, Hereditaments, and Real Estate, as shall hereafter be purchased by and become the Estate and Property of the said Congregation, under the provisions of this Act, and also all Houses and Buildings, now or hereafter to be built thereon, shall for all purposes whatsoever, within the meaning and intention of this Act, be and be held, taken, and deemed to be in the possession of the said Trustees, and their Successors in office, and be by them held to and for the use and uses of the said Congregation, to be by the said Congregation enjoyed, used, occupied, and disposed of, in such way and manner, and to and for such purposes as the said Congregation, at any such lawful public Meeting, so called as aforesaid, shall, by a vote of a majority thereof present at any

any such Meeting, from time to time, order, limit, appoint, or direct: *Provided* Proviso. *always*, that nothing in this Act contained, shall affect or prejudice the rights (if any such there be) of any other persons not mentioned herein, their Heirs, or Assigns, in or to the aforesaid Lands and Premises, now in the possession of the said Congregation.

VII. *And be it enacted*, That at the Meetings of the said Congregation for the purposes of this Act, no Pewholder shall be entitled to vote who at the time of such Meeting shall owe more than Twelve months arrears of Pew Rent. Arrears of Pew Rent.

CAP. XLIX.

An Act to define and establish the Lines of the Township of Dartmouth.

(Passed the 20th day of March, 1846.)

WHEREAS some uncertainty exists as regards the limits of the Township of Dartmouth, and it is desirable that the Boundaries thereof should be defined and established: Preamble

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly*, That the Lines and Boundaries of the said Township of Dartmouth shall be established and settled as follows, that is to say:—Beginning on the Eastern side of Bedford Basin at the head of Pace's Cove at low water mark, and thence to run North seventy-four degrees East until it meets the main stream running into Lake Major, thence Southerly through the centre of Lake Major and West Salmon River to the waters of Cole Harbor, thence in a direct line to the centre of the Narrows or entrance into Cole Harbor, and thence Southwestwardly along the shore the several courses of the shore to Roaring Point, thence northerly following the course of the Shore of the Main Land at low water mark to the place of beginning, so as not to include any Islands lying on or near the said Shore. Boundaries of Township of Dartmouth.

CAP. L.

An Act further to amend the Criminal Law.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That if any person shall break and enter any Church, Chapel, Meeting House, Building, or place, appropriated, set apart, or used, for the Religious Worship of Christians of any Denomination, and shall steal therein any Chattel, or having stolen any Chattel in any such Church, Chapel, Meeting House, Building, or place, shall break out of the same, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable to be imprisoned for any time not exceeding fourteen years. Breaking and entering any Church, Chapel, &c.

II. *And be it enacted*, That whosoever shall unlawfully and maliciously set fire to any Church, Chapel, Meeting House, Building, or place, appropriated, set apart, or used for the Religious Worship of Christians of any Denomination, shall be guilty of Felony, and being convicted thereof, shall be liable to be imprisoned for any time not exceeding fourteen years. Setting fire to any Church, Chapel, &c.

III. *And be it enacted*, That if any person shall unlawfully and maliciously damage, otherwise than by fire, any Ship or Vessel, whether complete or in an unfinished state, with intent to destroy the same, or to render the same useless, every such offender shall be guilty of Felony, and being convicted thereof, shall be liable to be imprisoned for any time not exceeding fourteen years. Damaging any Ship otherwise than by Fire, to be Felony.

IV. *And be it enacted*, That where any person shall be convicted of any offence, punishable under this Act, for which imprisonment may be awarded, it shall be lawful Punishment of persons convicted.

lawful for the Court to sentence the offender to be imprisoned, or to be imprisoned and kept to hard labor, in the Common Gaol, Penitentiary, Bridewell, or House of Correction, in the County where any such conviction shall take place, or in any Public Penitentiary, Bridewell, or House of Correction, which now is or may be hereafter established in any part of this Province; and also to direct that the offender shall be kept in solitary confinement, for any portion or portions of such imprisonment, or of such imprisonment with hard labor, such solitary confinement not exceeding one month at a time, and not exceeding three months in any one year, as to the Court in its discretion shall seem meet.

CAP. LI.

An Act to authorise an Appraisement of Damages on a certain Line of New Road in the County of Sydney.

(Passed the 20th day March, 1846.)

WHEREAS, owing to the provisions of the Law not having been strictly complied with, some of the Proprietors of the Lands through which that part of the New Line of Road leading from Antigonish to Guysborough, which was first opened runs, received no compensation therefor, and it is proper that such persons should be compensated for the value of their Lands respectively.

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

CAP. LII.

An Act in relation to Promissory Notes or Undertakings payable in Produce, or otherwise than in money.

(Passed the 20th day of March, 1846.)

WHEREAS the practice of making Promissory Notes or Undertakings payable in Timber, Country Produce, and other specific articles, prevails to a great extent in this Province, and it is expedient to place such Notes on the same footing as regards proof of consideration, and the collection thereof, with Promissory Notes payable in money:

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That all Notes in writing for a sum certain payable otherwise than in money, shall be held and deemed *prima facie* to import that they were given for a valuable consideration, in like manner as Promissory Notes for the payment of money, and the amount of all such Notes may be sued for and recovered before any Justice or Justices of the Peace, or before any other Court, according to the amount thereof, in the same manner

manner as if such amount were payable unconditionally in money: *Provided* Proviso. *always*, that in all cases of actions brought under this Act, the amount only payable under such Notes respectively without damages for not delivering the articles therein enumerated shall be recoverable.

II. *And be it enacted*, That this Act shall continue and be in force for three To be in force 3 years. years, and from thence to the end of the then next Session of the General Assembly.

CAP. LIII.

An Act further to amend the Act for the encouragement of Schools.

(*Passed the 20th day of March, 1846.*)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That from and after the passing of this Act, in lieu, of the Sum assigned for one or more Grammar Schools in the County of Lunenburg,—there shall be assigned and set apart, towards the support and maintenance of an Academy in the Town of Lunenburg, the Sum of One Hundred Pounds, on the same terms and conditions as Academies are established under the Act passed in the last Session of the General Assembly, entitled, An Act for the encouragement of Schools.

Grant to Academy at Lunenburg.

II. *And be it enacted*, That it shall and may be lawful for the Commissioners of Schools for the said County of Lunenburg, out of the Sum of Six Hundred and Fifty-two Pounds, assigned to the said County of Lunenburg, under and by virtue of the seventh clause of the said Act, to assign and set apart the sum of Thirty Pounds, towards the support and maintenance of a School in the Town of Chester, and the like sum for the support of a School in New Dublin, in the said County, of the same kind and description as is referred to and contemplated in and by the twenty-fifth Section of the said Act, any thing in the said Act to the contrary notwithstanding.

Grant to Schools at Chester and New Dublin.

III. *And be it enacted*, That this Act shall continue and be in force for Three To be in force 3 years. Years, and thence to the end of the then next Session of the General Assembly.

CAP. LIV.

An Act to continue and amend the Acts for appointing Supervisors to take charge of Public Grounds, and for other purposes.

(*Passed the 20th day of March, 1846.*)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for appointing Supervisors to take charge of Public Grounds, and for other purposes, except the third clause or section thereof which is hereby repealed, and also except as altered or amended by the Act passed in the Fifth Year of His said late Majesty's Reign, to amend the said first mentioned Act, or by the Act hereinafter mentioned, or by this Act; also the Act passed in the Third year of Her present Majesty's Reign, to continue and amend the said first mentioned Acts, except as altered or amended by this Act, shall be continued, and the said several Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for three years, and thence to the end of the then next Session of the General Assembly.

Act 4, Wm. 4, except 3d clause repealed, and Act 3d Vic. as amended continued.

II. *And be it enacted*, That hereafter in any case where there shall be any encroachment

Removal of Nuisances, &c., by Supervisors.

encroachment or incumbrance on any public Roads, within any Township where Supervisors shall or may be appointed under the said Acts, whether the same shall be caused by any Fence, Wall, Hedge, Stones, Wood, or Rubbish, or any other articles which by the said Supervisors shall be deemed an encroachment or incumbrance, or Public Nuisance, and in all cases where any doubt or dispute shall exist or arise as to the true line of any such Road, or as to which of the two sides of the said Road is or may be encroached upon, it shall and may be lawful for the said Supervisors, or the major part of them, after reasonable notice given to all parties interested in such dispute, or who may have caused such encroachment or incumbrance, of the time and place at which they will proceed to investigate and enquire into the matter, to repair to the place where such encroachment or incumbrance may be alleged to exist, and there to enquire into the facts relating to such encroachment or incumbrance, and if necessary, then, or at any future day, to have a Survey made of such Road, and to examine Witnesses under Oath touching such encroachment or incumbrance, which Oath any one of such Supervisors is hereby empowered to administer, and such Supervisors, or the major part of them, shall, after they shall have completed such investigation, settle, ascertain, determine, and mark out the true and correct line of the said Road, and direct the same to be opened to the full width of Sixty-six Feet, except in cases where the dedication of such Road shall have confined the same to a less width, and then to the width to which the same may have been so confined and limited, and shall order, direct, and cause any Fence, Wall, Hedge, or other encroachment, incumbrance, or nuisance, to be removed to such distances respectively as shall be determined upon: *Provided always*, that the said Supervisors shall not be authorised to cause the removal of any House, Barn, or other Building, which may have been erected upon any such Road or Highway, but where any such House, Barn, or other Building, shall be found to encroach upon any Road or Highway, the said Supervisors shall report the same to the next Court of General Sessions of the Peace, to be held in the County or District where such encroachment shall be made, and such Court of General Sessions of the Peace shall make such order in relation thereto, or removal of the same, as may be deemed proper.

Proviso.

III. *And be it enacted*, That any person or persons who shall refuse or neglect to obey any such order so made as aforesaid, and delivered to them in writing, for the space of Twenty Days after having received the same, shall be subject to all the forfeitures and penalties imposed by the said hereby first continued Act, and all such orders shall in all other respects be made subject to the same and the like apportionment of costs, and with the same penalties for disobedience, to be recovered and applied in the same way and manner, and shall be subject to the like appeal with the same regulations as to the costs of such appeal, in every respect, as any order made under the said third Section of the said last mentioned Act would heretofore have been by Law subject to.

Penalty for neglect of Orders.

IV. *And be it enacted*, That all Roads upon which Grants of Public Monies may have been or may be made by the Legislature, for the opening or repairing thereof, and all Roads which have been open for the use of the public for twenty years previous to the time when the said Supervisors shall be called upon to adjudge upon any encroachment or incumbrance thereon, and all Roads upon which Statute Labor has been or shall be performed, shall be considered public Roads for the purposes of this Act: *Provided* that nothing herein contained shall extend to any private or pent Road, whereon the Statute Labor shall have been performed by the express assent, and under the direction of the Court of General Sessions of the Peace, nor to any Road upon which public Monies may have been expended, where the same shall have since been abandoned.

What are to be considered Public Roads.

Proviso.

V. *And be it enacted*, That all such Supervisors now appointed, or hereafter to be appointed, shall, before further continuing or entering upon the duties of their office, be respectively sworn to the faithful discharge thereof, before one of Her Majesty's Justices of the Peace for the County within which such Supervisors respectively

Supervisors to be sworn.

spectively shall be appointed, and such Justice shall grant a Certificate thereof, which shall be filed in the office of the Clerk of the Peace for the County or District within which such Supervisors respectively may have jurisdiction.

VI. *And be it enacted*, That this Act shall continue and be in force for Three Years, and thence to the end of the then next Session of the General Assembly. To be in force 3 years.

CAP. LV.

**An Act to Incorporate the Commissioners of the Poor
for the Town and Peninsula of Halifax.**

(*Passed the 20th day of March, 1846.*)

WHEREAS, in and by an Act passed in the forty-first year of the Reign of His late Majesty King George the Third, entitled, An Act for the better management and relief of the Poor of Halifax, twelve Persons therein named were nominated Commissioners for the superintendance, relief, and management of the Poor of the Town and Peninsula of Halifax, and for the appropriation and disposal of the Funds which are or may be made applicable to their support and maintenance—which Commissioners it was thereby declared should have and exercise all the rights, powers, and authorities, of every nature whatsoever, theretofore granted by Law to and vested in the Overseers of the Poor, and might act in the immediate management and government of the Poor by rotation, each one month, as might be agreed on from time to time by them, and in case of the death, removal, or refusal to serve of any of the said Commissioners, that his or their places should be filled up by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, out of such person or persons as might be nominated and recommended for that purpose by the major part of the remaining Commissioners, in writing, under their hands; *And whereas*, under and by virtue of the said Act of Assembly, and the several Acts passed in amendment thereof, Commissioners have been duly appointed from time to time since that period, and have had and exercised the sole control and management of the Poor House, and of the Funds and Property connected therewith; *And whereas*, difficulties have arisen and are experienced by the said Commissioners, in bringing and prosecuting suits for money justly due and payable for the maintenance of Paupers, Lunatics, and other persons who are received into and supported in the Poor House, by which means many persons who are entitled to property frequently become a public burthen, and also, in entering into and enforcing Contracts and Agreements entered into and connected with the support and maintenance of the Poor House, by reason of the said Commissioners not being a Body Corporate; *And whereas*, it is desirable that the said Commissioners should be incorporated for the purpose of enabling them to hold Real Estate, and manage their affairs with greater ease and convenience:

I. Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That Thomas Williamson, The Honorable Edward Kenny, The Honorable Mather Byles Almon, The Honorable Hugh Bell, George Nortin Russell, James Walton Nutting, William Lawson the younger, Charles Twining, Henry Pryor, Thomas S. Tobin, William M. Allan, and Thomas R. Grassie, the Commissioners of the Poor for the time being, shall be and are hereby appointed a Body Politic and Corporate, in deed and in name, by the name of "The Commissioners of the Poor for the Town and Peninsula of Halifax," and by that name shall have succession forever, and a Common Seal, and with power, from time to time, to choose from among themselves their Chairman and Deputy Chairman, and also all other Officers, and by that name shall and may sue and be sued, implead and be impleaded, at Law and in Equity, and in all Courts and Places, and be able and capable in Law, to have, hold, purchase, get, receive, take, possess, and enjoy, Lands, Houses, Tenements, Hereditaments, and Rents, in fee simple or otherwise, and also Goods, Chattels, and all other

other things, real, personal, and mixed, and to do and execute all other things in and about the same, as shall or may be thought necessary or proper, and shall have from time to time, and at all times, full power, and authority, and license, to constitute, make, and establish such Bye Laws, Rules, and Ordinances as may be thought necessary for the rule and good government of the said Corporation, the establishment of the Officers, and the appointment of all Keepers, and other Persons that the said Corporation may deem necessary, and their mode of appointment, and the remuneration to be allowed them for their services, and generally for promoting the objects of the said institution: *Provided* such Bye Laws, Rules, and Ordinances be not contrary or repugnant to the Laws or Statutes of this Province, or of those in force within the same, or to the provisions thereof: *And provided also*, that such Bye Laws, Rules, and Ordinances, shall be of no force or effect until approved of by the Governor, Lieutenant-Governor, or Commander in Chief, and the Executive Council: *Provided also*, that it shall not be lawful for the said Commissioners to sell or convey any part of the Lands or Real Estate belonging to the said Poor House Establishment: *Provided also*, that it shall be lawful for the Commissioners, if they shall think fit, by and with the license and assent of the Governor, Lieutenant-Governor, or Commander in Chief, and the Executive Council, first had and obtained therefor, to purchase any Lands and Real Estate adjoining to the said Establishment, and for securing the payment of the purchase money therefor, or any part thereof, to mortgage the said Lands so purchased, and also if necessary the Lands and Real Estate now belonging to the said Establishment, in such sums and for such time as the Governor, Lieutenant-Governor, or Commander in Chief, and the Executive Council shall approve.

Proviso

Powers of Corporation.

II. *And be it enacted*, That the said Corporation shall have and exercise all the power and authority now vested in, or exercised by, the Commissioners of Poor for the Town and Peninsula of Halifax, under and by virtue of the several Statutes of this Province now in force concerning the same, and that all their proceedings shall be regulated and governed by the said Statutes so far forth as the same may extend, and shall not and may not be altered by this present Act.

Filling of Vacancies.

III. *And be it enacted*, That all vacancies that may from time to time occur in the said body, shall be filled up in the same manner as is now prescribed by the said Statutes.

Property in Halifax vested in Corporation.

IV. *And be it enacted*, That all the Lands and Premises at Halifax, with the buildings, erections, and improvements thereon, now held or occupied by the said Commissioners, shall be and the same are hereby declared to be, vested in the said Corporation in fee simple: *Provided always*, that nothing in this Act contained shall affect, or be construed to affect, the right or title to that piece of Land adjoining the Poor House formerly known as the New Burial Ground.

Proviso.

To be in force 5 years.

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

CAP. LVI.

An Act to Incorporate the Nova-Scotia Western Steam Navigation Company.

(Passed the 20th day of March, 1846.)

Preamble.

WHEREAS, the establishing of a regular and efficient Steam Communication between Halifax and the Western Ports of this Province, would be productive of great advantage, and the persons hereinafter named have with others agreed to associate themselves together for that purpose, and it is expedient that they should be invested with certain Corporate powers and privileges:

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly, That* Thomas Killam, Elisha W. B. Moody, Benjamin Rogers, Snow Parker Freeman, John Campbell, William Sterns, William Stairs, Thomas Bolton, Junior, and all and every such other person and persons as are now or shall, from time to time, become Proprietors of Shares in the Company and Undertaking hereby established, and their respective Successors, Executors, Administrators, and Assigns, shall be, and they are hereby united into a Company, and declared to be a Body, Corporate and Politic, in deed and in name, by the name of "The Nova-Scotia Western Steam Navigation Company," and by that name shall have Succession, and a Common Seal, with power the same Seal to change, alter, and make anew, as to the said Company shall seem meet, and by that name shall and may sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court of Law or Equity, or place whatsoever, and shall and may prefer and prosecute any Bill or Bills of Indictment against any person or persons who shall commit any Felony, Misdemeanor, or other offence by Law indictable, and shall by that name be capable, authorised, and empowered to purchase, have, hold, receive, possess, and enjoy Lands, Houses, Hereditaments, and Real Estate whatsoever, within this Province, either in fee simple, or for term of life or lives, or years, or in any other manner, but not exceeding in value Five Thousand Pounds, and likewise ships, vessels, steamboats, and other craft, monies, securities for money, goods, chattels, and effects, of whatsoever kind or quality, and shall by that name, and in their corporate capacity, be capable, authorised, and empowered, to give, grant, sell, assign, mortgage, demise, absolutely or conditionally, or otherwise dispose of all or any part of such Real and Personal Estate and Property as aforesaid, as to the said Company shall seem meet, and at their free will and pleasure, and also that the said Company, or the major part of them, shall from time to time, and at all times, have full power and authority to make, change, revoke, and make anew all such Bye Laws, Rules, and Ordinances, as may be thought necessary or proper, for the good rule and government of the said Corporation: *Provided*, such Bye Laws, Rules, and Ordinances be not contradictory or repugnant to the Laws or Statutes in force within this Province: *And provided also*, that such Bye Laws, Rules, or Ordinances shall not be of any force or effect until the same shall have been submitted to and approved by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, with the advice of the Executive Council.

Nova-Scotia Western Steam Navigation Company incorporated.

Proviso.

II. *And be it enacted*, That the Capital of the said Company shall consist of an Original Capital or Joint Stock of Ten Thousand Pounds, with power to increase the same at any future time, if it shall be deemed advisable by the said Company so to do, to any amount not exceeding Twenty Thousand Pounds, and the same Original Capital shall be divided into Four Hundred Shares of Twenty Five Pounds each, and any additional Capital into Shares of the like denomination, and all such Shares shall be assignable and transferable in such manner and upon such terms as by the said Bye Laws may be provided and directed, and for and notwithstanding any Real Estate which may be at any time owned by the said Company, all such Shares of the individual Shareholders therein shall be deemed and held to be Personal Property, to all intents and purposes whatsoever, and may be levied on and sold as such, under any Execution or other process issued against such Shareholders respectively.

Amount of Capital, division into Shares, &c.

III. *And be it enacted*, That the several persons who become Subscribers towards the undertaking hereby established, whether in such original or increased Capital, shall, and they are hereby required to pay the sum of money by them respectively subscribed, or such parts or proportions as from time to time shall be called for as hereinafter is mentioned, at such times and places as shall be directed, in pursuance of the provisions of this Act, and in case any person or persons shall neglect or refuse to pay the same, at the time and in the manner required for that purpose, it shall be lawful for the said Company to sue for and recover the same in any Court of Law or Equity, or otherwise, for the Board of Directors hereby established at their option to declare the Share of any such defaulter forfeited as in and

Payment of Subscriptions.

Penalty for non-payment.

by the Bye Laws shall be provided: *Provided always*, that the several Subscribers or Shareholders, or their Executors, Administrators, or Assigns, shall not, except as hereinafter mentioned, be liable to any debts of or demands against the said Company, beyond the amount of their several and respective Subscriptions, or the Shares they may severally and respectively hold or possess in the said Company, nor under any calls or assessments to be made by the said Company or Board of Directors, or in any way, by any means, nor on any pretence whatsoever be liable to the payment of any greater sum of money in the whole than the sum of Twenty-five pounds, on or for each several Share subscribed for, or held by, or standing in the name of such Subscribers or Shareholders respectively at the time of ordering any call or assessment, and that the said sum of Twenty-five pounds shall include all the calls and payments to be made on one Share, and that no greater sum than Twenty-five pounds in the whole shall be paid on any one Share in the said Company.

Liability for Debts.

IV. *And be it enacted*, That the said Joint Stock, and Real and Personal Estate of the said Corporation, shall be liable for and subject to the payment of all debts contracted by the said Company, and that no member of the said Company shall be liable for the payment of any Debt contracted beyond the amount of the Calls or Assessments due and unpaid on the Shares of the Stock held by such individual member, except in the cases hereinafter provided for.

V. *And be it enacted*, That the said original Capital of Ten Thousand Pounds shall be paid and contributed in and by the following calls and payments, that is to say: the first call or payment being the sum of Eighteen Pounds for and upon each and every share subscribed for, shall be paid within Twenty Days after Public Notice is given as hereinafter directed in that behalf that the same is required; and that all other subsequent calls or payments shall be in such sums and at such times as the Board of Directors, having reference to the state of the business and affairs of the Company, shall order and direct: *Provided always*, that of the day to be hereafter appointed for any such subsequent call or payment, notice shall be given by advertisements published in at least two of the Halifax Newspapers, and in the Yarmouth Newspapers, thirty days at the least previous to such day, and all the said calls or payments shall be made by the Proprietor of every such Share, in such Coin or Money as at the time of such payment shall be a legal tender in this Province.

VI. *And be it enacted*, That all Shares in any increased Capital shall be paid and payable in such proportions, and at such times, as the Board of Directors shall appoint, and all securities for the payment of the residue of any part of such original or increased Capital shall be taken in such manner, and in such form, as is hereinafter provided, or as by the Bye Laws of the said Company, or by the Board of Directors thereof for the time being may be prescribed, and subject in all respects to the approval hereinafter mentioned, or to the approval of such Board of Directors, as the case may be.

Payment of Increased Capital, Securities therefor, &c.

Management of Business.

VII. *And be it enacted*, That the management and regulation of the affairs and business of the said Company, shall be conducted by and vested in a Board of Directors, to consist of seven persons, four of whom at least shall be resident in the Town of Yarmouth, each of whom shall, at the time of appointment, and during continuance in office, own not less than Five Shares in the said Company, and such Board of Directors shall have power to appoint one from among themselves to be Chairman of the Board for the then current year, and from time to time such other Officers as may be deemed necessary for the orderly conducting of the business of the said Company, and in case of any vacancy occurring in the said Board of Directors, by the death, removal, or resignation of any such Director, or by any such Director ceasing to hold the requisite number of Shares as aforesaid, the remaining Directors shall supply every such vacancy by the choice of a Shareholder owning the requisite number of Shares, who shall continue in office, if properly qualified, until the then next General Meeting of the said Company.

VIII. *And be it enacted*, That the Annual General Meeting of the said Company

pany shall be held at the office of the said Company, in the said Town of Yarmouth, on the First Wednesday in June in every year after this present year, and Special Meetings of the said Company may be held at such times, and under such regulations, as to notices thereof or otherwise, as may by the Bye Laws of the said Company be provided, and at every General or Special Meeting, every Proprietor or Shareholder having paid up all calls on him made and then due and payable, shall be entitled to one vote, and no more; and such vote may be given by proxy, duly constituted in writing according to the Bye-laws, such proxy being a Shareholder entitled to vote; and whenever any Share shall be held by more than one person, the person present at the meeting whose name shall stand first in the books as owner of such Share shall be entitled to vote; and at every meeting of the Board of Directors, each Director shall have one vote only; and every question considered at any General or Special Meeting of the Company, shall be determined by a majority of the votes and proxies then given, and every question considered at any meeting of the Board of Directors shall be determined by the majority of votes then given by the Directors present, and in case it should so happen that at any General or Special Meeting of the Board of Directors the votes shall be equal, then the Chairman of the Board of Directors for the time being, or of the Meeting, shall be entitled to a casting vote, besides and in addition to his own personal vote, unless such right to a casting vote shall be abrogated by the Bye Laws hereafter to be made.

Meetings Annual & Special, &c. Votes of Shareholders & Directors &c.

IX. *And be it enacted*, That the three persons first named in this Act, shall, as soon as conveniently may be, after the passing hereof, by an advertisement to be published in the Yarmouth Newspapers, and at least two of the Halifax Newspapers, give notice that Subscription Books for taking Shares in the said Company will be opened on a day and at one or more place or places to be mentioned, and shall then and there, by themselves or their Agents, open proper Books for the purpose, and therein receive and take the Subscriptions of all persons who have agreed to take Shares in the said undertaking, and shall be willing to stand and continue as Proprietors of Shares in, and Members of, said Company, and for want thereof, of all other persons who shall be willing and desirous to become Proprietors and Members as aforesaid; and the said three persons, as soon as the whole of the said Original Capital of Ten Thousand Pounds shall have been subscribed for, shall also by advertisements published in the Yarmouth Newspapers, and at least two of the Halifax Newspapers for thirty days, appoint a day and place for the first General Meeting of the Subscribers, and shall also thereby call upon the different Subscribers within twenty days from the publication thereof, to pay the first instalments on the Shares by them respectively subscribed for, to such person or persons, and at such place or places, as may be designated in such advertisements, and such three persons shall also by themselves or their agents, duly appointed and notified in that behalf, demand and take for and on behalf of the Company, such securities to be by them or their said Agents approved of, as are hereinbefore directed to be taken, and in such form as may be by them determined on.

Notice of opening Subscription Books, &c.

Notice of first General Meeting of call for Instalments, &c.

X. *And be it enacted*, That at such first General Meeting, the Subscribers present, or their proxies, shall and may forthwith, in manner in this Act prescribed, proceed to elect Seven qualified persons to be Directors of the said Company, four of whom at least shall be resident in the Town of Yarmouth aforesaid, and such other Officers as may be deemed expedient, and from and after such election the persons so elected and chosen shall be and become forthwith the Officers of the said Company, and the said Directors shall choose and elect one from among themselves to be Chairman of the Board of Directors, and the said Directors, and any other Officers so to be chosen, shall hold and exercise their respective offices from the day of such their election until the first Annual General Meeting in June then next, and thence continually, until a new choice of Directors and Officers be made by the Company, pursuant to this Act and the Bye Laws in that behalf provided.

Election of Directors, Officers, &c.

Liability of Shareholders.

XI. *And be it enacted*, That in case of any loss or deficiency which shall or may hereafter arise or occur in the Capital or Joint Stock of the said Corporation, the persons who are or may be Shareholders in such Company at the time of any such loss or deficiency so occurring as aforesaid, shall in their private individual capacities be respectively liable to make good any such loss or deficiency, so far as may be requisite and necessary to pay off and discharge any claims or demands against the said Corporation then existing: *Provided always*, that in no case shall any one Shareholder be liable to pay a sum exceeding the amount of the Stock then actually held by such Shareholder, in addition to the Stock so held by him.

Proviso.

Company not to Discount, effect Insurance, &c.

XII. *And be it enacted*, That nothing herein contained shall be held or be construed to give the said Company the privilege of dealing in the lending of money, by way of discount or otherwise, or engaging in any Banking operation whatsoever, or to effect any Insurance upon any Ship or Vessel, or Marine Risk, or upon any loss by Fire, or upon any Life or Lives.

Company to go into operation within three years.

XIII. *And be it enacted*, That if the said Company hereby incorporated shall not go into operation within Three Years from the passing hereof, then this Act, and every matter, clause, and thing therein contained, shall cease to be of any force or effect.

To be in force 10 years.

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

CAP. LVII.

An Act to amend and continue the Act to Incorporate the Town of Halifax.

(Passed the 20th day of March, 1846.)

Act 4, Victoria, as amended continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act made and passed in the Fourth Year of Her present Majesty's Reign, entitled, An Act to Incorporate the Town of Halifax, shall be continued, and the said Act, and every matter, clause, and thing, therein contained, save and except as the same are hereby altered and amended, are hereby continued for one Year, and thence to the end of the then next Session of the General Assembly.

Preamble.

. *And whereas*, by the twenty-third section of the Act hereby continued and amended, no provision is made for the votes of persons holding places of business and carrying on business in the City of Halifax, who may not be resident therein: .

Persons entitled to vote at Elections of Councillors and Assessors.

II. *Be it enacted*, That every male person of the age of twenty one years, and upwards, though not a householder, who shall have been carrying on business in the said City during three years preceding any election of Councillors, and who shall have been the *bona fide* tenant and occupier or the owner and occupier in his own right, of any Warehouse, Counting House, or Shop, Office, Field or Wharf, of the *bona fide* yearly rent or value of Twenty Pounds or upwards, or who shall have been the *bona fide* tenant and occupier, or the owner and occupier, in his own right, of any Share, Part or Interest, in some Warehouse, Counting House, or Shop, Field, Office, or Wharf, the *bona fide* yearly rent or value of which Share, Part, or Interest, shall be Twenty Pounds or upwards, within any of the Wards of the said City during twelve months next preceding, and at the time of such Election, and shall have been rated to and in respect of the Rates or Assessments laid on the said City, and shall have paid his Rates and Assessments in full due at the time of such Election, shall be entitled to vote at the election of Councillors and Assessors, to be had in the Ward in which such premises shall be situated, and in all cases where the qualifications shall be in respect of such Warehouse, Counting House, or Shop, Office, Field, or Wharf, or of a Part, Share, or Interest therein, the voter shall, if required by the Officer or person holding any such Election, or by any person qualified to vote at the same, make Oath to the particulars of his qualification

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tion, and that he has not before voted at such Election, in manner hereinafter provided, which Oath the Officer or person holding such Election is hereby authorized and required to administer, and which Oath shall be in the form following, that is to say :

I do solemnly swear that I reside at _____, that I am of the age of twenty-one years and upwards, and that I have been carrying on business in the City during three years or upwards, now next preceding, and am a natural born subject of our Lady the Queen, or have been naturalized or made denizen (as the case may be), and that I am, and for twelve months or upwards now next preceding, have been, severally possessed and in the occupation of an entire or separate Warehouse, Counting House, or Shop, Office, Field, or Wharf, of the actual or *bona fide* yearly Rent or value of Twenty Pounds or upwards, within this Ward, for which I now claim to vote ; or that I am, and for twelve months or upwards now next preceding, have been, possessed and in the actual occupation of some Share, Part, or Interest, of an actual and *bona fide* yearly Rent or value of Twenty Pounds or upwards, of and in some Warehouse, Counting House, or Shop, Office, Field, or Wharf, within this Ward, for which I now claim to vote, which in my own right I now hold, and for all that period have held in freehold, or for a term of years, or for a term not less than one year, (as the case may be, and which the voter shall at the time declare), and that I have not before voted at this Election, or any Election which is at this time being held for any other Ward. " So help me God."

Affidavit of Qualification.

III. *And be it enacted*, That any inhabitant householder, occupying some Share, Part, or Interest, in some dwelling house within the Ward for which he claims a right to vote, the *bona fide* yearly Rent or value of which share shall be Twenty Pounds or upwards, or any inhabitant householder occupying a Shop and dwelling house, both being one and the same tenement, and under one and the same roof, with a communication between the two, within the ward for which he claims a right to vote, the *bona fide* yearly Rent or value of which Shop and House shall be Twenty Pounds, or upwards, shall be entitled to vote at any Election of Councilors and Assessors, he complying in other respects with the Twenty-third Section of the Act hereby altered and amended.

Persons entitled to vote.

IV. *And be it enacted*, That so much of the Twenty-ninth Clause or Section of the said Act hereby altered and amended, as relates to and contains the oaths therein prescribed be repealed, and instead thereof that the oaths following be read and administered by the Officer presiding, to the person whose right to vote at any Election for the City of Halifax may be questioned, in all cases where the question shall be in respect of a Dwelling House, or Part, Share, or Interest therein, or of a Shop and Dwelling House, as follows :—

Twenty-ninth clause Act, Vic. repealed.

I do solemnly swear that I have resided in this City for one year or upwards now next preceding, unless temporarily absent, and that I am of the age of Twenty-one years or upwards, and am a natural born subject of our Lady the Queen, or have been naturalized or made denizen, (as the case may be,) and that I now am, and for one month or upwards now next preceding, have been severally possessed, and in the actual occupation of an entire and separate Dwelling House, of the actual and *bona fide* rent or value of Twenty Pounds or upwards, within this Ward, for which I now claim a right to vote ; or that I now am, and for one month or upwards now next preceding, have been possessed, and in the actual occupation of some Share, Part, or Interest of the actual and *bona fide* rent, or value of Twenty Pounds or upwards, of and in some Dwelling House within this Ward, for which I now claim to vote ; or that I now am, and for one month or upwards now next preceding, have been possessed, and in the actual occupation of a Shop and Dwelling, both being one and the same tenement, and under one and the same roof, with a communication between the two, of the actual *bona fide* rent or value of Twenty Pounds or upwards, within this Ward, for which I now claim to vote, which in my own right I now hold, and for all that period have held, in Freehold; or for a term

Form of Oath.

of years, or for a term not less than one year, (as the case may be, and which the voter shall at such time declare,) and that I have not before voted at this Election, or any other Election, which is at this time being held for any other Ward. So help me God.

And in all cases where the qualification shall be in respect of a warehouse, counting-house, or shop, office, field, or wharf, or if a part share, or interest therein, as follows :

Form of Oath.

I do solemnly swear, that I have resided in this City during three years, or upwards, now next preceding, unless temporarily absent, and am a natural born subject of our Lady the Queen, or have been naturalized, or made denizen, (as the case may be,) and that I am, and for twelve months or upwards now next preceding, have been severally possessed and in the actual occupation of an entire and separate warehouse, counting house, or shop, office, field, or wharf, of the actual and *bona-fide* yearly rent or value of Twenty Pounds or upwards, within this Ward, for which I now claim to vote, or that I am, and for twelve months or upwards, now next preceding, have been, possessed, and in the actual occupation of some Share, Part, or Interest, of an actual and *bona fide* yearly rent or value of Twenty Pounds or upwards, of and in some Warehouse, Counting House, or Shop, Office, Field, or Wharf, within this Ward, for which I now claim to vote, which, in my own right, I now hold, and for all that period have held, in Freehold, or for a term of years, or for a term not less than one year, (as the case may be, and which the voter shall at the time declare,) and that I have not before voted at this Election, or any Election which is at this time being held for any other Ward. So help me God.

And in every such case the presiding Officer shall note in his Poll Book that the voter was sworn, and which of the qualifications under this Act, and the nature of the tenure he swore to.

Qualification of Mayor and Aldermen.

V. *And be it enacted*, That no person shall, at any time, be capable of being appointed or elected Mayor, or an Alderman of the said City, unless at the time of his Election he shall be, and for twelve months next immediately previous thereto, shall have been actually within the said City, in his own right the *bona fide* tenant and occupier under some tenure not less than a tenancy for one year, of an entire and separate Dwelling House, of the *bona fide* yearly rent or value of Fifty Pounds or upwards, or of a Share or Interest in a Dwelling House, such Share or Interest being of the *bona fide* yearly rent or value of Fifty Pounds or upwards, and resident within the said City, and also unless he shall at the time of such Election be seized or possessed in his own right of Real or Personal Estate, or both, within the said City, after payment or deduction of his just debts, of the value of One Thousand Pounds, currency, and that the nineteenth clause of the said Act, of which this is an amendment, and all matters therein contained, shall be, and the same are hereby repealed.

Mayor's Court.

VI. *And be it enacted*, That the City or Mayor's Court shall hereafter be holden on the second and fourth Tuesdays of every month, instead of the first and third Tuesdays.

Appeal from Judgment for sale of Liquors without License.

VII. *And be it enacted*, That in any case where judgment shall be given against any person selling Liquors without License, and such person shall consider himself aggrieved by such judgment, it shall be lawful for him to appeal from such judgment to the Supreme Court at its next Term, the said person so appealing having first filed a Bond, with two sufficient Sureties, to respond the judgment of the said Supreme Court, in case the said judgment should be confirmed.

Imposition of Fines for refusal to accept office.

VIII. *And be it enacted*, That it shall be lawful for the City Council to impose a fine not exceeding Five Pounds on any Fire Ward, or Fire Constable, or any other Officer nominated or elected by the said City Council, upon whom no specific fine is, by this Act or the Act hereby continued and amended, imposed, who shall refuse or neglect the duties of such office, or shall refuse to qualify himself for the same agreeably to this Act, or the said Act hereby continued and amended :

Provided

Provided always, that no such Officer shall be obliged to serve more than one year in succession, or shall be liable to any fine for not serving for a period of five years after he has so served or paid such fine.

Proviso.

And whereas, The practice of sending substitutes to perform Statute Labor, is attended with much inconvenience, and is found to be prejudicial to the interests of the said City :

IX. *Be it therefore enacted*, That hereafter Statute Labor in the said City shall be performed by the person himself notified to perform the same, or by his hired yearly or monthly servant, to be approved of by the Overseer, and in case the Statute Labor be not performed by the party in person, or by his hired yearly or monthly servant, duly approved of by the Overseer, then the sum of Three Shillings per day, for each and every day's labor such person shall be bound to perform shall be paid to the Collector of the Road Tax, within thirty days after he shall be notified to perform such Statute Labor.

Performance of Statute Labour.

X. *And be it enacted*, That the Members of the said City Council shall be exempt from serving on any Jury within the said City.

Members of Council not to serve as Jurors.

XI. *And be it enacted*, That the word "months," in the said Act, of which this Act is an amendment, shall be taken in all cases to mean Calendar months.

XII. *And be it enacted*, That at all future Elections of Councillors and Assessors, it shall not be necessary to keep open the Poll till five o'clock in the afternoon, as required by the twenty-sixth section of the aforesaid Act, but the presiding officer shall have power to close the Poll when a voter shall not have been Polled for one hour after proclamation given to that effect.

Closing of Polls

XIII. *And be it enacted*, That it shall be lawful for the said City Council of the said City, at a Meeting or Meetings of the said Council, composed of not less than two thirds of the members thereof, to make such Bye Laws, Orders, and Regulations, as to them shall seem meet, for the protection of the Property and Inhabitants of the said City of Halifax by lighting the said City, and by establishing a sufficient Watch at night; and to make such Rules, Regulations, and Orders for the lighting of the said City, and for the due forming, establishing, conducting, and governing of the said Watch, as they may deem expedient, and to impose a fine not exceeding Twenty Shillings, on any person who shall transgress any of the Bye Laws, Orders, and Regulations, so made by the City Council as aforesaid: *Provided always*, that a Copy of such Bye Law, Order, or Regulations, to be made by virtue of this Act, shall be transmitted with all convenient speed, after the making thereof, to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being; and it shall be lawful for the said Governor, Lieutenant-Governor, or Commander-in-Chief, for the time being, by and with the advice of the Executive Council of this Province, within one month from and after the receipt of such Copy, to disallow such Bye Law, Order, or Regulation, and such disallowance shall, without delay, be signified to the Mayor of the said City, and thenceforward such Bye Law, Order, or Regulation, shall be void and of no effect.

Council to make regulations for lighting City, Night Watch, &c.

XIV. *And be it enacted*, That every person appointed to Watch by such Bye Law, Order, or Regulation, to be made and approved as aforesaid, shall, during all the time he shall be so appointed, possess all the powers and authority of a Constable, and all opposition and resistance offered to any person or persons so appointed, during the time he shall be in the execution of his duty as a Watchman, shall be prosecuted and punished as offences committed against Constables in the execution of their office.

Bye Laws, &c. to be sent to the Lieut. Governor for approval.

Watchmen to have the powers of Constables.

XV. *And be it enacted*, That all such sum or sums of money as may be necessary for lighting the said City and for establishing and supporting the said Watch, shall be paid out of the general funds of the City; and the amount necessary therefor shall be included in the general assessment, and levied and collected as part thereof.

Cost of lighting City and Watch to be raised by Assessment.

XVI. *And be it enacted*, That all Officers of the said City, appointed by the City Council, under the Act hereby continued and amended, and now in office, and who are

Officers not annually elected continued in office.

are not required by Law to be annually elected or appointed, shall be continued and remain in office without its being requisite or necessary to have a re-appointment of any such Officers, notwithstanding that the term for which the said Act hereby continued and amended was originally to continue and be in operation, shall or may have expired.

And whereas, it is requisite that some further provisions be made for the Assessment of the City and other Taxes and Rates than are furnished by the said Act hereby amended and continued :

Sessions and Grand
Jury to confirm
Assessments.

XVII. *Be it enacted*, That for, and notwithstanding any thing in the said Act contained, it shall and may be lawful for the General Sessions and Grand Jury for the County of Halifax to present and confirm all such sums of money necessary to be assessed for the said County, and upon the Inhabitants thereof, under the Acts in force relative to the Assessing for County and District Rates, in the same manner as if the said Act hereby continued and amended had not been passed.

Assessment of Poor
Rates.

XVIII. *And be it enacted*, That hereafter it shall and may be lawful for the said City Council, upon the requisition of the Commissioners of the Poor, and without any Town Meeting, to direct and order to be assessed upon the Inhabitants of the said City, as hereinafter directed, any such sum and sums of money as may be by the said Commissioners deemed and certified to be necessary and requisite to be assessed upon the said City for the support of the Poor for every respective year.

Election of City
Assessors.

XIX. *And be it enacted*, That the said City Council shall, within ten days after the passing of this Act, and at some convenient time in every respective year afterwards, select from and out of the twelve Assessors by the said Act hereby continued and amended, directed to be elected by the several Wards of the said City, two persons who shall have been so elected who shall be and shall be called and known as City Assessors, and who shall, after notice thereof given to them respectively, be sworn before the Mayor, or some Alderman of such City, to perform their duty as such City Assessors, according to the best of their Judgment, and to make a fair and impartial assessment of and upon the said City.

Election of Ward
Assessors.

XX. *And be it enacted*, That the said Assessors so annually elected by the several Wards of the said City shall, within fifteen days after notice of their election in every respective year, assemble at the Mayor's Office, and then and there, in the presence of the said Mayor or acting Alderman, proceed to nominate, select, and appoint, by ballot or otherwise one Assessor from each of the said Wards, to be called and known as Ward Assessors, which said Ward Assessors shall then and there, by the Mayor, or acting Alderman aforesaid, be duly sworn faithfully to perform their duty as such Ward Assessors, according to the best of their judgment, and to make a fair and impartial assessment of their respective Wards.

Penalty for refusing
to accept office.

XXI. *And be it enacted*, That if any Assessor, so to be chosen and selected as a City or Ward Assessor, as aforesaid, shall refuse to be so sworn into office as aforesaid, or shall neglect or refuse to perform the duties of his office as hereinafter specified, or any of such duties respectively, such Assessor shall forfeit and pay for every such offence a penalty of Twenty-five Pounds.

Duty of City Ass-
essors.

XXII. *And be it enacted*, That the said City Assessors shall, upon the order of the City Council, proceed forthwith to make an Assessment on the respective Wards of the said City, for all sum or sums of money legally authorized and directed to be assessed upon the said City, whether for such City purposes and Rates as are mentioned and prescribed in the said Act hereby amended and continued, or in this Act, or for Poor Rates, or for such proportion of County Rates, or Taxes, as may be chargeable on that part of the County of Halifax contained within the limits of the said City, calling upon and associating themselves with the Ward Assessors for every respective Ward in rotation in the making of such Assessment.

Ward Assessments.

XXIII. *And be it enacted*, That the Assessment for every respective Ward shall be signed by the City Assessors, and by the Ward Assessor for that Ward, or by any two of them, and shall shew distinctly the amount of the Assessment made upon each Individual, distinguishing the amount assessed for City Rates, Poor Rates, and County

County Rates respectively, and that for such service the City Assessors shall each receive and be paid out of the funds of the City Seven Pounds Ten Shillings.

XXIV. *And be it enacted,* That when and so soon as the said Ward Assessments shall have been so made and returned, the City Assessors shall proceed to make up the Assessment Books, and shall return the Assessment for City Rates and for Poor Rates to the Office of the City Clerk, and the Assessment for County Rates to the Office of the Clerk of the Peace for the County, within Forty-five days, and shall attest to the same, before the Mayor, or one of the Aldermen, and for such service the said City Assessors shall be allowed the further sum of Seven Pounds Ten Shillings.

Making up Assessment Books, Return of City and County Rates, &c.

XXV. *And be it enacted,* That it shall and may be lawful for the said City Council to appoint and regulate the manner and times of making Assessments for the said City, of the notices of and appeals from the same, of the Collections and Returns touching and relating thereto, and of all matters and things for the better and more orderly collection of Assessments.

City Assessments—time of making—Notices of—appeals from, &c.

XXVI. *And be it enacted,* That the said Assessors shall assess the sum or sums to be borne and assessed by and upon the Inhabitants of the respective Wards of the said City, as well for City Rates as for Poor and County Rates, in the most just and equal manner such Assessors can devise, by an equal Pound Rate upon the value of the Real Estate whereof such Inhabitants shall respectively be in the occupation and possession, regard being had to the Rental of such Real Estate, as hereinafter mentioned, and further upon such Inhabitants according to the ability or capacity of every respective Inhabitant to pay and contribute towards such Assessment.

Assessment of City, Poor, and County Rates.

XXVII. *And be it enacted,* That in making the Assessment on Real Estate, the said Assessors shall, for settling the value of such Real Estate, first ascertain by the best method and means in their power, either from the Rent or Rents then actually paid for such Real Estate, or otherwise, when necessary, what is or would be the fair *bona fide* annual rent for such Real Estate, and shall then compute the value of such Real Estate in all cases by reference to such Rent, calculating such Rent as equivalent to ten per cent., or one tenth of the whole value.

Assessment on Real Estate.

XXVIII. *And be it enacted,* That upon the refusal or neglect of any person or persons to pay the amount of the Assessment so to be made upon such person or persons, it shall be lawful to levy for that sum on the personal property of the party so neglecting or refusing to pay, and in case no personal property of such party can be found on which to levy, he shall be liable to be committed to the County Gaol till the amount of such Assessment be paid: *Provided always,* that every such person so committed to Gaol, shall be entitled to all the benefit of the Acts relating to Insolvent Debtors, in the same manner as in ordinary cases of debts of the like amount.

Remedy for non-payment of Assessments.

Proviso.

XXIX. *And be it enacted,* That the Warrant to be issued against the property or person of any party or parties, shall be issued by the City Treasurer, and shall be in the form following, that is to say:

“ CITY OF HALIFAX.

“ To or any of the Constables of the City of Halifax.

WHEREAS, in and by a rate of Assessment allowed and published according to the Statute in that case made and provided, A. B., of Halifax, was duly rated and assessed for the present year, for City, County, and Poor Rates, and Assessment, the sum of Pounds. And whereas the said A. B. was duly notified of the said Rates and Assessment, and of the said amount thereof, and required to pay the same, and had due opportunity afforded to appeal against the same according to Law. And whereas the said Rates and Assessments have (or have not, as the case may be) been appealed against, and now stand at the sum of in the whole. And whereas the said A. B. has been duly notified and summoned to pay the last mentioned amount, or that otherwise a Warrant would be issued for collection

Form of Warrant against persons refusing to pay Assessment.

lection of the same, with the addition of ten per cent. on the amount thereof, agreeably to Law, but hath neglected to pay the same, or any part thereof, and the same, with the addition of ten per cent., amounts to _____ which the said A. B. is liable to pay, by virtue of the Act of Assembly in such case made: These, therefore, are to require you forthwith to make distress of the Goods and Chattels of the said A. B. for that amount; and if, within the space of seven days after such distress by you taken, the said sum last mentioned, together with the reasonable charges for taking and keeping the said distress, not exceeding three shillings per day, shall not be paid, that then you do sell the said Goods and Chattels so by you distrained; and out of the money arising by such sale, that you detain and pay to me the said sum of _____ and also detain your reasonable charges, not exceeding as aforesaid, of taking, keeping, and selling the said distress, rendering to him the said A. B. the overplus; and in case no Personal Property of the said A. B. can be found on which to levy, you are hereby required to commit the said A. B. to Gaol at Halifax, there to remain till _____ pay the said sum of _____ with your Fees as aforesaid, or be otherwise discharged by due course of Law.

Given under my Hand and Seal this _____ day of _____ 184_____

City Treasurer.

Assessment on
Banking, Marine
Companies, &c.

XXX. *And be it enacted*, That the Assessors in making an Assessment upon any Public or Private Banking Company, or Fire or Marine, or Life Insurance Company or Association, or Joint Stock Company, or Body Politic or Corporate, whether they or any of them shall carry on business as a Copartnership, or shall be established in this Province by any Statute made therein, or shall be established in any place out of Nova Scotia, and shall transact their business by any President, Secretary, Manager, Cashier, Agent, or any other Servant or Agent, by whatsoever name or title he or they may be called or known, as to the amount to be taxed or assessed upon such Banking Company, or Fire or Marine, or Life Insurance Company or Association, or Joint Stock Company, or Body Politic or Corporate, for the ability or capacity thereof to pay and contribute towards any City, County, or Poor Rates, or Assessments beyond the Real Estate they shall respectively occupy and possess, shall have regard alone to the amount of the net profits or income derived by such Banking Company, or Fire or Marine, or Life Insurance Company or Association, or Joint Stock Company, or Body Politic or Corporate, and such net profits or income, where the same cannot be otherwise ascertained by the Assessors, shall be declared by the President of the Banking Company, or Fire or Marine, or Life Insurance Company or Association, or Joint Stock Company, or Body Politic or Corporate, or by the Manager, Secretary, Cashier, or Agent, or other the principal officer conducting the business thereof within the City of Halifax, such declaration to be made before the Mayor, or one of the Aldermen of the said City, and in case of neglect or refusal to make such declaration after the party has been lawfully required so to do, then, and in such case, the Assessors shall ascertain and assess the amount of such net profits or income according to their best discretion and ability.

XXXI. *And be it enacted*, That if any such Company or Association, or Body Politic or Corporate, shall neglect or refuse to pay the amount so Assessed, the City Treasurer may and shall issue a Warrant for the levying and collecting the amount of such Assessment in the form following, that is to say:—

“CITY OF HALIFAX.

“To _____ or any of the Constables of the City of Halifax.

WHEREAS in and by a rate of Assessment allowed and published according to the Statutes in that case made and provided _____ of Halifax, was duly rated and assessed for the present year, for City, County, and Poor Rates and Assessment, the sum of _____ *And whereas* the said _____ was duly notified of the said Rates and Assessments, and of the said amount thereof, and required to pay the same, and had due opportunity afforded to appeal against the same, according to Law; *And whereas*, the said Rates and Assessments have (or have not

Form of Warrant
against Companies,
Bodies Corporate,
&c.

as the case may be) been appealed against, and now stand at the sum of _____ in the whole; *And whereas*, the said _____ has been duly notified and summoned to pay the last mentioned amount, or that otherwise a Warrant would be issued for the Collection of the same, with the addition of Ten per cent. on the amount thereof agreeably to Law, but hath neglected to pay the same, or any part thereof, and the same, with the addition of ten per cent. amounts to _____ which the said _____

is liable to pay by virtue of the Act of Assembly, in such case made.— These, therefore, are to require you forthwith to make distress of the Goods and Chattels of the said _____ for that amount, and if, within the space of seven days after such distress by you taken, the said sum last mentioned, together with reasonable charges for taking and keeping the said distress not exceeding Three Shillings per day, shall not be paid, that then you do sell the said Goods and Chattels, so by you distrained, and out of the money arising by such Sale, that you detain and pay to me the said sum of _____ and also detain your reasonable charges, not exceeding as aforesaid, of taking, keeping, and selling the said Distress, rendering to the said _____ the overplus.

Given under my Hand and Seal this _____ day of _____ 184 _____

City Treasurer.

XXXII. *And be it enacted*, That the person or Constable to whom such Warrant shall be directed, shall levy the same upon the Goods, Chattels, and Furniture of any such Company and Association; and in case Goods, Chattels or Furniture, to satisfy the full amount of such Warrant shall not be produced and pointed out to the Officer of the said Treasurer, having the execution of the said Warrant, all sums of money so assessed and due after the time of appeal shall be expired, shall be recoverable, with the costs incurred, in the name of the Corporation, or of the City Treasurer, against any of the said Banks, Fire or Marine Assurance Association, or Joint Stock Companies, in the same manner as debts are now recoverable from any of the said Banks, Fire or Marine Assurance Associations, or Joint Stock Companies respectively, and suits for the recovery thereof, whether at law or in equity, may be commenced and prosecuted; where necessary, against any Association or Joint Stock Company, whether incorporated or not incorporated, doing business in the said City by means of any Agent or Agents as aforesaid, in manner provided in and by a certain Act passed in the fifth year of the Reign of His late Majesty King William the Fourth, entitled, An Act concerning Suits against Foreign Bodies Politic or Corporate, and to repeal the Acts now in force."

Constable to levy on Goods, &c. of Company.

XXXIII. *Provided always, and be it enacted*, That any person or persons or any such Company or Association, or Body Politic or Corporate, complaining of being overrated or over assessed, shall and may appeal to the City Council, and it shall and may be lawful for the City Council, or those of them appointed to hear such appeals as aforesaid, to adjust such assessment as they may under all the circumstances deem proper and just, either by reducing the amount or by confirming the same, and in case of reduction the reduced amount only shall be claimed, levied and collected.

Appeal by Company.

And whereas it may so happen that persons shall be liable to Assessments in different sections of the said City, and doubt and dissatisfaction may arise as to the just amount of his, her, or their ability or capacity:

XXXIV. *Be it therefore enacted*, That those who are so rateable, in different portions of the said City shall not be assessed for his, her, or their ability or capacity, until the Assessment on his, her, or their Real Estate shall first be completed, and he, she, or they shall only be Assessed once in each general Assessment for his, her, or their ability or capacity, unless the same shall arise through or by his, her, or their being a Shareholder or Shareholders in some or one of the said Banking, Fire or Marine Assurance Associations, or Joint Stock Companies, in which case such Assessment shall be adjusted in manner and form aforesaid, by the City Council, or the parties to be appointed as aforesaid.

Assessment on persons rateable in different parts of City.

XXXV. *And be it enacted*, That if any person shall assume the duty, or attempt

or

Penalty for exercising duties of officers without authority.

or presume to exercise the functions of any officer of the said City, whom the City Council are or may be directed or authorized to appoint, without having been duly appointed as such Officer, by the said City Council, or after being lawfully dismissed from his office for any cause, shall continue to assume the duties and exercise the functions of such office, every such person shall, for such offence, pay a fine not exceeding Ten Pounds and the costs of Prosecution, and in case of non-payment of such fine and costs, shall be liable to be committed to the County Gaol or House of Correction, for any time not exceeding thirty days.

Recovery of Fines.

XXXVI. *And be it enacted*, That all fines and penalties imposed by this Act, or by the Act hereby continued and amended, or by any Ordinance or Bye Law of the said City Council, and for the recovery whereof no provision is made in this Act, or the said Act hereby amended and continued, shall and may be sued for and recovered by Suit in the name of the City of Halifax, before the City or Mayor's Court, in the same manner, by the same ways and means, and with the like right of appeal, as any debt or debts can or may be collected, sued for, and recovered in the same Court: *Provided always*, that in any such suit, the Defendant or Defendants shall be entitled to the benefit of the Laws for the relief of Insolvent Debtors, as in any other suit in such Court: *Provided also however*, that where in and by this Act, or the said Act hereby continued and amended, any period of imprisonment is limited, prescribed, or specified, or may be ordered and directed, upon non-payment of any such Fine or Penalty, the Defendant or Defendants shall not be entitled to his, her, or their discharge from imprisonment, until such period so limited, prescribed, and specified, or which may be so ordered or directed, shall have elapsed; and that after such period shall have elapsed, the Defendant or Defendants shall be forthwith discharged.

Proviso

Act 6th, Victoria,
Act 7th Victoria,
repealed.

XXXVII. *And be it enacted*, That the Act passed in the sixth year of Her present Majesty's Reign, entitled, An Act relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax; also the Act passed in the seventh year of Her said Majesty's Reign, entitled, An Act further to amend the Act to Incorporate the Town of Halifax, and in addition to and amendment of the Act relating to the Halifax Assessments, and a certain other Act, and every matter, clause and thing, in the said Acts contained, shall be, and the same are hereby repealed.

To be in force one year.

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

CAP. LVIII.

An Act to establish the Times and Places for holding the Polls at Elections of Representatives.

(Passed the 20th day of March, 1846.)

Times of opening Polls.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That hereafter in the several Counties and Townships of this Province, at any Election to be held in and for such Counties and Townships respectively, the Poll for such Election, shall be held and opened at the places and for the times hereinafter mentioned; that is to say:

County of Halifax.

COUNTY OF HALIFAX.—The Poll shall be opened at the County Court House in the City of Halifax, and be there held for Five Days, and be thence adjourned to some central and convenient place at Saint Margaret's Bay, and be there held for Two Days, and be thence adjourned to some central and convenient place in Musquodoboit, to be there opened on the third day after the day hereby limited for the close of the Poll at Saint Margaret's Bay, and be there held for Two days, and be thence adjourned to some central and convenient place at Sheet Harbor, and be there held for Two Days.

Township

TOWNSHIP OF HALIFAX.—The Poll shall be opened at the County Court House in Halifax, and be there held for Five Days, and be thence adjourned to some central and convenient place at Saint Margaret's Bay, and be there held for Two Days. Township of Halifax.

COUNTY OF HANTS.—The Poll shall be opened at the Court House in Windsor, and be there held for Three Days, and be thence adjourned to some fit and convenient place in the Scotch Village, in the Township of Newport, and be there held for Two Days, and be thence adjourned to some fit and convenient place near the Church in the Township of Rawdon, and be there held for Two Days, and be thence adjourned to some fit and convenient place at or near the mouth or end of the Noel Road, and be there held for Two Days. County of Hants.

TOWNSHIP OF WINDSOR.—The Poll shall be opened at the Court House in Windsor, and be there held for Three Days. Township of Windsor.

TOWNSHIP OF FALMOUTH.—The Poll shall be opened at some central and convenient place in the Township of Falmouth, and be there held for Three Days. Township of Falmouth.

TOWNSHIP OF NEWPORT.—The Poll shall be opened at some central and convenient place in the Township of Newport, and be there held for Three Days. Township of Newport.

COUNTY OF KING'S COUNTY.—The Poll shall be opened at the Court House in Kentville, and be there held for Five Days, and be thence adjourned to some central and convenient place in Aylesford, and be there held for Two Days. County of King's County.

TOWNSHIP OF CORNWALLIS.—The Poll shall be opened at the Town House in Cornwallis, and be there held for Five Days. Township of Cornwallis.

TOWNSHIP OF HORTON.—The Poll shall be opened at some central and convenient place in the Township of Horton, and be there held for Four Days. Township of Horton.

COUNTY OF ANNAPOLIS.—The Poll shall be opened at the Court House in Annapolis, and be there held for Three Days, and be thence adjourned to some central and convenient place in Bridgetown, and be there held for Two Days, and be thence adjourned to some central and convenient place in Lawrence Town, and be there held for Two Days. County of Annapolis.

TOWNSHIP OF ANNAPOLIS.—The Poll shall be opened at the Court House in Annapolis, and be there held for Four Days, and be thence adjourned to some central and convenient place in said Township, on the Post Road, near the School House, at the head of the Lane leading to Bridgetown, and be there held for Two Days. Township of Annapolis.

TOWNSHIP OF GRANVILLE.—The Poll shall be opened at some convenient place in the Settlement of New Caledonia, at or near the Annapolis Ferry, and be there held for Two Days, and be thence adjourned to some central and convenient place in Bridgetown, and be there held for Two Days. Township of Granville.

COUNTY OF DIGBY.—The Poll shall be opened at the Court House in Digby, and be there held for Four Days, and be thence adjourned to some convenient place at Long Island, and be there held for One Day, and be thence adjourned to some central and convenient place near the Church at Weymouth, and be there held for Two Days, and be thence adjourned to the Sessions House in Clare, and be there held for Two Days, and be thence adjourned to some central and convenient place near the Chapel at Montegan, and be there held for Two Days. County of Digby.

TOWNSHIP OF DIGBY.—The Poll shall be opened at the Court House in Digby, and be there held for Four Days, and be thence adjourned to some central and convenient place near the Church at Weymouth, and be there held for Two Days. Township of Digby.

TOWNSHIP OF CLARE.—The Poll shall be opened at the Sessions House in Clare, and be there held for Two Days, and be thence adjourned to some central and convenient place near the Chapel at Montegan, and be there held for Two Days. Township of Clare.

COUNTY OF YARMOUTH.—The Poll shall be opened at the Court House in Yarmouth, and be there held for Five Days, and be thence adjourned to the Court House in Tusket Village, and be there held for Three Days, and be thence adjourned to some fit and convenient place at the head of Pubnico, and be there held for Two Days. County of Yarmouth.

- TOWNSHIP OF YARMOUTH.**—The Poll shall be opened at the Court House in Yarmouth, and be there held for Five Days.
- TOWNSHIP OF ARGYLE.**—The Poll shall be opened at the Court House at Tusket Village, and be there held for Three days, and be thence adjourned to some fit and convenient place at the head of Pubnico, and be there held for Two Days.
- COUNTY OF SHELBURNE.**—The Poll shall be opened at the Court House in Shelburne, and be there held for Three Days, and be thence adjourned to Lewis' Head, and be there held for Two Days, and be thence adjourned to some fit and convenient place at Cape Sable Island, and be there held for Two Days, and be thence adjourned to some fit and convenient place near the head of Barrington Harbour, and be there held for Three Days.
- TOWNSHIP OF SHELBURNE.**—The Poll shall be opened at the Court House in Shelburne, at the same time as the Poll for the County of Shelburne, and be there held for Three Days, and be thence adjourned to Lewis' Head, and be there held for Two Days.
- TOWNSHIP OF BARRINGTON.**—The Poll shall be opened at some fit and convenient place at Cape Sable Island, and there be held at the same time with the Poll for the County of Shelburne, for Two Days, and be thence adjourned to some fit and convenient place near the head of Barrington Harbour, and be there held for Three Days.
- COUNTY OF QUEEN'S COUNTY.**—The Poll shall be opened at the Court House in Liverpool, and be there held for Four Days, and be thence adjourned to some fit and convenient place at Port Medway, and be there held for Three Days, and be thence adjourned to some central and convenient place at Brookfield, and be there held for Three Days, and be thence adjourned to some fit and convenient place at Port Mutton, and be there held for Three Days.
- TOWNSHIP OF LIVERPOOL.**—The Poll shall be opened at the Court House in Liverpool, and be there held for Four Days, and be thence adjourned to some fit and convenient place at Port Medway, and be there held for Two Days.
- COUNTY OF LUNENBURG.**—The Poll shall be opened at some central and convenient place in Chester, and be there held for Two Days, and be thence adjourned to the Court House in Lunenburg, and be there held for Four Days, and be thence adjourned to some central and convenient place at New Dublin, and be there held for Two Days.
- TOWNSHIP OF LUNENBURG.**—The Poll shall be opened at the Court House in Lunenburg, and be there held at the same time with the Poll for the County of Lunenburg, for Four Days.
- COUNTY OF COLCHESTER.**—The Poll shall be opened at some central and convenient place at Tatamagouche, and be there held for Three Days, and be thence adjourned to some central and convenient place in the Village of Portauisque, and be there held for Two Days, and be thence adjourned to some central and convenient place in Upper Stewiacke, at or near the Meeting House, and be there held for Two Days, and be thence adjourned to the Court House in Truro, and be there held for Three Days.
- TOWNSHIP OF TRURO.**—The Poll shall be opened at the Court House in Truro, and be there held for Three Days.
- TOWNSHIP OF ONSLOW.**—The Poll shall be opened at some central and convenient place in the Township of Onslow, and be there held for Three Days.
- TOWNSHIP OF LONDONDERRY.**—The Poll shall be opened at some central and convenient place in the Township of Londonderry, and be there held for Three Days.
- COUNTY OF PICTOU.**—The Poll shall be opened at or near the Court House in Pictou, and be there held for Four Days, and be thence adjourned to some central and convenient place at River John, as near as may be to the Bridge now erected and built at the Mouth of said River, and be there held for Three Days, and be thence adjourned to some central and convenient place in the Settlement of Gairloch, and be there held for Four Days, and be thence adjourned to the Lock-up House

House, or some other central and convenient place at New Glasgow, and be there held for Six Days, and be thence adjourned to some central and convenient place at Merigomishe, and be there held for Three Days.

TOWNSHIP OF PICTOU.—The Poll shall be opened at some central and convenient place in the Settlement of Gairloch, and be there held for Four Days, and be thence adjourned to some central and convenient place at River John, as near as may be to the Bridge now erected and built at the Mouth of said River, and be there held for Three Days, and be thence adjourned to some convenient place at or near the Court House in Pictou, and be there held for Four Days. Township of Pictou.

COUNTY OF CUMBERLAND.—The Poll shall be opened at the Court House in Amherst, and be there held for Three Days, and be thence adjourned to some convenient place near the Church in Parrsborough, and be there held for Two Days, and be thence adjourned to some convenient place near the site of the old Court House at River Philip, and be there held for One Day, and be thence adjourned to some convenient place at Wallace, and be there held for Three Days. County of Cumberland.

TOWNSHIP OF AMHERST.—The Poll shall be opened at the Court House in Amherst, and be there held for Three Days. Township of Amherst.

COUNTY OF SYDNEY.—The Poll shall be opened at some convenient place at Malignant Cove, and be there held for Two Days, and be thence adjourned to some convenient place at or near the Cross Roads at Tracadie, to be there opened on the Third Day after the day hereby limited for the close of the Poll at Malignant Cove, and be there held for Two Days, and be thence adjourned to the Court House in Antigonishe, to be there opened on the third day after the day hereby limited for the close of the Poll at Tracadie, and be there held for Five Days. County of Sydney.

COUNTY OF GUYSBOROUGH.—The Poll shall be opened at some fit and convenient place at Little Canso, and be there held for Two Days, and be thence adjourned to some fit and convenient place at the Gut of Canso, to be there opened on the third day after the day hereby limited for the close of the Poll at Little Canso, and be there held for One Day, and be thence adjourned to some fit and convenient place at Country Harbour, to be there opened on the third day after the day hereby limited for the close of the Poll at the Gut of Canso, and be there held for One Day, and be thence adjourned to some convenient place in the Village of Sherbrooke, and be there held for Three Days, and be thence adjourned to the Court House in Guysborough on the fourth day after the day hereby limited for the close of the Poll at Sherbrooke, and be there held for Four Days. County of Guysborough.

COUNTY OF CAPE BRETON.—The Poll shall be opened at the Court House in Sydney, to be there held for Six Days, and be thence adjourned to some central and convenient place at Baddeck, to be there opened on the third day after the day hereby limited for the closing of the Poll at Sydney, and be there held for Three Days, and be thence adjourned to some central and convenient place on the North East side of the Big Narrows of the Bras d'Or Lake, near James Campbell's, to be there opened on the third day after the day hereby limited for the close of the Poll at Baddeck, and be there held for Two Days, and be thence adjourned to some convenient place at East Bay, at or near Duncan Curry's, and be there held for Two Days, and be thence adjourned to some central and convenient place at Louisburg, to be there opened on the third day after the day hereby limited for the close of the Poll at the Big Narrows, and be there held for Two Days. County of Cape Breton.

TOWNSHIP OF SYDNEY.—The Poll shall be opened at the Court House in Sydney, and be there held for Six Days. Township of Sydney.

COUNTY OF RICHMOND.—The Poll shall be opened at the Court House at Arichat, at the same time with the Poll for the Township of Arichat, and be there held for Five Days, and thence adjourned to some central and convenient place near Donald Murray's, at the Black River, and be there held for Two Days, and be thence adjourned to some convenient place at Saint Peter's, and be there held for Two Days, and be thence adjourned to some convenient place at the Red Islands, and be there held for Two Days, and be thence adjourned to some fit and convenient County of Richmond.

venient place on the Western side of the Grand River, near the Bridge, and be there held for Three Days.

Township of Arichat.

TOWNSHIP OF ARICHAT.—The Poll shall be opened at the Court House in Arichat, and be there held at the same time with the Poll for the County of Richmond, for Five Days.

County of Inverness

COUNTY OF INVERNESS.—The Poll shall be opened at the Court House in Port Hood, and be there held for Four Days, and be thence adjourned to some fit and convenient place near the Mouth of the River at Margaree, on the south side thereof, and be there held for Four Days, and be thence adjourned to some fit and convenient place near the Church of Whycocomagh, and be there held for Three Days, and be thence adjourned to some fit and convenient place at Plaister Cove, and be there held for Three Days.

Opening Polls after adjournments.

II. And be it enacted, That the Poll when so adjourned as hereinbefore directed, from one place to another, shall be opened at the next place of adjournment, on the day next but one after the last day hereby limited for the continuance of the Poll, at the place where the same shall be then last held, except in cases where the time of opening such Poll at any such place of adjournment shall have been hereinbefore specifically designated and appointed, and in all cases where the day hereinbefore or hereby appointed for the opening of the Poll at any place of adjournment shall happen to fall on Sunday, Christmas Day, or Good Friday, then the said Poll shall be opened on the Monday following, or the day after such Christmas Day, or Good Friday.

Closing of Polls by Proclamation or consent for adjournment, or finally.

III. And be it enacted, That if any Poll shall be sooner closed by Proclamation, or by consent of Candidates agreeably to Law, at any place, either finally or for adjournment to some other place, nothing herein contained shall extend, or be construed to extend, to require the Poll to be kept open the whole number of days hereinbefore limited for the place at which it shall be so sooner closed by Proclamation or Consent, as aforesaid.

Final closing of Polls by consent of Candidates.

IV. And be it enacted, That if the Poll at any Election shall be finally closed by consent of Candidates, agreeably to Law, at any place from whence it is hereby directed to be adjourned to some other place or places, it shall not be necessary to make any such adjournment, but such Poll shall finally close, though it may not then be at the last place herein named for holding the same.

Proviso.

V. Provided always, and be it enacted, That whenever by this Act any Poll shall be directed to be adjourned from the place where it shall be first opened to any other place or places, it shall be imperative upon the Sheriff, or other officer holding such Poll, so to adjourn the same, without the application of any Candidate or Candidates at such Election; and when and at the same time the Sheriff or other Officer shall give notice of opening such Election, as by Law directed, at the first place of Polling, he shall also give notice by putting up advertisements in at least two of the most public places in each of the Townships or Settlements to which such Poll is hereby directed to be adjourned, of the day and hour on which such Poll will be opened at each of such Townships or Settlements respectively to which the Poll shall be so directed to be adjourned.

Days for holding Polls to be exclusive of Sundays, &c.

VI. And be it enacted, That whenever in this Act any number of days shall be fixed and limited for holding the Poll, or any interval between the close of the Poll at one place and its opening at any place of adjournment shall be limited, such number of days, or such interval, shall always be, and be taken and held to be, exclusive of Sundays, Christmas Days, or Good Fridays.

VII. And be it enacted, That this Act may be altered or amended by any Act or Acts to be passed during this present Session of the General Assembly.

Acts 3d, Vic., Act 6th, Vic., Act 8th, Vic., repealed.

VIII. And be it enacted, That the Act passed in the Third year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for establishing the Times and Places of holding the Polls at Elections of Representatives; also the Act passed in the same Third year of Her present Majesty's Reign, to amend the said Act; also the Act passed in the Sixth year of Her present Majesty's Reign, entitled, An Act further

further to amend the Act for establishing the Times and Places for holding the Poll at Elections of Representatives; and also the Act passed in the Eighth year of Her present Majesty's Reign, entitled, An Act in further amendment of the Act for the establishing the Times and Places for holding the Poll at Elections of Representatives, and every matter, clause, and thing, in the said several Acts contained, shall be and the same are hereby respectively repealed: *Provided always*, that the repeal of the said Acts, or any of them, shall not revive or bring into force, any Act or Acts by them, or any of them repealed, but all such Acts so repealed shall be and remain repealed in the same manner as if this Act had not passed.

CAP. LIX.

An Act to continue the Acts in amendment of the Acts for the choice of Town Officers, and Regulating of Townships.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That an Act made and passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, entitled, An Act in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships, save and except so far as the same is or may be altered or amended by the Acts hereinafter mentioned; also the Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to alter and amend the Acts in further addition to, and in amendment of, the Act for the choice of Town Officers, and regulating of Townships; also the Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to continue 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 the Act to alter and amend the same; also the Act passed in the Third Year of Her present Majesty's Reign, entitled, An Act to continue 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 the Acts to alter and amend the same, except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act to continue and amend the Acts in amendment of the Acts for the choice of Town Officers, and regulating of Townships, shall be continued, and the said several Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby respectively continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 10, Geo. 4, Act 2 Wm. 4, Act 2, Vic. Act 3, Vic. Act 8, Vic., as amended.

Continued for three years.

CAP. LX.

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

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, entitled, An Act 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, save and except the twelfth clause or section thereof, and also, except so far as the same is or may be altered or amended by the Acts hereinafter mentioned; also the Act passed in the Third

Act 2, Wm. 4, except 12th clause, Act 3, Wm. 4, Act 5, Wm. 4, continued.

Year of His said late Majesty's Reign, entitled, 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, except as altered or amended by the Act hereinafter mentioned, and also the Act passed in the Fifth Year of His said late Majesty's Reign, entitled, An Act to amend and continue the 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 in the said last mentioned Act contained shall be continued and the said Acts, except as before excepted, are hereby respectively continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXI.

An Act to continue the Acts relating to Passengers arriving in this Province.

(Passed the 28th day of February, 1846.)

Act 6, Vic., as amended, Act 7, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth Year of Her present Majesty's Reign, entitled, An Act relating to Passengers arriving in this Province, except as altered or amended by the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act relating to Passengers arriving in this Province and also the said last mentioned Act, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for three years, and thence to the end of the then next Session of the General Assembly.

CAP. LXII.

An Act to continue the Act for the Suppression of Lotteries.

(Passed the 28th day of February, 1846.)

Act 4, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the Suppression of Lotteries, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXIII.

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

(Passed the 28th day of February, 1846.)

Act 2, Wm. 4, Act 3, Wm. 4, continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to prevent the spreading of Contagious Diseases, and for the performance of Quarantine, except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the Third Year of His said late Majesty's Reign, to continue and amend the said Act, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted,

ed, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXIV.

An Act to continue the Acts in amendment of the Act relating to Highways, Roads and Bridges.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act in amendment of the Act relating to Highways, Roads and Bridges, except as altered or amended by the Act hereinafter mentioned; also, the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act to revive, continue, and alter the Act in amendment of the Act relating to Highways, Roads, and Bridges, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 4. Wm. 4, as amended, Act 8, Vic. continued.

CAP. LXV.

An Act to continue the Act to authorize the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg to make regulations for the gathering of Sea Manure in the Township of Chester.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth Year of Her present Majesty's Reign, entitled, An Act to authorize the Grand Jury and Court of General Sessions of the Peace for the County of Lunenburg, to make regulations for the gathering of Sea Manure in the Township of Chester, shall be continued, and the said Act, and every matter, clause, and thing, therein contained, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 6, Vic. continued.

CAP. LXVI.

An Act to continue the Acts to regulate the Survey of Timber and Lumber.

(Passed the 28th day of February, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to regulate the Survey of Timber and Lumber, and to repeal certain Acts now in force, and every matter, clause, and thing therein contained, save and except the eighth and ninth Clauses or Sections thereof, and also except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the Sixth Year of the Reign of Her present Majesty Queen Victoria, to continue and amend the said Act, and every matter, clause, and thing, in the said last mentioned Act contained, shall be continued, and the said Acts, except as before excepted, are hereby respectively continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 5, Wm. 4, except 8th & 9th clauses.

Act 6, Vic. continued.

CAP. LXVII.

**An Act to continue the Act to regulate certain Landings
in the County of King's County.***(Passed the 28th day of February, 1846.)*Act 5, Wm. 4, con-
tinued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to regulate certain Landings in the County of King's County, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXVIII.

**An Act to continue the Act to regulate the Public Land-
ing at Windsor.***(Passed the 28th day of February, 1846.)*Act 1, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the First Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to repeal the Act to regulate the Public Landing at Windsor, and to substitute other provisions in lieu thereof, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXIX.

**An Act to continue the Act for the better regulation of
Sable Island, in this Province.***(Passed the 28th day of February, 1846.)*Act 1, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the First Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the better regulation of Sable Island, in this Province, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXX.

**An Act to continue the Act to preserve and regulate the
Navigation of the Harbor of Antigonishe.***(Passed the 28th day of February, 1846.)*Act 8, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act to preserve and regulate the Navigation of the Harbor of Antigonishe, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXI.

An Act to continue the Act for making regulations relative to the setting of Snares for catching Moose.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for making regulations relative to the setting of Snares for catching Moose, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 6, Vic. continued.

CAP. LXXII.

An Act to continue the Act for the preservation of Moose.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the preservation of Moose, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 7, Vic. continued.

CAP. LXXIII.

An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifty-first Year of the Reign of His late Majesty King George the Third, entitled, An Act to amend an Act passed in the Twentieth Year of His Majesty's Reign, entitled, An Act for establishing a Public School in the Town of Halifax, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly. Act 51, Geo. 3rd, continued.

CAP. LXXIV.

An Act to continue the Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for setting off a part of the Township of Egerton as a separate District for the support of the Poor, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 6, Vic. continued.

CAP. LXXV.

An Act to continue the Act to extend to the Township of Egerton the Act respecting the collection of Poors' Rates of Pictou, and to amend the said Act.

(Passed the 28th day of February, 1846.)

Act 4, Vic. (with exceptions) continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to extend to the Township of Egerton the Act respecting the collection of Poors' Rates of Pictou, and to amend the said Act, except so far as the same is altered or amended by the Act passed in the Fifth Year of Her present Majesty's Reign, entitled, An Act to amend the Acts respecting the collection of Poors' Rates of Pictou and Egerton, shall be continued, and the said first mentioned Act, and every matter, clause, and thing, therein contained, except as before excepted, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXVI.

An Act to continue the Act respecting the collection of Poors' Rates of Pictou, as amended.

(Passed the 28th day of February, 1846.)

Act 6, Vic. (with exceptions) continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act respecting the collection of Poors' Rates of Pictou, except in so far as the same is altered or amended by the Act passed in the Fifth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to amend the Acts respecting the collection of Poors' Rates of Pictou and Egerton, shall be continued, and the said first mentioned Act, and every matter, clause, and thing, therein contained, except as before excepted, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXVII.

An Act to continue the Act for setting off a part of the Township of Sherbrooke, in the District of St. Mary's as a separate District for the support of the Poor.

(Passed the 28th day of February, 1846.)

Act 8, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for setting off a part of the Township of Sherbrooke, in the District of St. Mary's, as a separate District for the support of the Poor, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXVIII.

An Act to continue the Acts now in force to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the First Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, save and except so far as the same is or may be altered or amended by the Act hereinafter mentioned; and also the Act passed in the Fifth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to continue and amend the Act to regulate the Pilotage of Vessels at the Port of Sydney, in the Island of Cape Breton, and to repeal certain Acts relative thereto, shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby respectively continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 1, Wm. 4, (with exceptions) continued.

CAP. LXXIX.

An Act to continue the Act for Establishing a Harbour Master at Bridgeport, in the Island of Cape Breton.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the second year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for Establishing a Harbour Master at Bridgeport, in the Island of Cape Breton, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 2, Vic. continued.

CAP. LXXX.

An Act to continue the Act to Preserve and Regulate the Navigation of the Harbour of Pugwash.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act to Preserve and Regulate the Navigation of the Harbour of Pugwash, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly. Act 3, Wm. 4, continued.

CAP. LXXXI.

An Act to continue the Act to make provision for a Harbour Master at Spanish River, in the County of Cape Breton.*(Passed the 28th day of February, 1846.)*

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth Year of Her present Majesty's Reign entitled, An Act Act 8, Vic. continued.

Act to make provision for a Harbour Master at Spanish River, in the County of Cape Breton, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXII.

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

(Passed the 28th day of February, 1846.)

Act 3, Wm. 4.
continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the third year of the Reign of His late Majesty King William the Fourth, entitled, An Act in amendment of the Act for the settlement of the Poor in the several Townships within this Province, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. LXXXIII.

An Act to continue the Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses, in certain cases.

(Passed the 20th day of March, 1846.)

Act 7, Vic. continu-
ed.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, An Act for granting a Colonial Duty of Impost for the support of Her Majesty's Government within this Province, on Flour and Molasses, in certain cases, which Act will continue in operation until the Thirty-first day of March, in this present Year of Our Lord One Thousand Eight Hundred and Forty Six, and every matter, clause, and thing, in the said Act contained, shall remain thenceforth in operation, and be further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty Seven, and no longer.

CAP. LXXXIV.

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

(Passed the 20th day of March, 1846.)

Act 4, Wm. 4, (with
exceptions) and
Act 3, Vic. con-
tinued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the General Regulation of the Colonial Duties, which Act will continue in operation until the Thirty-first day of March, in this Year of Our Lord One Thousand Eight Hundred and Forty Six, and every matter, clause, and thing, in the said Act contained, save and except the third clause or section thereof, and also except as altered or amended by the Act hereinafter mentioned; also, the Act passed in the Eighth Year of the Reign of Her present Majesty, entitled, An Act to continue and amend the Act for the General Regulation of the Colonial Duties, which said last mentioned Act will continue in operation until

until the Thirty-first day of March, in this present Year of Our Lord One Thousand Eight Hundred and Forty Six, and every matter, clause, and thing, in the said last mentioned Act contained, shall remain thenceforth in operation, and the said Acts, except as aforesaid, are hereby further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty Seven, and no longer.

CAP. LXXXV.

An Act to continue the Act for regulating the Importation of Goods, and the Act in amendment thereof.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act passed in the Fourth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for regulating the Importation of Goods, save and except the Fourth, Twenty-fifth, Thirtieth, Thirty-Seventh, Thirty-Eighth, and Forty-Sixth clauses or sections of the said Act; and also, save and except so far as the said Act is altered or amended by the Act hereinafter mentioned; also the Act passed in the Eighth Year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act for regulating the Importation of Goods, which Acts will continue in operation until the Thirty-first day of March, in this Year of Our Lord One Thousand Eight Hundred and Forty Five, and every matter, clause, and thing, in the said Acts contained, except as before excepted, shall remain thenceforth in operation, and be further continued until the Thirty-first day of March, which will be in the Year of Our Lord One Thousand Eight Hundred and Forty Seven, and no longer.

Act 4, Vic. except 4, 24, 30, 37, 38, and 46th clauses, and except as amended, also Act 8, Vic. continued.

CAP. LXXXVI.

An Act to continue the several Acts for the prevention of Smuggling.

(Passed the 20th day of March, 1846.)

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

Act 4, Wm. 4, except as amended, also Act 5, Wm. 4, except 4th clause, and except as excepted, also Act 8, Vic. except as aforesaid, continued.

CAP. LXXXVII.

An Act to continue the Act concerning Goods Exported and for Granting Drawbacks, and the Act in amendment thereof.

(Passed the 20th day of March, 1846.)

Act 4, Wm. except as amended, also Act 8, Vic. except as aforesaid, continued.

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

CAP. LXXXVIII.

An Act to continue the Act for the Warehousing of Goods, and the Act in amendment thereof.

(Passed the 20th day of March, 1846.)

Act 4, Wm. 4, except as amended, also Act 8, Vic. except as aforesaid, continued.

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

CAP. LXXXIX.

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

(Passed the 20th day of March, 1846.)

Act 5, Vic., also Act 8, Vic. continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the Summary Trial of Actions before Justices of the Peace; and also the Act passed in the Eighth Year of Her present Majesty's Reign to

to continue and amend the said first mentioned Act, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. XC.

An Act to continue the Acts in force to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth year of the Reign of His late Majesty King George the Fourth, entitled, An Act to prevent Disorderly Riding, and to regulate the Driving of Carriages on the Streets of Halifax, or other Towns, or on the Public Roads of this Province, and for repealing certain Acts therein mentioned, except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the Fifth year of the Reign of Her present Majesty Queen Victoria, to continue and amend the said first mentioned Act, shall be continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby respectively continued for three years, and thence to the end of the then next Session of the General Assembly.

Act 4, Geo. 4, except as amended, also Act 5, Vic. except as before continued.

CAP. CXI.

An Act to continue the Act for the Inspection of Flour and Meal.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Third Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the Inspection of Flour and Meal; also the Act passed in the Fourth Year of the Reign of His said late Majesty, to amend and continue the said Act; also the Act passed in the Sixth Year of His said late Majesty's Reign, entitled, An Act to amend and continue the Acts for the Inspection of Flour and Meal, save and except so far as the said Acts may be altered or amended by the Act hereinafter mentioned; also the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, An Act to continue and amend the several Acts now in force for the Inspection of Flour and Meal, shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 3, Wm. 4, also Act 4, Wm. 4, also Act 6, Wm. 4, except as amended, also Act 7, Vic. continued.

CAP. XCII.

An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Acts in amendment thereof.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of His late Majesty King William the

Act 5, Wm. 4, except as amended, also except 8th clause thereof, also Act 6, Wm. 4, also Act 1, Vic. except as amended also Act 2, Vic. continued.

the Fourth, entitled, An Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, except as far as the same is altered or amended by the Acts hereinafter mentioned, and also except the eighth Clause or Section thereof; also the Act passed in the Sixth Year of the Reign of His said late Majesty, entitled, An Act to amend the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes; also the Act passed in the First Year of the Reign of Her present Majesty, entitled, An Act to continue the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Act in amendment thereof, except in so far as the same may be altered or amended by the Act hereinafter mentioned; also the Act passed in the Second Year of Her present Majesty's Reign, entitled, An Act to continue and further amend the Act to direct and ascertain the mode of Assessing County and District Rates, and for other purposes, and the Act in amendment thereof, shall be continued, and the said Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby severally continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. XCIII.

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

(Passed the 20th day of March, 1846.)

Act 3, Geo. 4, also Act 4 and 5, Geo. 4, also Act 9, Geo. 4, also Act 2, Wm. 4, also Act 3, Wm. 4, also Act 6, Wm. 4, also Act 2, Vic. except as amended, continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act made and passed in the Third Year of the Reign of His late Majesty King George the Fourth, entitled, An Act for consolidating and reducing into one Act all the Acts heretofore made relating to Trespasses; also, the Act passed in the Fourth and Fifth Year of His said late Majesty's Reign, to alter, amend, and continue the said Act; also, the Act made and passed in the Ninth Year of His said late Majesty's Reign, to alter and continue the said Acts; also, the Act passed in the Second Year of the Reign of His late Majesty King William the Fourth, to amend and continue the said Acts; also, the Act passed in the Third Year of the Reign of His said late Majesty King William the Fourth, entitled, An Act in further amendment of the Acts relating to Trespasses; also, the Act passed in the Sixth Year of the Reign of His said late Majesty King William the Fourth, entitled, An Act further to amend the Act relating to Trespasses; and also, the Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act in further amendment of, and additional to, the Acts relating to Trespasses, and every matter, clause, and thing, in the said Acts contained, except in so far as the provisions of the said Acts, or any of them, may be altered or amended by any other or others of the said Acts subsequent thereto, shall be continued, and the same are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

CAP. XCIV.

An Act to continue the Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams, or any other obstruction.

(Passed the 20th day of March, 1846.)

Act 1, Vic., continued.

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the First Year of Her present Majesty's Reign, entitled, An Act to prevent injuries to the Fisheries within the County of Lunenburg, by Mill Dams,

Dams, or any other obstruction, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

CAP. XCV.

An Act to continue the Act for the regulation of the Fisheries in the County of Richmond.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fourth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the regulation of the Fisheries in the County of Richmond, shall be continued, and the said Act, and every matter, clause, and thing, therein contained, are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 4, Vic. continued.

CAP. XCVI.

An Act to continue the Act for the regulation of the Fisheries of Chedabucto Bay.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the regulation of the Fisheries at Chedabucto Bay, and every matter, clause, and thing, therein contained shall be continued, and the same are hereby continued for Three Years, and thence to the end of the then next Session of the General Assembly.

Act 2, Vic. continued.

CAP. XCVII.

An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to revive the Act to amend the Act to regulate the Assize of Bread, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 5, Vic. continued.

CAP. XCVIII.

An Act to continue the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh Year of the Reign of His late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction, in Halifax, which Act will continue in operation

Act 7, Wm. 4, except as amended, also Act 2, Vic. except as amended also Act 6, Vic. continued.

operation until the Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-six, except as altered or amended by the Acts hereinafter mentioned; also, the Act passed in the Second Year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, and for Sales by Auction in Halifax, which Act will also continue in operation until the Thirty-first day of March, in this same year of our Lord One Thousand Eight Hundred and Forty-six, except as altered or amended by the Act hereinafter mentioned; and also the Act passed in the Sixth year of the Reign of Her present Majesty, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors, and Sales by Auction, in Halifax, which last mentioned Act will also continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-six, shall be continued, and the said several Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby respectively continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

CAP. XCIX.

An Act to continue the Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Sixth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread, and every matter, clause, and thing therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 6, Vic. continued.

CAP. C.

An Act to continue the Acts for granting Duties on Licenses for the Sale of Spirituous Liquors.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the Sale of Spirituous Liquors, which will continue in force until the Thirty-first day of March, in this present year of Our Lord One Thousand Eight Hundred and Forty-six, except so far as altered or amended by the Acts hereinafter mentioned; also the Act passed in the Second year of the Reign of Her present Majesty, entitled, An Act to continue and alter the Act for granting Duties on Licenses for the Sale of Spirituous Liquors, which will also remain and continue in force until the Thirty-first day of March, in this same year of Our Lord One Thousand Eight Hundred and Forty-six, except as altered or amended by the Act hereinafter mentioned; also the Act passed in the Sixth year of Her present Majesty's Reign, entitled, An Act continuing and amending the Acts for granting Duties on Licensed Houses, which will also remain and continue in force until the Thirty-first day of March, in this same year of Our Lord One Thousand Eight Hundred and Forty-six, shall be further continued, and the said Acts, and every matter, clause, and thing therein contained, except as before excepted, are hereby respectively further continued from

Act 7, Wm. 4, except as amended, also Act 2, Vic. except as amended, also Act 6, Vic. except as excepted, continued.

from the said Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-six, until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

CAP. CI.

An Act to continue the Act concerning the Support and Regulation of Light-Houses.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Eighth Year of the Reign of Her present Majesty, entitled, An Act concerning the Support and Regulation of Light Houses, which Act will continue in operation until the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-six, and every matter, clause, and thing, in the said Act contained, shall remain thenceforth in operation, and the same are hereby further continued until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-seven, and no longer.

Act 8, Vic. continued.

CAP. CII.

An Act to continue the several Acts to provide for the Accommodation and Billetting of Her Majesty's Troops or of the Militia, when on their march from one part of the Province to another.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Forty-eighth Year of the Reign of His late Majesty King George the Third, entitled, An Act to provide for the Accommodation and 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 addition to and amendment thereof, and every matter, clause, and thing, in the said Acts contained, except so far as the same may be altered or amended by the Act hereinafter mentioned; and also the Act passed in the Sixth year of the Reign of Her present Majesty Queen Victoria, to continue and amend the said Acts, and every matter, clause, and thing, therein contained, shall be continued, and the same, except as before excepted, are hereby respectively continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 48, Wm. 3, also Acts 51 and 53, except as amended also Act 6, Vic. except as excepted, continued.

CAP. CIII.

An Act to continue the Act to prevent damage to the Nets of Fishermen by Coasting Vessels.

(Passed the 20th day of March, 1846.)

BE it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, entitled, An Act to prevent damage to the Nets of Fishermen by Coasting Vessels, and every matter, clause, and thing, therein contained, shall be continued, and the same are hereby continued for One Year, and thence to the end of the then next Session of the General Assembly.

Act 5, Wm. 4, continued.

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OF THE
Province of Nova-Scotia.

ANNO NONO VICTORIÆ REGINÆ.

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