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**ACTS**

**OF**

**THE GENERAL ASSEMBLY**

**OF THE**

**PROVINCE OF NOVA-SCOTIA.**

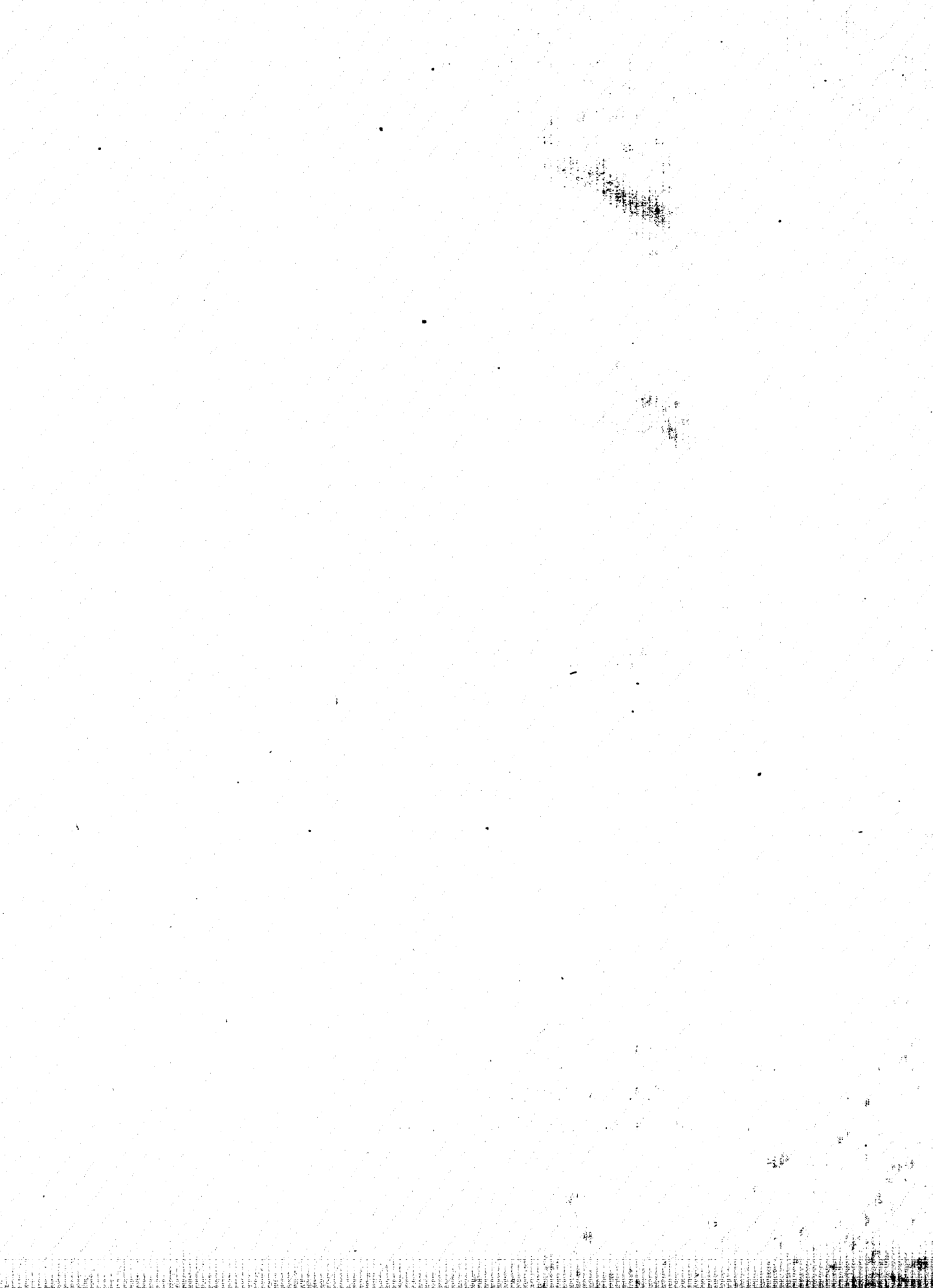
**1845.**

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**HALIFAX:**

**PRINTED BY JOHN H. CROSSKILL,**

**PRINTER TO THE QUEEN'S MOST EXCELLENT MAJESTY.**



# TABLE

OF

## ACTS OF THE GENERAL ASSEMBLY

OF THE

Province of Nova-Scotia.

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ANNO OCTAVO VICTORIÆ REGINÆ.

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At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday, the Thirtieth day of January, 1845, in the Eighth 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 Third 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 to amend the Act for the regulation of Juries.

(Passed the 5th day of March, A. D. 1845.)

**WHEREAS** it has been found that the present List of persons qualified to serve as Grand Jurors in and for the County of Halifax is defective, from excluding a large number of persons who are duly qualified to serve as such, and that the said List requires to be amended: Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly;* That at the General Sessions of the Peace to be holden in said County of Halifax, in March Term, in this present year, there shall be selected by the Justices of the Peace at the said General Sessions five of their number, three residing in the City of Halifax, and two in other Districts or Townships in said County, who shall be duly sworn to the faithful and impartial discharge of their duties, and who shall, together with the Sheriff of said County, from the Books of Assessment in and for said City and County, and all other Public Documents, (said Sheriff and Justices to have free access to the same for such purposes,) forthwith prepare Lists of all persons duly qualified under and by virtue of the Acts of this Province to serve as Grand Jurors in said County, and living within fifteen miles of the City of Halifax, and return the same on or before the Twentieth day of March, in this present year, to the Office of the Prothonotary of the Supreme Court; and that on such Lists being returned, the said Prothonotary, in the presence of the Honorable the Chief Justice, or one of the Justices of said Supreme Court, shall draw from the Box containing the names of such persons returned as aforesaid, each written on a separate slip of paper, the number of Grand Jurors now required to serve in and for said County; which Grand Jury, being so drawn as aforesaid, shall then be summoned to serve in and for said County until the time provided by Law for the drawing of the next Grand Jury in and for said County; and that the said Grand Jury, when so drawn and summoned as aforesaid, shall have and enjoy all the like powers and authority as the Grand Jury now drawn, and that all acts and proceedings by them to be had and done shall have the same force and effect as if had and done by the said Grand Jury now drawn in and for said County, to all intents and purposes whatsoever.

Justices to be selected at the Sessions who with Sheriff to prepare lists of those qualified to serve as Grand Jurors.

To be given to Prothonotary.

Prothonotary in presence of Chief Justice to draw Jurors required.

To serve until the drawing of the next Jury.

II. *And be it enacted,* That the said Justices in Session as aforesaid, shall, after such List to be posted on door of Supreme



Court, &c. for ten days. such List is prepared as aforesaid, cause a copy of such List to be plainly written out or printed with the names arranged in alphabetical order, and to be posted and published on the doors of the County Court House, or the doors of the Supreme Court in Halifax aforesaid, and to be kept there for at least ten days, and within a fortnight after the publication of such List as aforesaid shall, after due notice in the Public Newspapers of the time and place, hold a Special Sessions for the purpose of examining the said List of Grand Jurors, at which the said five Magistrates who have prepared the said List as in and by the first Section of this Act provided, together with the Sheriff, shall attend, and shall answer, upon oath, such questions as shall be put to them by the other Justices then present; and if any man not qualified or not liable to serve on said Jury as aforesaid, shall be inserted in said List, it shall be lawful for the said Justices, if satisfied from the oath of any party examined before them, or from other proof, that he is not qualified or not liable to serve as aforesaid, to strike his name out of such List; and it shall also be lawful for such Justices to insert in such List the name of any man omitted and who ought to have been 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 man included in any such List. *Provided always*, that no man's name, if omitted, shall be inserted in such List, nor shall any man's name be struck out of such List, nor shall any error or omissions in the description of any man in such List be reformed by the said Justices unless upon the application of such men respectively, or unless such men respectively shall have had notice that an application for such purpose would be made to the Justices at such Special Sessions, or unless the said Justices at such Sessions, or any two of them, shall cause notice to be given to such men respectively, requiring them to shew cause, at the same Special 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 men in such List should not be reformed; and when every such List shall be duly corrected by the Justices present at such Special Sessions, and allowed and signed by them, or three of them, they, the said Justices, shall cause one general and perfect List to be made out therefrom containing the names of all persons whose qualification shall have been so allowed as aforesaid, and the said Justices signing the same shall deliver it to the Clerk of the Peace, who shall cause two copies thereof to be made, one in a Book, to be provided for such purpose at the expense of the County, and to be kept by the said Clerk of the Peace, which Book is to be open at all times to the inspection of the public without fee or gratuity, and the other copy to be sent by him forthwith to the Prothonotary of the said Supreme Court, and that said List, after being so corrected and registered, and returned as aforesaid, shall be the List from which the Grand Jury in and for said County, and the Special Juries allowed by the Act or Acts now in force, shall be drawn thereafter.

**III. And be it enacted**, That the said Court of Sessions in and for the said County of Halifax, shall and may from time to time alter or change any one or more of the said five Justices to be appointed and sworn as aforesaid, and select others in their room, or in the place of any one or more of them; and when such change shall be made, the Justice or Justices newly selected shall be sworn as aforesaid.

**IV. And be it enacted**, That the said List of Grand Jurors to be made, corrected, registered, and returned as aforesaid, shall, once in every three years, or oftener if the said Justices in Session shall deem it expedient so to do, be reviewed by the Sheriff and five Justices to be appointed as aforesaid, and that the said new Lists shall be duly returned and published as aforesaid, and altered and amended at a Special Sessions to be held for such purpose as aforesaid, and then registered and returned in the manner and subject to all the regulations hereinbefore mentioned and directed in the second Section of this Act.

**V. And be it enacted**, That the fourth, seventh, and eighth Sections of the Act,

Sessions to examine Lists.

Names of persons not qualified to be struck out.

The omission of names to be supplied.

Errors in List to be reformed.

Proviso

A corrected List and two copies to be made.

To be kept by Clerk of Peace and Prothonotary of Supreme Court, from which Juries to be drawn.

Justices to be changed by Sessions.

List of Jurors to be reviewed every three years.

4th, 7th, and 8th of 1st Vic. not to extend to Halifax.

passed

passed in the first year of Her present Majesty's Reign, entitled, An Act for the regulation of Juries, shall be held and are hereby declared not to extend to the County of Halifax.

VI. *And be it enacted*, That this Act shall continue and be in force for two years, and thence to the end of the then next Session of the General Assembly. To continue 2 years.

## CAP. II.

# An Act to regulate the issuing of Commissions, and the taking of Depositions in the Supreme Court.

(Passed the 5th day of March, A. D. 1845.)

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That in all Civil Causes pending in the Supreme Court of this Province, in which either party shall be desirous to take the depositions of witnesses residing out of this Province, to be read as evidence in such causes, it shall and may be lawful for the Judges of said Court, or any of them, upon sufficient cause being shewn by affidavit on behalf of the party desiring the same, to issue a Commission or Commissions, if the said Judges, or any of them, shall deem it necessary to issue more than one to either of said parties, under the Seal of said Court, for taking such depositions, in such manner and under such restrictions and regulations as the said Judges, by any rules or orders for that purpose made, shall direct and appoint, and that such depositions, so taken as aforesaid, shall be read in evidence.

Court authorized to issue Commissions to examine witnesses.

II. *And be it enacted*, That it shall and may be lawful for the Justices of the Supreme Court to appoint and Commission, under the seal of said Court, or under their Hands and Seals, or under the Hands and Seals of any two of them, in such of the Counties and Districts of this Province as the said Justices of the said Supreme Court, or any two of them, shall think proper and necessary, one or more Commissioners for taking depositions *de bene esse* of witnesses aged, infirm, or otherwise unable to travel, and of witnesses about to depart from this Province.

Commissioners for taking depositions de bene esse to be appointed.

III. *And be it enacted*, That the costs attending the issuing and taking such depositions, under such Commission or Commissions as aforesaid, under the authority of this Act, shall be regulated by rule and order of the said Supreme Court for that purpose to be made.

Costs to be regulated by the Court.

IV. *And be it enacted*, That when it shall so happen that any witness or witnesses who shall be judged necessary to be produced on the Trial of any Civil Cause depending in said Supreme Court shall be infirm, aged, or otherwise unable to travel, or when any such witness or witnesses are about to leave the Province, it shall and may be lawful for any one of the Judges of the said Supreme Court, or for any Commissioner or Commissioners, duly appointed in such behalf where the Cause is to be tried, on due notice being given to the adverse party to be present, if he see fit, to take the deposition of such infirm or aged person or persons unable to travel, or who is obliged to leave the Province: *Provided always*, that if such witness or witnesses refuse to be examined in said Cause, it shall and may be lawful for the Judges of said Court, or any of them, on sufficient cause being shewn by affidavit by the party requiring the same, to order the examination of any such witness or witnesses before any Judge, or any Commissioner or Commissioners, duly appointed for such purpose, and by the same, or any subsequent order or orders, to give all such directions touching the time, place, and manner of such examination, and all other matters and circumstances connected with such examination as may appear reasonable and just.

Depositions of persons aged, &c. to be taken.

Provido.

V. *And be it enacted*, That should any such witness or witnesses, aged, infirm, or unable to travel, or about to leave the Province as aforesaid, reside in any other County of this Province than where the Cause is to be tried as aforesaid, it shall and may be lawful for the Judges of said Court, or any of them, upon sufficient cause

Testimony of persons aged, &c. not residents of County where cause is to be tried—how to be taken.

cause being shewn on affidavit by the party requiring the same, to order the examination of such witness or witnesses, aged, infirm, or unable to travel, or about to leave the Province as aforesaid, and residing in any other County as aforesaid, before any Judge, or any Commissioner or Commissioners, duly appointed as aforesaid, by interrogatories or otherwise, and by the same, or any subsequent order or orders, to give all such directions touching the time, place, and manner of such examination, and all other matters and circumstances connected with such examination as may appear reasonable and just.

Disobedience of order deemed contempt of Court.

VI. *And be it enacted*, That when any rule or order shall be made for the examination of witnesses within the jurisdiction of the Court wherein the Action shall be depending by authority of this Act, the wilful disobedience thereof shall be deemed a contempt of Court, and proceedings may be thereupon had by Attachment, the Judges' order being made a Rule of Court before or at the time of the application for an Attachment, if in addition to the service of the Rules or Order an appointment of the time and place of attendance in obedience thereto, signed by the person or persons appointed to take the examination, or by one or more of such persons shall be also served, together with or after the service of such Rule or Order: *Provided always*, that every person whose attendance shall be so required, shall be entitled to the like Fees as by Law established as upon attendance at Trial: *Provided also*, that no person shall be compelled to produce, under any such Rule or Order, any writing or other document that he would not be compellable to produce at a Trial of the Cause.

Proviso

Commissioners shall examine witnesses.

VII. *And be it enacted*, That it shall be lawful for all and every Commissioner and Commissioners authorized to take the examination of witnesses by any Rule or Order, Writ or Commission, made or issued in pursuance of this Act; and he and they are hereby authorized and required to take all such examinations upon the oath of the witnesses, or affirmation in cases where affirmation is allowed by Law instead of oath, to be administered by the person so authorized, or by any Judge of the Court wherein the Action shall be depending; and if, upon such oath or affirmation any person making the same shall wilfully and corruptly give false evidence, every person so offending shall be deemed and taken to be guilty of perjury, and shall and may be indicted for such offence in the County wherein such evidence shall be given, or in the Supreme Court at Halifax, if the evidence be given out of said Province.

Punishment for false evidence

Costs.

VIII. *And be it enacted*, That the Costs of every Rule or Order to be made for the examination of witnesses before any Judge or Commissioner, by virtue of this Act, and of the proceeding thereupon, shall be costs in the Cause unless otherwise directed, either by the Judge making such Rule or Order, or by the Judge before whom the Cause may be tried, or by the Court.

Deposition not to be read unless witness unable to attend the Trial, &c.

IX. *And be it enacted*, That no examination or deposition to be taken by virtue of this Act, shall be read in evidence at any Trial without the consent of the party against whom the same may be offered, unless it shall appear to the satisfaction of the Judge that the examinant or deponent is beyond the jurisdiction of the Court, or dead, aged, infirm, or unable from permanent sickness, or other permanent infirmity, to attend the Trial, in all or any of which cases the examinations and depositions, certified under the hand of the Judge or Commissioners, shall and may, without proof of the signature to such Certificate, be received and read in evidence, saving all just exceptions.

Act 14 and 15, Geo. 3d, 1st Sec. of Act 31, Geo. 3d, and Act 10th, Geo. 4th, repealed.

X. *And be it enacted*, That the Act, passed in the fourteenth and fifteenth year of the Reign of His late Majesty King George the Third, entitled, "An Act for admitting depositions *de bene esse* of witnesses aged, infirm, and otherwise unable to travel, and of witnesses departing from the Province"; also, the first Section of the Act, passed in the thirty-first year of the Reign of His said late Majesty, entitled, "An Act to enable the Justices of the Supreme Court, and Justices of the Court of Common Pleas, to issue Commissions for the examining of witnesses out of the Province, and for the regulation of prisons therein"; also, the Act, passed in the tenth

tenth year of the Reign of His late Majesty King George the Fourth, entitled, "An Act in addition to the Act for admitting depositions *de bene esse* of witnesses aged, infirm, and otherwise unable to travel, and of witnesses departing from the Province" and every matter and thing therein respectively contained shall be, and the same are hereby repealed, and declared null and void to all intents and purposes whatsoever, except as to all past and pending proceedings under the said Acts, or any of them, either as regards Commissions issued, or to be issued, examinations or depositions taken, or to be taken, under or by virtue of the said Acts, or proceedings had thereunder, all which are to be as valid and effectual as if this Act had not been passed.

## CAP. III.

## 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.

(Passed the 28th day of March, 1845.)

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That upon, Continuation of Act.  
from, and after the Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-five, this Act shall come into and be in operation, and shall remain and continue in operation until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-six, and no longer.

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

III. *And be it enacted*, That all the said several Duties hereinbefore imposed, and in the said Table mentioned, shall be, and shall be held and taken to be in addition to, and over and above any Duties in, by, or under the Act of the Imperial Parliament, passed in the fifth and sixth year of the Reign of Her present Majesty Queen Victoria, entitled, An Act to amend the Laws for the regulation of the Trade of the British Possessions abroad, or any other Act or Acts of the said Imperial Parliament, in amendment of, or in addition to, or alteration of the same, now or hereafter to be passed, imposed, levied, collected, charged, or payable upon the several articles in such Table respectively mentioned, contained, or referred to. Duties to be additional to those imposed by Imperial Act 5 and 6, Vic.

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

Salted Beef and Pork  
shipped as Stores  
to be free of duty.

Proviso.

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

The words "duty  
free" exempt from  
Colonial Duties.

VI. *And be it enacted*, That the several and respective Goods, Wares and Merchandize, mentioned in the said Table, and against or opposite to which the words "duty free" are inserted in the said Table, shall respectively be held free of any Colonial Duties by this Act imposed.

Duties on Goods de-  
relict and wrecked.

VII. *And be it enacted*, That all Goods derelict, *floatsam jetsam*, and wrecked, brought or coming into this Province, shall at all times be subject to the same Duty as Goods of the like kind imported into this Province are respectively subject unto: *Provided always*, that if any such Goods be of such sorts as are entitled to allowance for damage, such allowance shall be made under such regulations and conditions as the Board of Revenue shall from time to time direct: *And provided also*, that all such Goods as cannot be sold for the amount of Duty thereon, shall be delivered over to the person entitled to receive the same, and shall be deemed to be unenumerated Goods, and shall be liable to, and shall be charged with, duty accordingly.

Duties to be paid ac-  
cording to British  
weight and mea-  
sure.

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

Duties, how to be  
collected and ap-  
plied.

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

Goods may be ware-  
housed.

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

Goods previously  
warehoused sub-  
ject to Duties im-  
posed by this Act.

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

Drawback on Goods  
exported.

XII. *And be it enacted*, That upon the exportation from this Province of any Goods by this Act charged with Colonial Duties, there shall be allowed and granted a Drawback of the whole amount of the Colonial Duty paid or secured thereon: *Provided*, such exportation shall be in all respects conformably to the rules and regulations from time to time in force, or to be enacted, touching the allowance of drawbacks

Proviso.

drawbacks on exportation: *And provided also*, that all the requisites for obtaining such drawbacks be observed in respect of the Goods exported.

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

Drawback under former Acts.

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

Duties and Drawbacks under management of Board of Revenue.

XV. *And be it enacted*, That all the Monies arising from the Duties by this Act imposed, after deduction made of the legal allowances in respect to the collection thereof, shall be remitted and paid into the Public Treasury of the Province in Halifax, by quarterly payments, on, or as near as may be practicable, to the first day of every quarter, and shall be carried to the account of the Provincial Revenue, and be, and be deemed part of the Public Funds of this Province; and shall be paid, applied, and appropriated, to such purposes, and no others, as are or may be expressed or contained in the several Acts of the General Assembly of this Province from time to time in force.

Duties to be paid into Treasury quarterly, &c.

XVI. *And be it enacted*, That all Monies arising from the said Colonial Duties, and paid into the Public Treasury, shall from time to time be drawn by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by Warrant under his Hand and Seal, pursuant to the instructions and directions of Her Majesty, and in payment and discharge of any Monies appropriated, or to be appropriated, by any Act or Acts of the General Assembly.

To be drawn from Treasury by warrant.

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

Duties on Goods imported under former Act and penalties, how to be collected and levied.

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

Duties to be Sterling Money, and mode of reducing into Currency.

XIX. *And be it enacted*, That all such Duties when so reduced and converted into Currency, shall and may be paid and received at the Provincial Treasury, or by or to any Collector of the Colonial Revenue, in Treasury Notes of this Province, at and after the rate of Twenty Shillings for each and every One Pound Currency; in Doubloons, of full weight and fineness, at and after the rate of Four Pounds

In what monies to be paid.

Pounds, Currency; and in British Sovereigns and British Silver Coins, at and after the rate of Twenty-five Shillings, Currency, for each Sovereign, and in the like proportion for such Silver Coins: Provided, that no greater sum than Fifty Shillings, Currency, shall be tendered and received or paid in such British Silver Coins, at any one time, in discharge of such Duties as aforesaid.

Animals imported to improve breed, to be duty free.

XX. *And be it enacted*, That any animal hereby charged with Duty, which shall be imported for the purpose of improving the breed, and which shall be certified to be so imported by the President and Secretary of any Agricultural Society, shall be wholly free from any Colonial Impost Duty by this Act imposed.

Act may be altered.

XXI. *And be it enacted*, That this present Act may be altered and amended by any Act or Acts of the present Session of the General Assembly.

TABLE OF COLONIAL IMPOST DUTIES REFERRED TO IN THE FOREGOING ACT.

Table of Duties.

ARTICLES.	Colonial Duties in Sterling Monies.		
	£.	s.	d.
Anchors and Grapnels, and Anchor Palms			duty free
Apples, fresh or dried—per barrel	0	4	0
Ashes, to-wit—Pot Ashes and Pearl Ashes			duty free
Bacon—per cwt.	0	6	0
Baggage and Apparel of Passengers not intended for sale			duty free
Barley, unground			duty free
Barilla and Soda Ash			duty free
Beans			duty free
Beef, salted, of all sorts—per cwt.	0	3	0
“ fresh, brought by land or inland navigation, or otherwise imported—per cwt.	0	5	0
Biscuit or Bread—per cwt.	0	1	8
“ Fine, called Crackers or Cakes—per cwt.	0	3	4
Books prohibited to be imported into the United Kingdom			prohibited
“ Not so prohibited			duty free
Bullion, Gold or Silver			duty free
Burr Stones			duty free
Butter—per cwt.	0	4	0
Cables, of Hemp, or other vegetable substance, and of Iron			duty free
Candles, Wax, Spermaceti, or Composition—for every pound weight	0	0	3
“ of Tallow—for every pound weight	0	0	1
Carriages of Travellers, not for Merchandize, or intended to be sold			duty free
Cattle, viz—Asses and Mules			duty free
Horse, Mare, or Gelding—each	2	0	0
Neat Cattle, viz—Ox or other Neat Cattle, three years old or upwards—each	1	10	0
Cows and Cattle under three years old—each	0	10	0
Sheep—each	0	3	0
Hogs over 100 lbs. weight—each	1	0	0
“ of 100 lbs. weight and under—each	0	2	0
Chocolate or Cocoa Paste—for every pound weight	0	0	1
Coal			duty free
Cocoa, used in the manufacture of Chocolate			duty free
Coffee, Green—per cwt.	0	4	4
“ Roasted, burned, or ground, for every pound weight	0	0	2
Clocks—on all Clocks costing under 20s.	0	5	0
“ On all others	0	10	0
“ All wheels, machinery, and materials for manufacturing Clocks— —for every £100 of the value	20	0	0

Table

## TABLE OF COLONIAL IMPOST DUTIES REFERRED TO IN THE FOREGOING ACT.

ARTICLES.	Colonial Duties in Sterling Monies.		
	£	s.	d.
Corkwood			duty free
Coin, base or counterfeit			prohibited
“ Gold and Silver Coins, and British Copper Coins			duty free
Copper, viz—Copper Ore, or in pigs or bricks			duty free
“ in plates, sheets, bars or bolts, for Ship-building			duty free
“ wrought or cast, for Machinery, pure or without other metal			duty free
Copper Castings of every description, for Machinery for Mills or Steam Boats; Copper and Composition Nails and Spikes, for Ship-building			duty free
“ Old or worn, or fit only to be re-manufactured			duty free
Corn, viz—Wheat, Rye, Indian Corn, and Buckwheat, unground—Barley Meal, Rye Meal, Oat Meal, Indian Meal, Buckwheat Meal, Peas, Beans, Calavances			duty free
Cordage, tarred or untarred			duty free
Fish, viz—Fresh, salted, dried or pickled			duty free
Fish Hooks			duty free
Fish Oil, viz—Train Oil, Spermaceti Oil, Head Matter and Blubber			duty free
“ Fins and Skins, the produce of fish or creatures living in the sea, taken or caught by the crews of British Ships			duty free
“ Not taken or caught by British subjects, or the crews of British ships, or imported otherwise than from the United Kingdom, or a British Possession			duty free
Flax			duty free
Fruit, fresh, not otherwise charged with duty—for every £100 value	5	0	0
“ dried, viz—Currants and Figs—for every £100 value	10	0	0
“ “ Raisins in boxes—for every pound weight	0	0	0 <sup>1</sup> / <sub>2</sub>
“ “ Raisins in other packages—for every pound weight	0	0	0 <sup>1</sup> / <sub>4</sub>
Furniture, Working Tools, and impliments the property of Emigrants, not intended for sale			duty free
Hay and Straw—for every £100 of the value	20	0	0
Hams, smoked or dried, per cwt.	0	6	0
Hemp			duty free
Hides or pieces of Hides, raw, not tanned, cutried or dressed			duty free
Horns			duty free
Iron, viz—In bars or pigs, unwrought or pig Iron			duty free
“ Ores of Iron of all kinds			duty free
“ Castings for Mills, or Steam Engines, and for other Machinery, and cast or wrought Pipes and Tubes			duty free
“ Sheet Iron intended to be used in manufacturing Cut Nails			duty free
“ Iron Rails for Rail Roads, Boilers, Plates, and Plough Moulds			duty free
Lard—per cwt.	0	8	0
Leather—Sole Leather, including Hides and Skins partially dressed therefor—for every pound weight	0	0	1
“ Upper Leather of all sorts, including Hides and Skins partially dressed therefor—for every pound weight	0	0	2
“ Boots, Shoes, and Leather Manufactures of all sorts—for every £100 value	10	0	0
Lentils			duty free
Lime and Limestone			duty free



## TABLE OF COLONIAL IMPOST DUTIES REFERRED TO IN THE FOREGOING ACT.

ARTICLES.	Colonial Duties in Sterling Monies.		
	£.	s.	d.
Lines for the Fisheries, of all kinds	duty free		
Maps and Charts	duty free		
Machinery, or parts of Machinery, for Steam Engines or Carding Machines, or Agricultural purposes	duty free		
Manures of all kinds	duty free		
Meat, fresh—for every £100 value	10	0	0
Nets—Fishing Nets and Seins of all kinds	duty free		
Oats, unground	duty free		
Oakum	duty free		
Onions—per cwt.	0	2	6
Ores of all kinds	duty free		
Paintings	duty free		
Palm Oil	duty free		
Pears, fresh or dried—per barrel	0	4	0
Pitch	duty free		
Plate of Gold and Silver, old, and fit only to be re-manufactured	duty free		
Plants, Shrubs and Trees	duty free		
Pork, salted, of all kinds—per cwt.	0	3	0
“ fresh, brought by land or inland navigation, or otherwise—per cwt.	0	4	0
Potatoes	duty free		
Poultry of all sorts, dead—for every £100 value	10	0	0
Rags, viz—Old Rags, old Rope, Junk, and old Fishing Nets	duty free		
Rice, unground	duty free		
Rosin	duty free		
Sails or Rigging, saved from Vessels wrecked on the Coast of the Pro- vince	duty free		
Sail Cloth of all kinds, Canvas included	duty free		
Salt	duty free		
Seeds of all kinds	duty free		
Skins, Furs, Pelts or Tails, undressed	duty free		
Spirits, viz—Brandy, Gin, Rum, or other Spirituous Liquors, (save and except Rum or Spirits distilled from Molasses, Grain or Fruit,) which, by any way or method what- soever, shall be manufactured, compounded or extract- ed, distilled or made, within this Province, not exceed- ing the strength of proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of proof—the gallon	0	1	4
Rum or Spirits distilled in this Province from Molasses, Grain or Fruit, not exceeding the strength of five per cent. above proof by Sykes' Hydrometer, and so in proportion for any greater strength than the strength of five per cent. above proof—the gallon	0	0	7
Brandy, Whiskey, Geneva, Cordials, and other Spirits, except Rum, not exceeding the strength of proof by Sykes' Hydrometer, and so in proportion for any great- er strength than the strength of proof—the gallon	0	1	8
Rum, not exceeding the strength of five per cent. above proof by Sykes' Hydrometer, and so in proportion for any greater strength above the strength of five per cent. above proof—the gallon	0	1	6
Shrub or Santee—the gallon	0	1	4

## TABLE OF COLONIAL IMPOST DUTIES REFERRED TO IN THE FOREGOING ACT.

ARTICLES.	Colonial Duties in Sterling Mones.		
	£	s.	d.
Stone, unmanufactured, not otherwise charged with duty	duty free		
Sugar, viz—Of the Maple	duty free		
“ Refined—per cwt.	0	8	0
“ Crushed—per cwt.	0	6	0
“ Called Bastard Facings—per cwt.	0	4	0
“ Brown or Muscovado, not refined—per cwt.	0	2	0
Tar	duty free		
Tea, viz—Souchong, Congo, Pekoe, Bohea, Pouchong, and all other Black Teas—for every pound weight	0	0	1½
“ Gunpowder, Hyson, Young Hyson, Twankay, and other Green Teas—for every pound weight	0	0	3½
Twines and Lines used in the Fisheries	duty free		
Tobacco, manufactured, (except Snuff and Cigars)—for every pound weight	0	0	1½
“ Cigars and Snuff—for every £100 of the value	15	0	0
“ Unmanufactured	duty free		
Tongues of Cattle, dried or pickled—per cwt.	0	6	0
Tow	duty free		
Turpentine	duty free		
Whale, Fin or Bone	duty free		
Wines, viz—Hock, Constantia, Malmsey, Tokay, Champagne, Bur- gundy, Hermitage, Claret, called Lafitte, Latour, Margeaux, or Hautbrian—the gallon	0	3	0
Madeira and Port—the gallon	0	2	6
Sherry Wine, of which the first cost is £20 per pipe, or upwards—the gallon	0	2	6
Other Claret Wines, Barsac, Sautern, Vin de Grave, Moselle, and other French Wines, and Lisbon and German Wines—the gallon	0	1	3
All other Sherry Wines, Teneriffe, Marsala, Sicilian, Malaga, Fayal, and all other Wines—the gallon	0	1	3
All Wines, the produce of the Cape of Good Hope, ex- cept Constantia—the gallon	0	1	3
Wood, viz—Of all sorts, (except the manufactures of wood next here- after enumerated.)	duty free		
“ Manufactures of, viz—Chairs, Tables, and other House- hold Furniture and Utensils, Carriages of all sorts, Carts, Waggon, Cabinet Maker's work, Carpenter's work, and Wheelwright's work of all kinds—for every £100 of the value	10	0	0
All other Goods, Wares and Merchandize, not otherwise charged with duty, and not herein declared to be free of duty, (except Wheat Flour and Molasses)—for every £100 of the value	5	0	0

## CAP. IV.

## An Act for dividing the Township of Douglas into separate Districts, for the support of the Poor.

(Passed the 5th day of March, A. D. 1845.)

**WHEREAS** the Inhabitants of the Township of Douglas, in the County of Preamble.  
Hants, are desirous that the said Township shall be set off into Districts,  
for

for the purpose of more easily and efficiently providing for the Poor of said Township, which will tend much to the benefit and convenience of the said Inhabitants :

Sessions to ascertain  
number of Paupers,  
&c.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That,* at the next General Sessions of the Peace for the County of Hants, it shall and may be lawful for the Justices attending thereat, to ascertain the number of Paupers then chargeable on the Township of Douglas ; and also to ascertain the amount of Rates for the support of said Paupers, and to divide the said Township into as many Districts as to the said Justices may appear to be convenient :

To apportion ex-  
pense of Paupers.

II. *And be it enacted, That,* when and so soon as the whole charges and expenses paid for the support of the Paupers then chargeable on the said Township shall be ascertained, it shall and may be lawful for the Justices, by any order or orders of Sessions to be made at such General Sessions aforesaid, to direct and order that each separate District so made and set apart in said Township, shall bear such proportion of the whole charges and expenses of all the Paupers then chargeable on the said Township of Douglas, as to the said Justices may appear equitable and just ; and that from and after such division of said Township into Districts, the expenses of the Paupers who shall become chargeable to the said Township, shall be defrayed by the Districts in which such Paupers shall have gained a residence.

Inhabitants to ap-  
point Assessors,  
&c.

III. *And be it enacted, That,* from and after the time when this Act shall come into effect, it shall and may be lawful for the Inhabitants residing in each of the said Districts so set apart, to hold a Public Meeting in some central and convenient place, on the first Monday in April, and the first Monday in November, in each and every year, during the continuance of this Act, and then to appoint two Assessors of Poor Rates for each of the said Districts, and one Freeholder, who shall act as Collector of Poor Rates, and who shall pay the monies by him collected to the Overseers of the Poor for said District ; and that at such Public Meetings the said Inhabitants shall vote such sum of money as may be required for the support of the Poor of said District.

Grand Jury to nomi-  
nate Overseers,

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

Not to affect Rates,  
&c. now or grow-  
ing due.

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

To commence 1st  
October next.

VI. *And be it enacted, That* this Act shall come into operation from and after the first day of October next ensuing.

To continue 2 years.

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

#### CAP. V.

### An Act to amend the Act respecting Stray Horses and Cattle in King's County.

(Passed the 8th day of March, 1845.)

Preamble.

**WHEREAS**, the Sale of Cattle, under and by virtue of the Act, made and passed in the Third year of the Reign of His late Majesty King William the Fourth, entitled, An Act respecting Stray Horses and Cattle in the County of King's County, and for enabling the Owners thereof to discover the same, during the period of the year hereinafter mentioned, has been found to operate injuriously, inasmuch as during such time, a great part of the Cattle are running at large on Common Lands, and in consequence thereof the Owners are not aware of their having strayed, and the same are often sold without their knowledge—For remedy thereof:

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That here-* after no Sale of any Horse, Ox, Cow, or Cattle of any description, or of any Hog or Sheep, shall be had, or take place, under and by virtue of the provisions of the Act hereinbefore referred to and hereby amended, between the first day of May and the first day of November, in any year; but the Constable to whom any order for the sale thereof shall be directed, if there shall not be sufficient time after the receipt of such order, to advertise the same for sale on some day before the said first day of May, shall not proceed to make such Sale until at or after the said first day of November, first giving, in all such cases, the notice of the time and place thereof, prescribed in and by the said Act hereby amended.

Stray Cattle not to be sold between May and November.

## CAP. VI.

### An Act to amend the Act for determining differences by Arbitration, and to render references to Arbitration more effectual.

(Passed the 5th day of March, A. D. 1845.)

**WHEREAS** it is expedient to render references to Arbitration more effectual: Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That the power and authority of any Arbitrator or Umpire appointed by or in pursuance of any Rule of Court or Judge's Order in any action now brought, or which shall be hereafter brought, or by, or in pursuance of, any submission to reference, containing an agreement that such submission shall be made a Rule of Her Majesty's Supreme Court in this Province, shall not be revocable by any party to such reference, without the leave of the Court by which such Rule or Order shall be made, or which shall be mentioned in such submission, or by leave of a Judge; and the Arbitrator or Umpire shall and may, and is hereby required, to proceed with the reference, notwithstanding any such revocation, and to make such award, although the person making such revocation shall not afterwards attend the reference; and that the Court or any Judge thereof may, from time to time, in all cases, enlarge the term for any such Arbitrator making his award, and whether a revocation was so made therein or not.

Nomination of Arbitrators not to be revoked.

II. *And be it enacted,* That when any reference shall have been made by any Rule or Order by said Supreme Court, or by any submission containing such agreement as aforesaid, it shall be lawful for the Court by which such Rule or Order shall be made, or which shall be mentioned in such agreement, or for any Judge, by Rule or Order to be made for that purpose, to command the attendance and examination of any person to be named, or the production of any documents to be mentioned in such Rule or Order; and the disobedience to any such Rule or Order shall be deemed a contempt of Court, if in addition to the service of such Rule or Order, an appointment of the time and place of attendance in obedience thereto, signed by one at least of the Arbitrators, or by the Umpire before whom the attendance is required, shall also be served, either together with, or after the service of such Rule or Order: *Provided always,* that every person whose attendance shall be so required, shall be entitled to the like Fees as by Law established, as for and upon attendance at any Trial: *Provided also,* that the application made to such Court or Judge for such Rule or Order shall set forth the County where such Witness is residing at the time, or satisfy such Court or Judge that such person cannot be found: *Provided also,* that no person shall be compelled to produce under any such Rule or Order, any writing or other document that he would not be compelled to produce at a Trial, or to attend at more than two consecutive days, to be named in such Order.

Court to command attendance of witnesses—production of Documents &c.

Arbitrators to administer oath to witnesses where the submission is under Rule of Court.

III. *And be it enacted,* That when in any Rule or Order of reference or in any submission to Arbitration, containing an agreement that the submission shall be made a Rule of Court, it shall be ordered or agreed that the Witnesses upon such reference shall be examined upon oath, it shall be lawful for the Arbitrators or Umpire, or any one Arbitrator, and he or they are hereby required and authorized to administer an oath to such Witnesses, or to take their affirmation, in cases where affirmation is allowed by Law instead of oath; and if, upon such oath or affirmation, any person making the same, shall wilfully and corruptly give any false evidence, every person so offending, shall be deemed and taken to be guilty of perjury, and shall be prosecuted and punished accordingly.

In other cases oath to be administered by Justice of the Peace.

IV. *And be it enacted,* That in all other cases of submission to reference when any Witness or Witnesses may be required to be examined upon oath or affirmation, in cases where affirmation is allowed by Law, it shall and may be lawful for any one of Her Majesty's Justices of the Peace, when applied to by either party, to administer an oath to such Witness or Witnesses, or to take their affirmation, in cases where affirmation is allowed by Law, for the purpose of his or their giving evidence in such reference; and if upon such oath or affirmation, any person making the same, shall wilfully and corruptly give any false evidence, every person so offending shall be deemed and taken to be guilty of perjury, and shall be prosecuted and punished accordingly.

Fees of Arbitrators.

V. *And be it enacted,* That it shall and may be lawful for any Judge taxing the Costs of any Cause referred under any Rule or Order of the said Supreme Court, to tax and allow such reasonable Fees for the Arbitrator or Arbitrators, and Umpire, making the award, for their trouble therein, after hearing both parties thereupon, as such Judge may think right.

Continuation of Act.

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

CAP. VII.

An Act to amend the Act for dividing the Township of Pictou into separate Districts for the support of the Poor.

(Passed the 8th day of March, A. D. 1845.)

Preamble.

WHEREAS, in and by the third Section of the Act, made and passed in the seventh year of Her present Majesty's Reign, entitled, An Act for dividing the Township of Pictou into separate Districts for the support of the Poor, it is provided that the respective Inhabitants residing in the limits of the several Sections in the said third Section referred to, shall hold a Public Meeting in some central and convenient place within each of such Sections respectively, on the first Monday of November in each and every year, and then to appoint one Assessor of Poor Rates for each of such Sections respectively; *And whereas,* it has been found necessary and expedient to alter and amend the said Act, so that the said Inhabitants in each of said Sections may appoint three in place of one Assessor only, for the purposes of said Act:

Inhabitants may appoint three Assessors in place of one.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That it shall and may be lawful for the said Inhabitants of each of said Sections respectively, at any future Meeting or Meetings to be called and held as aforesaid, to appoint three in place of one Assessor, and that the said three Assessors shall possess and enjoy the like power and authority, for all purposes whatsoever, held and enjoyed by the one Assessor under and by virtue of the said Act hereby amended.

Continuation of Act.

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

## CAP. VIII.

# An Act to provide for the supervision and management of the Burial Ground near Kentville.

(Passed the 8th day of March, A. D. 1845.)

**WHEREAS**, Benjamin Peck, late of Horton, in King's County, in and by a certain Deed or Conveyance from him the said Benjamin Peck, and Mary Peck, his wife, to Joseph Barss, Junior, bearing date on or about the first day of July, in the year of Our Lord One Thousand Eight Hundred and Seventeen, did make a reservation in the words following, that is to say: "Reserving nevertheless, half an acre of Ground for a Public Burying Place, in the Grove of Oaks, on the North side of the County Road where my honored Father and Mother, and several other persons are buried, and laid out and surveyed as follows: Beginning at an Oak Post standing one rod to the Westward of a large Oak Tree marked from the said Oak Post, the Line runs Easterly, adjoining said road, twenty rods to another Oak Post marked—thence Northerly four rods to another Oak Post marked—thence Westerly twenty rods to another Oak Post marked—thence Southerly four rods to the first mentioned bounds." *And whereas* the said Burial Ground does not belong to, and is not under the control of, any denomination of Christians, and there are no persons properly authorised to take charge of the same, and in consequence thereof it is not fenced or enclosed, and the Graves and Tombstones are trampled upon and injured by Cattle running at large over them, and the ornamental Trees thereon are also often cut down and destroyed, and it is desirable that Trustees should be appointed to take charge thereof.

**I.** *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Justices at any General Sessions of the Peace held in and for King's County aforesaid, to nominate and appoint, during pleasure, three fit and proper persons, Inhabitants of said County, to be Trustees for the said Burial Ground, whose name of office shall be "The Trustees of the Burial Ground near Kentville;" and upon the death, removal, or refusal to act of any one or more of the said Trustees, from time to time, at any such General Sessions so held as aforesaid, to nominate and appoint some fit and proper person, being an Inhabitant of said County, to supply every such vacancy, and such appointment to renew whenever necessary, so that the said Trustees may always continue to be three in number, and also to remove any one or more of said Trustees upon any good and sufficient reason therefor, as to the said Justices may seem fit and proper, and his or their place to supply in manner aforesaid—which said Trustees are hereby authorised and empowered to take charge and possession of the said Burial Ground, and to fence and enclose the same, and to take such other measures as they may think proper for the protection thereof.

**II.** *And be it enacted,* That the said Trustees, in their name of office, shall have full power and lawful authority to sue and be sued, plead and be impleaded, and to commence, sue and prosecute, or cause to be commenced, sued and prosecuted, any action or actions, suit or suits at Law or in Equity, for any trespass or trespasses, or damage committed or done in or upon the said Burial Ground or any part thereof, or the appurtenances thereunto belonging, by any person or persons whomsoever.

**III.** *And be it enacted,* That the said Burial Ground shall be open and free for the interment of the dead of all classes and denominations of persons, and according to such rites and ceremonies as the friends of the deceased may think proper, subject to the directions of the said Trustees.

Preamble.

Justices at General Sessions to appoint Trustees for Burial Ground.

Vacancies—how filled up.

Trustees may sue and be sued.

Burial Ground to be open to all classes.

## CAP. IX.

## An Act to authorise the Sessions of the Peace for the County of Digby, to make regulations for the gathering of Sea Manure in the Township of Digby.

(Passed the 8th day of March, A. D. 1845.)

Justices at General Sessions to make regulations for gathering Sea Manure.

**BE it enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, it shall and may be lawful for the Justices of the Peace for the County of Digby at their General Sessions of the Peace, from time to time, to make such rules and regulations as they may deem necessary and expedient, to be observed and followed by the Inhabitants of the Township of Digby, in the said County, in collecting and taking away Eel Grass, or other Sea Manure which may from time to time be driven by the Sea and lodged upon the shores and beaches of the said Township : *Provided always*, that nothing herein contained shall extend, or be construed to extend, to take away or diminish any right, title or interest, which is now vested in any individual to any of the said shores or beaches in the said Township.**

Proviso.

Penalty for transgressing or neglecting to obey regulations

**II. And be it enacted, That if any person or persons shall transgress any such of the rules or regulations so to be made as aforesaid, or shall neglect or refuse to obey the same, such person or persons shall forfeit and pay a fine not exceeding Two Pounds for every offence, to be recovered with costs, before any one of the Justices of the Peace for the said County, in the name of the person complaining, and in like manner as debts of the same amount are by Law recovered, and to be applied one half thereof to the use of the person complaining, and the other half to the use of the poor of the District of the Township where the offence shall be committed.**

Continuation of Act.

**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.**

## CAP. X.

## An Act in relation to Trials of Summary Causes in the Supreme Court.

(Passed the 8th day of March, A. D. 1845.)

Actions for recovery of debts between £5 and £20 to be brought in Supreme Court.

**BE it enacted, by the Lieutenant-Governor, Council and Assembly, That all Actions for the recovery of any debt between Five Pounds and Twenty Pounds, shall be brought in the Supreme Court within this Province, which said Court is empowered to try the same in a Summary way by witnesses, to examine the merits of such causes, and to make up Judgment accordingly : *Provided always*, that when either of the parties shall desire it, the Court shall order a Jury to try the same.**

Proviso.

**II. And be it enacted, That the Fees to be hereafter received in the said Supreme Court, in all Causes between Five Pounds and Ten Pounds, shall be as follows :**

Attornies' Fees

## ATTORNIES' FEES.

On Writ—Five Shillings.  
 Trial and Judgment—Four Shillings.  
 Subpœna—One Shilling.  
 Execution—Two Shillings and Six Pence.

Prothonotary's Fees.

## PROTHONOTARY'S FEES.

On Writ—One Shilling.  
 On Judgment—One Shilling and Six Pence.

III. *And be it enacted*, That all Actions for the recovery of any debt between Five Pounds and Twenty Pounds heretofore brought in the Supreme Court, according to the forms in use therein, and all Judgments given thereon shall be, and the same are hereby confirmed and made valid and binding, for all intents and purposes whatsoever.

Proceedings heretofore taken confirmed.

*And whereas* the present mode of Trial by Jury of Actions for small sums depending in the Supreme Court is attended with unnecessary formality and expense—for remedy thereof:

IV. *Be it enacted*, That in all Actions for the recovery of any debt between Five Pounds and Twenty Pounds which shall be brought in the Supreme Court in this Province in a Summary manner, and in all Causes brought up to such Supreme Court in any way, whether by Appeal or Certiorari, or otherwise, from any Court of Inferior Jurisdiction, wherein a Jury shall, at the instance of either party, or by direction of the Court, be ordered to try the same, it shall not be necessary to file any Declaration or Plea therein; but every such Cause shall be proceeded in and tried by such Jury, to be empanelled immediately, or as soon thereafter as practicable, upon the Summary Statement of the Cause of Action set out in the Plaintiff's Writ, and the Defendant shall in every case be allowed to give any special matter in evidence by way of defence to such Action, that could and might have been pleaded and given in evidence in case a Declaration had been duly filed and Pleas pleaded therein.

Trials by Jury to be had without pleadings.

V. *And be it enacted*, That no other or greater Attornies' Fees shall be taxed or allowed in any such Action, so tried by a Jury, than the Fees now by Law taxable in every such Cause respectively when the same shall not have been so tried by a Jury, together with a reasonable Counsel Fee, in proportion to the nature of the case to be taxed and allowed, but not in any case to exceed the sum of Three Pounds and Ten Shillings.

Fees of Attorney & Counsel.

VI. *Provided always, and be it enacted*, That nothing in this Act contained shall extend, or be construed or held to extend in any way or manner whatsoever, to repeal or alter the Acts of the General Assembly now in force relating to or in any way touching or concerning the Summary Trials of Actions before Justices of the Peace, or the Mayor's or City Court at Halifax, or any part thereof, or to abrogate or limit the powers and authority of such Justices of the Peace, and the said Mayor's or City Court at Halifax, under or by virtue of the said Acts, or any of them.

Not to affect Acts relative to Trials before Justices, &c

VII. *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. XI.

### An Act to make regulations to prevent Geese going at large.

(Passed the 5th day of March, A. D. 1845.)

**WHEREAS** much injury is done to property by Geese running at large, and it is desirable that a summary remedy therefor should be provided: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly*, That it shall and may be lawful for the Justices in their General Sessions of the Peace for any County of this Province, to make such rules, orders, and regulations, respecting Geese going at large, and for preventing their going at large in the said County, as shall or may from time to time be considered necessary and proper, and the said rules, orders, and regulations at any General Sessions of the Peace from time to time to alter, vary, and change, and also, if they shall think proper so to do, to affix any penalty for breach of such respective rules, orders, and regulations, not exceeding Twenty Shillings: Justices to prevent Geese going at large and affix penalties therefor.



Penalties how to be recovered.

II. *And be it enacted*, That any penalty by said rules, orders, or regulations imposed for breach thereof, shall be recovered in the name of the party complaining before any Justice of the Peace for the County wherein the offence shall be committed, and if, upon due conviction upon the oath of one or more credible witness or witnesses, the party offending shall not pay the penalty adjudged, it shall and may be lawful to and for such Justice to issue his Warrant of Distress for the amount thereof, with costs, to be levied from the Goods and Chattels of such person so offending, one half of such penalty to be applied to the use of the party prosecuting for the same, and the other half to the use of the Poor of the Township or Settlement wherein the same shall be levied.

To continue 3 years.

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.

## CAP. XII.

# An Act further in relation to the Acts for affording relief to Poor Settlers.

(Passed the 5th day of March, A. D. 1845.)

Preamble

**WHEREAS**, from the advanced season of the year at which the Act, passed in the Seventh year of Her present Majesty's Reign, entitled, An Act to repeal certain Acts to afford relief to the Poor Settlers in this Province, and to authorise the liquidation of the Monies received thereunder, by labor on the Roads, was published and generally known throughout the Province, the provisions thereof have been but partially carried out, and it is therefore expedient that the same should be extended for a further space of time :

Act 7th, Vic. to relieve poor settlers continued.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That all and singular the provisions of the said hereinbefore recited Act, shall remain and be in full force during the present year, in the same manner and to the same extent, in every respect, as they were during the last preceding year; and all sum and sums of Money, Promissory Notes, or other Securities, in and by the said Act directed to be sued for, recovered, applied, and laid out, liquidated, satisfied, paid off and discharged, whether by labor or otherwise, as therein mentioned, shall and may be sued for, recovered, applied, and laid out, liquidated, satisfied, paid off, and discharged, in the same manner, and by the same ways and means, and under the same superintendence and direction, and within the same periods respectively during the present year, to all intents and purposes as the same could and might have been done during the said last year.

*And whereas*, in some of the Counties of this Province, correct and satisfactory returns of Monies paid out under by virtue of the Act, passed in the Seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act to afford relief to the Poor Settlers in this Province, have not been made, and a considerable amount of such Monies so paid out, remains and is wholly unaccounted for :

Comms. to be appointed to demand statements of monies loaned.

II. *Be it enacted*, That it shall and may be lawful for His Excellency the Lieutenant-Governor, by and with the advice of the Executive Council, to nominate and appoint in each County in this Province, where it may be found necessary, and to which any such Monies shall have been loaned under the said Act, one or more Commissioner or Commissioners, who shall be invested with full power and authority to call upon and require all and every person and persons in their several Counties respectively, who may have received any portion of the said Monies to be by him or them loaned out to individuals, by virtue of the said Act, to render to him or them a full and perfect statement of the amount of the Monies so received; and a detailed account of the manner in which the same was distributed—which statement

ment and account every such person and persons is and are hereby required and directed to furnish to such Commissioner or Commissioners; and also at the same time to hand over to such Commissioner or Commissioners all securities for the repayment of any such Monies then in his or their hands, and also all Monies by him or them received and then held in repayment of any such Loan—all which said Monies and Securities for Monies, shall be sued for, recovered, applied, and laid out, liquidated, satisfied, paid off, and discharged respectively, as all other such Monies and Securities for Monies respectively are in and by the said Act, passed in the Seventh year of Her present Majesty's Reign, or by this Act directed, to be sued for, recovered, applied, and laid out, liquidated, satisfied, paid off and discharged.

## CAP. XIII.

## An Act to authorise the Sale of the Old Presbyterian Meeting House at River John, in the County of Pictou.

(Passed the 8th day of March, A. D. 1845).

**WHEREAS**, in consequence of the increase of the Congregation connected with the Presbyterian Church at River John, in the County of Pictou, and the decayed state of the Old Meeting House in which such Congregation were accustomed to assemble, it has been found necessary to erect a New Meeting House for their more comfortable accommodation; and the same has been so far completed as to admit of the celebration of Divine Worship therein, and is now used for that purpose; and in consequence thereof, the said Old Meeting House has been rendered useless and unnecessary, and the said Congregation are desirous that the same should be sold, by and under the directions of the persons hereinafter named, being the Commissioners for the erection of the said New Meeting House, and the proceeds thereof applied as hereinafter directed:

**I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That Robert Patterson and Alexander McKenzie, the Commissioners appointed for the purpose aforesaid, shall be, and they are hereby invested with full power and authority to make sale, and dispose of the said Old Presbyterian Meeting House at River John aforesaid, and the materials whereof it is built, at Public Auction, to the highest and best bidder, having previously thereto given thirty days' public notice of the time and place of making such Sale; and the purchaser or purchasers at such Sale shall be deemed and taken to be the true and lawful owner or owners of such Old Meeting House and materials, and shall be liable to pay to the said Commissioners the price or purchase money therefor, and shall be bound to remove the same from off the premises whereon it stands, within ten days after notice to that effect given to him, her or them, by the said Commissioners.**

**II. And be it enacted,** That the proceeds of such sale shall, after payment for any reasonable and necessary expenses attending the same, be paid, laid out, and expended by the said Commissioners, in and about the further completion of the said new Meeting House.

Preamble.

Comrs. appointed to sell old Meeting House.

Proceeds to be laid out on New Meeting House.

## CAP. XIV.

## An Act to postpone the next Sittings of the Supreme Court at Halifax, and on the Western Circuit.

(Passed the 28th day of March, A. D. 1845.)

**WHEREAS** it is expedient to alter the times by Law established for the next ensuing Sittings of the Supreme Court at the several places hereinafter mentioned, so far as relates to such Sittings during the present year:

Preamble.

I.

Supreme Court to be held.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That, in this present year, the respective Terms or Sittings of the said Supreme Court hereafter next ensuing, shall be held at the several places hereinafter mentioned, at the respective times following, that is to say :*

Halifax

At Halifax, in the County of Halifax, on the Fourth Tuesday of April instead of the First Tuesday of April, in this present year.

Windsor.

At Windsor, in the County of Hants, on the First Tuesday of May instead of the last Tuesday of April, in this present year.

Kentville.

At Kentville, in the County of King's County, on the Second Tuesday of May instead of the First Tuesday of May, in this present year.

Annapolis.

At Annapolis, in the County of Annapolis, on the Third Tuesday of May instead of the Second Tuesday of May, in this present year.

Digby

At Digby, in the County of Digby, on the Fourth Tuesday of May instead of the Third Tuesday of May, in this present year.

Writs, &c. when returnable.

II. *And be it enacted, That all Writs, Process, Recognizances, Complaints, or other Proceedings whatsoever, which are now or shall be made returnable to the Supreme Court, at Halifax, and in the said several respective Counties in this Province hereinafter 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 next Terms or Sittings of the said Supreme Court at the said respective places hereinbefore mentioned; and all Parties, Witnesses, Officers, and persons who are 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, 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.*

#### CAP. XV.

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

(Passed the 28th day of March, A. D. 1845.)

Act 4, Wm. 4, continued, except 4th, 25th, 36th, 37th, 38th, 40th sections and except as altered by this Act.

**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, which Act will continue in operation until the Thirty-first day of March, in the year of Our Lord One Thousand Eight Hundred and Forty-five, and every matter, clause and thing, in the said contained, 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 this present 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-six, and no longer.**

Bond to be dispensed with when goods are Warehoused, and Bond is given at the Custom House.

II. *And be it enacted, That, whenever during the continuance of the said Act, the Importer of any Goods shall think proper to make entry thereof for Warehouse, as provided by the Fifth Section of the said Act, and it shall appear by the certificate of the proper Officer or Officers of the Customs that the same Goods have been duly entered at the Custom House to be Warehoused, and Bond given therefor as required by the provisions of any Imperial Statute, then, and in every such case, the Bond for Warehousing the said Goods, required by the said Fifth Section to be entered into by the Importer shall be dispensed with, and the Landing Permit shall be granted for such Goods, and shall specify that security for the due Warehousing thereof hath been certified to have been given at the Custom House.*

III.

III. *And be it enacted*, That, if on the first entry of any Goods subject to Colonial Impost Duties, or on entry thereof from the Warehouse for Home use, the Colonial Impost Duties thereon to be ascertained as in and by the said Act hereby continued and amended, or by this Act is provided, shall not exceed the sum of Thirty Pounds, then the said Duties shall be paid down by the Importer or person making the entry thereof, before any Permit shall be granted for the Goods contained in such entry; but if the amount of such Colonial Duties shall exceed the sum of Thirty Pounds, then the Importer shall give Bond, with two sufficient Sureties, to be approved of by the Collector of Impost, in treble the Duties payable on such Goods, with a condition for the payment of said Duties by instalments, and in manner following, that is to say—one third part of said Duties in three months, another third part thereof in six months, and the remaining third part thereof in nine months from the date of such Bond respectively, and such Bond shall be given therefor in the manner and form prescribed by the Board of Revenue; and a Warrant of Attorney shall also then and there be executed by the same parties, and in the form by the said Board to be directed for the confession of a judgment for the amount of the said Bond, in case default should happen to be made in payment of any instalment thereof: *Provided always*, that when Goods shall have been Warehoused above one year, then the Colonial Duty, if exceeding Thirty Pounds, shall be payable one half in three months, and the other half in six months from the date of the entry from Warehouse, and the Bond shall be made accordingly.

Times and mode of  
payment of Duties.

IV. *And be it enacted*, That instead of the period of twenty days allowed by the Twenty-seventh Clause of the said Act hereby continued and amended, for the entry inwards of Goods, after the arrival of the importing Ship, there shall be allowed for such entry six days only after such arrival, and if due entry inwards be not made within the said six days, it shall and may be lawful to proceed as in and by the said Clause is directed, in the same manner as if the said period of six days had been inserted in such Clause instead of twenty days, as therein mentioned.

Proviso.

Six days allowed for  
entry of Goods af-  
ter arrival.

V. *And be it enacted*, That if any Goods which are not charged with Colonial Duties according to the number, measure, weight, or tale thereof, shall receive damage during the voyage, an abatement of such Duties shall be allowed in proportion to the damage so received—provided proof be made to the satisfaction of the Board of Revenue, or any Officer of the Colonial Revenue acting therein under their direction, that such damage was received after the Goods were shipped abroad in the Ship importing the same, and before they were landed, and provided claim to such abatement of Duties be made at the time of the first examination of such Goods.

Duty on damaged  
Goods.

VI. *And be it enacted*, That in all cases where Impost Duties imposed by any Act for granting Colonial Duties upon the Importation of Goods into this Province are charged not according to the weight, tale, guage or measure, but according to the value thereof, the Importer or his know Agent, of sufficient age and capacity, shall be required to declare on oath before the Collector of Impost, what is the Invoice price of such articles, and that he verily believes such Invoice price is the current value of the articles at the place whence the said articles were imported, and shall at the same time exhibit to the Collector the Original Invoice or Invoices of the said Goods, and shall, on oath, before such Collector, certify the same as such Original Invoice or Invoices, and that the said Invoice or Invoices contain all the Goods subject to Colonial Duty then imported by, or belonging or consigned to him, in the Ship or Vessel specified in his entry, to the best of his knowledge and belief; or if he has not and cannot procure such Original Invoice or Invoices, he shall, on oath, before such Collector, declare that he has not in his possession or under his control, and cannot procure such Original Invoice or Invoices, and shall account for the want thereof; and shall also, on such oath, declare and set forth what he believes to be the current value of such Goods at the place whence the same were imported, as near as the same can be ascertained: *Provided always*, that all such oaths shall be signed by the party who shall make the same, and that in case the Collector shall be prevented by indisposition or other necessary causes,  
from

Invoice price of  
Goods to be given  
under oath, and In-  
voice produced.

Proviso.

from being present when such entry is made, every such oath shall be administered by the Chief Clerk or authorised substitute of such Collector.

Where goods are under valued, the value to be ascertained by persons appointed by the Collector.

VII. *And be it enacted*, That, if it shall appear to the Collector of Impost or other proper Officer, upon the entry of any such Goods into this Province, whereon Colonial Impost Duties are charged not according to the weight, tale, guage or measure, but according to the value thereof as aforesaid, that such Goods have been valued below the real and true value thereof at the place whence the same were imported, or by the person making entry thereof as aforesaid, such Goods shall be examined by two competent persons, to be nominated and appointed by the Collector of Impost or other proper Officer, with whom such entry shall be made as aforesaid; and such persons shall declare on oath before such Collector or other proper Officer, what is the true and real value of such articles, and the value so declared on the oath of such persons shall be deemed to be the true and real value of such Goods, and upon which the Colonial Impost Duties imposed shall be charged and paid.

Persons making the valuation to be paid.

VIII. *And be it enacted*, That such persons so appointed and sworn as aforesaid shall, upon making such declaration as to the value of such Goods as aforesaid, be entitled to receive the sum of Ten Shillings each for every such valuation, to be paid by the Collector of Impost or other proper officer before whom such declaration shall be made as aforesaid, and charged in his accounts.

One Partner may execute Bond to bind the Firm.

IX. *And be it enacted*, That in cases where Mercantile Firms or Co-partnerships shall be required as principals to give security for Colonial Duties of Impost and Excise under any Act or Acts of this Province, the Bonds and Warrants to confess Judgments required in such cases may be made and executed by one Partner of any such Firm or Co-partnership in the name of and for himself and his Co-partners; and all Bonds and Warrants to confess Judgments so executed and made shall be as effectual to bind all the Partners of such Firm or Co-partnership, as if the same had been severally made and executed by each of the Partners.

Continuation of Act.

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

## CAP. XVI.

### An Act to continue and amend the several Acts for the prevention of Smuggling.

(Passed the 28th day of March, 1845.)

Acts 4, Wm. 4, & 5, Wm. 4, except 4th clause continued, except as altered by this Act.

**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-five, 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 Act hereinafter mentioned, or by this Act; also, the Act, passed in the Fifth year of the Reign of His said late Majesty King 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-five, 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 this Act, shall remain thenceforth in operation, and the said Acts (except as aforesaid) are hereby respectively further continued until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer.

II. *And be it enacted,* That all Vessels, Boats, Goods, and other things which shall have been or shall be hereafter seized as forfeited, under and by virtue of any Act now in force, or hereafter to be made relating to the Colonial Revenue, shall be deemed and be taken to be condemned, and may be dealt with in the same manner as directed by Law in respect to Vessels, Boats, Goods, and other things seized and condemned for breach of any such Laws, unless the person from whom such Vessels, Boats, Goods, or other things shall have been seized, or the owner of them, or some person authorized by him shall, within one Calendar Month from the day of seizing the same, give notice in writing to the person or persons seizing the same, or to the Collector or other Chief Officer of Excise at the nearest Port, that he claims, or intends to claim, such Vessel, Boats, Goods, or other things.

Property seized to be condemned unless claim made therefor within 1 month.

III. *And be it enacted,* That it shall and may be lawful for the Board of Revenue, by and out of the Government portion in the Twenty-fourth Section of the Act herein first mentioned, and hereby continued and amended, of the proceeds of all Vessels, Boats, Goods, and other things liable to forfeiture, and seized and condemned as forfeited, under any Act now in force or hereafter to be made relating to the Colonial Revenue, to grant and allow to the officer or persons making such Seizures respectively, in addition to the share to the Seizor granted by the Statute, such further gratuity, share or allowance, whether in whole or in part of such Government portion aforesaid, in recompense of the vigilance and exertion displayed by such officer or persons respectively for the prevention of Smuggling, as the said Board of Revenue shall deem reasonable under the circumstances.

Allowance to Officer making seizure.

IV. *And be it enacted,* That this Act shall come into and be in operation on, from, and after the Thirty-first day of March, in this year of Our Lord One Thousand Eight Hundred and Forty-five, and shall remain and continue in operation until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer.

Continuation of Act.

CAP. XVII.

An Act to continue and amend the Act for the general regulation of the Colonial Duties.

(Passed the 28th day of March, A. D. 1845.)

**B**E 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-five, 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 this Act, shall thenceforth remain 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-six, and no longer.

Act 4, Wm. 4, continued except 3rd clause, and except as altered by this Act.

II. *And be it enacted,* That it shall and may be lawful for the Board of Revenue, from time to time, to make such regulations as may be deemed necessary for the due and proper use of Sykes' Hydrometer, under any Act or Acts of the General Assembly now made, or hereafter to be made, relating to the Colonial Revenue; and also for directing how and in what manner the strength of any Rum or other Spirituous Liquors, to be ascertained by such Hydrometer, shall be arrived at, until such Hydrometer can be procured for the use of the several Collectors of Impost and Excise throughout this Province.

Board of Revenue to make regulations relative to the use of Hydrometer.

III. *And be it enacted,* That this Act shall come into and be in operation on, from and after Thirty-first day of March, in this year of Our Lord One Thousand Eight

Continuation of Act.

Eight Hundred and Forty-five, and shall remain and continue in operation until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer.

## CAP. XVIII.

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

(Passed the 28th day of March, A. D. 1845.)

Act 4, Wm. 4, (except as altered by this Act,) 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-five, and every matter, clause and thing, in the said Act contained, except so far as the same is altered or amended by this present 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-six, and no longer.

Where Goods charged with Colonial and Imperial Duties are Warehoused, and Bonds given at the Custom House, other Bonds dispensed with,

II. *And be it enacted*, That in every case, during the continuance of the said Act, where Goods charged with Colonial Duties, and also with Imperial Duties, being of Foreign growth, produce or manufacture, shall be Warehoused in a King's Warehouse, under or in pursuance of the regulations prescribed by any Act of the Imperial Parliament; and also, in every case where goods charged with Colonial Duties, being of British growth, produce or manufacture, shall be Warehoused in a King's Warehouse; and the owner or Importer of such Goods shall have given Bond at the Custom House for the due Warehousing of said Goods respectively, as prescribed by the said regulations, then, and in every such case, the Bond for the Colonial Duties thereon, by the Twenty-first Clause or Section of the Act hereby continued, required to be entered into, shall be wholly dispensed with, and the Bond entered into at the Custom House shall be deemed the Security for the due Warehousing of said Goods; but it shall not be lawful for any Collector or other Officer of Her Majesty's Customs to permit any Goods so Warehoused, to be taken out of the Warehouse for Home consumption; or for the Fisheries, until a Permit therefor, under the hand of the Collector of Impost, shall be produced at the Custom House, and there filed; setting forth that the Colonial Duties to which such Goods are or may be subject, have been fully paid or secured; and if any such Goods shall be removed or taken from such King's Warehouse, before such Permit shall be granted and filed at the Custom House, the same goods shall be forfeited, and the owner thereof, and the person or persons by whom the same shall be removed from Warehouse, shall be liable to a penalty of One Hundred Pounds, or five times the amount of the Colonial Duties thereon, at the election of the Board of Revenue.

Not to be taken from the Warehouse for Home Consumption or Fisheries till a Permit be produced.

Board of Revenue to appoint Warehouses.

III. *And be it enacted*, That it shall and may be lawful for the Board of Revenue in and for any Free Warehousing Port in this Province, by any order or orders of such Board from time to time to appoint such Warehouses at such Ports respectively as shall be approved of by them, for the Free Warehousing and securing of Goods therein, for the purpose of any Act or Acts relating to the Colonial Revenue, and also in any such order to declare what Goods may be so Warehoused; and also by like order or orders to revoke or alter any such appointment or declaration; *Provided always*, that every such order shall be transmitted to the Governor, Lieutenant Governor, or Commander in Chief for the time being, and shall be published in such manner as he shall direct.

Proviso.

Until order made, Warehouses heretofore used to be continued.

IV. *Provided always, and be it enacted*, That until such order or orders shall be so made and published as aforesaid, all and every the Warehouses heretofore used and now in use as Colonial Warehouses under any Act or Acts relating to the Colonial

Colonial

Colonial Revenue or otherwise, shall be deemed to have been duly appointed as Warehouses for the Free Warehousing and securing of Goods therein, for the purposes of such Acts respectively.

V. *And be it enacted*, That this Act shall come into and be in operation on, from and after the Thirty-first day of March, in this year of Our One Thousand Eight Hundred and Forty-five, and shall remain and continue in operation until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer. Continuation of Act.

### CAP. XIX.

## An Act to amend the Act concerning Duties on Liquors distilled within this Province.

(Passed the 28th day of March, A. D. 1845.)

**B**E it enacted, by the Lieutenant-Governor, Council, and Assembly, That every Distiller or Manufacturer of any Brandy, Gin, Rum, or other Spirituous Liquors within this Province, shall hereafter once in every year give bond with two sufficient Sureties, to be approved of by the Collector of Impost, in the sum of Five Hundred Pounds, with a condition for the payment of the Colonial Duties on all such Brandy, Gin, Rum, or other Spirituous Liquors as may be manufactured or distilled by him, or her or his or her Servants, within one year from and after the date of such Bond, at such times and in and by such instalments as are herein-after provided; and such Bond shall be given in the manner and form to be prescribed by the Board of Revenue, and a Warrant of Attorney shall also then and there be executed by such Distiller, and his said Sureties in the form by the said Board, to be directed for the confession of a Judgment for the amount of the said Bond in case default should happen to be made in payment of the said Duties or any Instalment thereof. Distillers to give Bond for payment of Colonial Duties on Spirituous Liquors distilled by them together with warrant to confess judgment.

II. *And be it enacted*, That if such Duties upon the weekly, or other due entry being made of the quantity of Brandy, Gin, Rum, or other Spirituous Liquors so manufactured or distilled, do not exceed Ten Pounds, then the same shall be paid down in cash, and if the said duties exceed the sum of Ten Pounds, and do not exceed the sum of Thirty Pounds, then the same shall be payable in three months from the date of such entry; and if the same shall exceed the sum of Thirty Pounds then the same shall be payable one third in three months, one third in six months, and the other third in nine months from the date of such entry. Duties when payable.

III. *And be it enacted*, That the Board of Revenue shall employ such number of fit and proper Officers as shall be necessary for attending on such Distilleries and Manufactories, at all times when they are at work, so as one of such Officers shall always be present thereat; and the said Officers, under the direction of the Board of Revenue, or of the Collector of Impost nearest to the place where such Manufacture is carried on, or Distillery situate, shall be employed alternately in superintending and watching the progress of such Manufacture or Distillery, and shall report the same twice at least in every week to the said Collector. Officers to be employed to attend distilleries.

IV. *And be it enacted*, That such Officers shall be sworn by the said Collector diligently and faithfully to attend the Manufactories or Distilleries to which they may from time to time be appointed, and to report to the said Collector truly and honestly, to the best of their knowledge and belief, respectively, all such quantities of Brandy, Gin, Rum, and other Spirituous Liquors as shall be Manufactured or Distilled thereat, and to use their utmost exertion and diligence in preventing any violation or evasion of the Act whereof this Act is an amendment, or of the provisions of this Act, or any other of the Acts now or hereafter to be in force for the protection of the Provincial Revenue. Officers to be sworn and to report quantities distilled.

V. *And be it enacted*, That the said Officers while actually employed in pursuance Rate of payment to Officer.



pursuance of this Act, shall be respectively entitled to receive on the certificate of the Board of Revenue, at and after the rate of Five Shillings for each and every day during which such Officers respectively shall be actually employed as aforesaid, and that any one of such Officers who shall appear to have been absent while the Manufactory or Distillery to which he was so appointed was at work, or to have connived in any way at the violation of the aforesaid Acts, shall be forthwith dismissed from his said employment, and shall be subject to a fine of Ten Pounds, to be sued for and recovered by the Collector of Impost before any two Justices of the Peace, and to be applied in such way as the Board of Revenue may from time to time direct and appoint.

Penalty for neglect of duty.

Board of Revenue to regulate attendance of Officers & times at which distilleries may work.

VI. *And be it enacted*, That it shall be lawful for the Board of Revenue to make, alter, and renew such regulations from time to time as to them shall seem expedient for regulating the attendance of such Officers, and the seasons of the year and hours at which such Distilleries and Manufactories shall be allowed to be at work, and for carrying into effect the provisions of the aforesaid Acts, or of this Act, so as to check and prevent any frauds in receiving or enforcing the collection of Duties on Spirituous Liquors distilled in this Province.

Distillers to comply with such regulations.

VII. *And be it enacted*, That all such Manufacturers or Distillers shall in all things comply with and observe such regulations as may from time to time be made as aforesaid, and shall give free access to such Officers whenever such Manufactory or Distillery is at work, or such Officers, or any of them, as shall think it necessary to enter into and inspect the same by day or by night; and any such Manufacturer or Distiller neglecting or refusing to obey such regulations or impeding such Officers, or any of them, in the execution of their duty, shall be subject for every such neglect or refusal, or impeding of such Officer, to a fine of Ten Pounds, to be sued for and recovered by the Collector of Impost before any two Justices of the Peace, and to be applied in such ways as the Board of Revenue may from time to time direct and appoint.

Penalty for non-compliance.

Continuation of Act.

VIII. *And be it enacted*, That this Act shall come into operation on, from and after the Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-five, and shall remain and be in operation until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-six, and no longer.

## CAP. XX.

### 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 28th day of March, A. D. 1845.)

Act 7th, Vict. con.

**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-five, 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-six, and no longer.

## CAP. XXI.

**An Act to continue and amend the Act concerning Goods exported, and for granting Drawbacks.***(Passed the 28th day of March, A. D. 1845.)*

**B**E 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 year of our Lord One Thousand Eight Hundred and Forty-five, and every matter, clause and thing, in the said Act contained save, and except the Second and Thirty-first clauses or sections of the said Act, and also save and except so far as the same is or may be altered or amended by this Act, shall thenceforth remain 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-six, and no longer.

II. *And be it enacted*, That whenever any Goods shall have been Warehoused at the Custom House, and Bonds given therefor, and the Bond for the Warehousing of the said Goods, required under the fifth section of 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, shall have been dispensed with under the second section of the Act, passed in the present Session of the General Assembly, entitled, An Act to continue and amend the Act for regulating the Importation of Goods, then, and in such case, if, upon the entry outwards of any such Goods, it shall be made appear by the Certificate of the proper Officer or Officers of the Customs that such Goods have been duly entered outwards and Bonds given at the Custom House for exportation thereof, as required by the provisions of any Statute of the Imperial Parliament, then, in every such case, the Bond required by the seventh section of the Act hereby continued and amended shall be dispensed with, and the Shipping Permit shall be granted for such Goods, and shall specify that security for the due exportation thereof hath been certified to have been given at the Custom House.

III. *And be it enacted*, That it shall and may be lawful for the Board of Revenue from time to time to make such rules and regulations as they may deem necessary, to be observed with regard to the exportation of any Rum or any other Spirituous Liquors on which a Drawback of Duties shall be claimed, and for ascertaining the strength of any such Rum, or other Spirituous Liquors, in order to the allowance of the proper Drawbacks thereon, and in order to guard against any fraud in relation to the strength of such Rum, or other Spirituous Liquors, and the proper Drawback thereon.

IV. *And be it enacted*, That this Act shall come into and be in operation on, from, and after the Thirty-first day of March, in this present year of our Lord One Thousand Eight Hundred and Forty-five, and shall remain and be in operation until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-six, and no longer.

Act 4, Wm. 4, (except 2d & 31st sections as herein altered) continued.

Bonds dispensed with when Goods are Warehoused and Bonds given at Custom House.

Board of Revenue to regulate exportation of Spirituous Liquors.

Continuation of Act.

## CAP. XXII.

**An Act concerning the Support and Regulation of Light Houses.***(Passed the 14th day of April, A. D. 1845.)*

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That after this Act shall come into operation, every Ship or Vessel registered in this Province, shall, when first cleared at any Custom House in this Province, pay to the Collector

Ships registered in this Province to pay a Duty of 6d. per ton, when first cleared at Custom House.

Collector or Sub-Collector of Her Majesty's Customs, a Duty of Six Pence, Currency, per ton, for each and every Ton of the Registered Burthen of such Ship or Vessel, and on receipt of such payment the Collector or Sub-Collector of Her Majesty's Customs, at the Port where such Ship or Vessel shall so clear, shall deliver to the Master of such Ship or Vessel a Certificate that all Light Duty has been paid, and such Ship or Vessel shall be exempt from any further payment to the Thirty-first day of March following the date of such Certificate: *Provided always*, that nothing in this Act contained shall be held to compel the Owner or Master of any New Vessel departing out of this Province intended for Sale, and on her First Voyage, to pay any of the Duties charged in this Act, unless the said Vessel shall again enter into this Province.

Proviso.

Other ships coming into this Province to pay 6d per ton at the port where such vessel shall arrive.

II. *And be it enacted*, That hereafter every other Ship or Vessel coming into any Port or Place in this Province, from any Port or Place out of this Province, shall pay a Duty of Six Pence, Currency, per ton, for each and every ton of the Registered Burthen of such Ship or Vessel, to the Collector or Sub-Collector of Her Majesty's Customs at the Port or Place in this Province where such Ship or Vessel shall arrive, at the time of Entry of such Ship or Vessel, and be entitled to a Certificate as aforesaid, and the exemption aforesaid.

Duty to be paid to Collector of Impost in absence of Collector of Customs.

III. *And be it enacted*, That in any Port, Place, or District where no such Collector or Sub-Collector of Customs is or may be appointed, then the Duties by this Act imposed shall be, and the same are hereby declared to be payable, and shall be paid to the Collector of Impost and Excise for the said Port, Place or District, who is hereby authorised, empowered, and directed to demand and receive the same.

Officers now collecting Light Duty to continue to act.

IV. *Provided always, and be it enacted*, That in all cases where any Officer of Her Majesty's Customs other than the Collector or Sub-Collector at any Port, Place, or District in this Province, shall now hold the situation of Collector of Light Duty in and for such Port, Place or District, or any part or portion thereof, such Officer of the Customs shall in all cases continue to act as such Collector of Light Duties, so long as he shall continue to hold such or any other situation in the Customs at such Port, Place or District, and shall have all and the same powers, and be subject and liable to the same Rules and Regulations as any other Collector under this Act, and the Collector or Sub-Collector of the Customs at such Port, Place, or District, shall not act as Collector of Light Duties thereat, or in any way concern himself in the collection of such Light Duties, any thing hereinbefore contained to the contrary notwithstanding.

Ship not permitted to clear out till Duties paid.

V. *And be it enacted*, That no Ship or Vessel shall be permitted or suffered to clear out at the Custom House from any Port, Harbor, Out Port, or Place, in this Province, until the Master or Commander, or other person having charge or command of such Ship or Vessel shall have paid the Duties hereby imposed on such Ship or Vessel.

Persons sued may plead general issue

VI. *And be it enacted*, That if any Collector, Sub-Collector, or other person, shall be sued or prosecuted for or by reason of any thing by such Collector, Sub-Collector, or other person, done or committed under and in pursuance of this Act, it shall and may be lawful for such Collector, Sub-Collector, or other person, to plead the general issue, and to give this Act and the special matter in evidence.

Not to extend to ships of War, &c.

VII. *And be it enacted*, That nothing in this Act shall extend, or be construed to extend to any of Her Majesty's Ships of War, or Her Majesty's Packets, or to any Ship or Vessel actually engaged and employed as a Transport or Store Ship for the transport or conveyance of Her Majesty's Troops or Military Stores, or otherwise in the employment or service of Her Majesty's Government.

Amount received to be paid into the Treasury, deducting Commissions.

VIII. *And be it enacted*, That all monies collected and received under and by virtue of this Act, shall be paid by the several Collectors, Sub-Collectors, or other persons collecting and receiving the same, after deducting thereout Five Pounds *per cent* on the amount received, to be retained by the said Collectors, Sub-Collectors

lectors, or other persons respectively, as and for their commission for receiving the same, into the Treasury of this Province, to be applied as hereinafter mentioned.

IX. *And be it enacted*, That if any Master or Commander, or other person having charge or command of any Ship or Vessel coming or being in any Port, Harbor, or Place, or in the Strait of Canso in this Province, which shall be liable to pay any Duties under this Act, shall, upon the same being demanded, refuse to pay the said Duty or Duties, or shall depart from such Port, Harbor, or Place, or the Strait of Canso, in this Province, without first paying the said Duty or Duties, such Master, Commander, or other person having charge or command of any such Ship or Vessel, shall forfeit and pay over and above the said Duty or Duties, the penalty or sum of Five Pounds, to be recovered, together with the said Duty or Duties, by Bill, Complaint, or Information, at the suit of the Collector or Sub-Collector of the Customs, or in case of there being no such Collector or Sub-Collector, at the suit of the Collector of Impost and Excise, or Collector of Light Duties, in any Court of Record in this Province, or before any two of Her Majesty's Justices of the Peace—one half of such penalty to be paid to the Collector or other person who shall sue for the same, and the other half to be by him paid and applied in the like manner as the Duties hereby imposed are directed to be paid and applied.

Penalty for refusing to pay Duties.

Penalty—how recovered and applied.

X. *And be it enacted*, That if any Master or Commander, or other person having charge or command of any Ship or Vessel liable to pay any Duty or Duties under this Act, shall neglect or refuse to pay such Duty or Duties, after the same shall have been duly demanded, it shall and may be lawful for the Collector or Sub-Collector of the Customs, or if there be no such Collector or Sub-Collector, for the Collector of Impost and Excise, or Collector of Light Duties, to seize and take possession of, and detain in his custody such Ship or Vessel, until the said Duty or Duties, together with the said penalty of Five Pounds, shall be fully paid and discharged.

Vessel liable to be seized.

XI. *And be it enacted*, 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, from time to time, and so often as he shall think proper to appoint fit and proper persons to be Collectors of the Duties by this Act imposed in the Strait of Canso, and in the several Ports, Harbors, Creeks, and Rivers in this Province, and to describe the particular limits of each Collector's authority and jurisdiction, in the Commission or Commissions to be granted for that purpose: *Provided always*, that it shall not be deemed or adjudged to be necessary to make any new appointment in or for any Port, Place, or Harbor, where there shall be at the time of the passing of this Act a Collector or Sub-Collector of Her Majesty's Customs, or Collector of Impost and Excise appointed and in office; and such Collectors of Light Duties when so appointed shall have like powers under this Act with the Collectors and Sub-Collectors of Customs, and Collectors of Impost and Excise aforesaid, and shall be entitled to the sum of Seven Pounds and Ten Shillings *per cent.* of the amount collected, instead of Five Pounds *per cent.* as hereinbefore provided.

Governor and Executive Council to appoint Collectors.

Proviso.

*And whereas*, the passages to the Gulf of Saint Lawrence are rendered safe by the erection of Light Houses at the North and South entrances of the Strait of Canso, and on the Island of Saint Paul, and it is just that Vessels deriving benefit from said Lights should contribute to their support:

Preamble.

XII. *Be it enacted*, That hereafter every Ship or Vessel passing through the Straits of Canso without the Certificate aforesaid, shall pay a duty of Six Pence, Currency per ton, for each and every ton of the Registered Burthen of such Ship or Vessel, which Duty shall be paid by every Ship or Vessel liable to pay the same after entrance and before departure from said Strait of Canso, and such Ship or Vessel on such payment shall be entitled to a Certificate as aforesaid, signed by the Collector or other person to whom payment is made, and the exemption aforesaid.

Ship without certificate to pay Duty on entrance and before departure from Strait of Canso.

XIII. *And be it enacted*, That if any such Duty be demanded from any Ship or Vessel exempted on payment of annual Duty, and it shall appear that any sum had

had been paid since the First day of January in this present year of Our Lord One Thousand Eight Hundred and Forty-five, it shall be incumbent on the Collector or Sub-Collector of Her Majesty's Customs, or other person entitled to demand said Duties, on production of the Certificate of some Collector or other person now entitled to receive such dues, to deduct the amount so paid, and on receipt of the difference between the amount paid and Six Pence, Currency, per ton, to grant the Certificate aforesaid.

1st, 2nd, 3rd, 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th & 18th Clauses of Act 4, Wm. IV. also Acts 1 and 6, Vic. repealed.

XIV. *And be it enacted*, That the first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, and eighteenth Clauses of an Act, passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the Support and Regulation of Light Houses; also, an Act, passed, in the First year of the Reign of Her present Majesty Queen Victoria, in amendment of said Act; also, an Act, made and passed in the Sixth year of the Reign of Her present Majesty, in amendment of, and additional to, the said two several Acts, shall be repealed, and the said several Clauses, and the said several Acts, and every matter, clause, and thing therein contained are hereby respectively repealed.

Act 4, Wm. IV., except as hereinbefore repealed, also except as amended, to be continued.

XV. *And be it enacted*, That the Act, passed in the Fourth year of the Reign of His late Majesty King William the Fourth, entitled, An Act for the Support and Regulation of Light Houses, and every matter, clause and thing, therein contained, save and except the several Clauses or Sections thereof which are hereinbefore repealed, and also except as altered or amended by this Act, shall be continued, and the said Act, except as aforesaid, is hereby continued in full force and operation until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer.

Continuation of Act.

XVI. *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-six, and no longer.

### CAP. XXIII.

## 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 28th day of March, A. D. 1845.)

Act 7, Wm. IV and Acts 2 and 6th, except as amended to be continued.

**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, to persons resident in Halifax, which will continue in force and remain in operation until the Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-five, 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-five, except as altered or amended by the Act hereinafter mentioned; and also the Act, passed in the Sixth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Acts for granting Duties on Licenses for the sale of Spirituous Liquors, and Sales by Auction, in Halifax, which last mentioned Act will also continue in operation until the Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-five, shall be continued, and the said several Acts, and every matter, clause and

and thing, therein contained, except as before excepted, are hereby respectively continued from the said Thirty-first day of March, in this year of our Lord One Thousand Eight Hundred and Forty-five, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-six, and no longer.

## CAP. XXIV.

## An Act to continue the Acts for granting Duties on Licences for the Sale of Spirituous Liquors.

(Passed the 28th day of March, A. D. 1845.)

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the Seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act for granting Duties on Licenses for the sale of Spirituous Liquors, which will continue in force until the Thirty-first day of March in this year of our Lord One Thousand Eight Hundred and Forty-five, 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 Queen Victoria, 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-five, 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-five, 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 the said Thirty-first day of March in this year of our Lord One Thousand Eight Hundred and Forty-five, until the Thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Forty-six, and no longer.

Act 7, Wm. IV and Acts 2 and 6th, except as amended to be continued.

## CAP. XXV.

## An Act for the encouragement of Schools.

(Passed the 14th day of April, A. D. 1845.)

**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, as occasion may require, to appoint and commission five, or more fit and proper persons to be Commissioners of Schools in each and every of the Counties and Districts hereinafter named, that is to say :

Commissioners of Schools to be appointed in each County.

The County of Pictou—The Western District of the County of Halifax—The Eastern District of the County of Halifax—The District of Stirling, in the County of Colchester—The District comprising the residue of the County of Colchester—The District of Rawdon and Douglas, in the County of Hants—The District comprising the residue of the County of Hants—The County of Kings—The County of Annapolis—The County of Lunenburg—The County of Cumberland—The District of Clare—The District comprising the residue of the County of Digby—The District of Yarmouth—The District of Argyle—The District comprising the Township of Shelburne—The District comprising the Township of Barrington—The County of Queen's—The District of Saint Mary's, in the County of Guysborough—The District of Guysborough—The County of Sydney—The County of Cape-Breton—The County of Richmond—The County of Inverness :  
Provided

Provided that nothing herein contained shall be construed to supersede the authority of the Commissioners of Schools now in office, or to make necessary their re-appointment or the appointment of others in their stead.

To have the controul  
of all Schools.

II. *And be it enacted*, That the Boards of Commissioners in the respective Counties and Districts shall have the superintendance, control, and management of all Schools established, or to be established, under and by virtue of this Act, within the County or District for which they, the said Commissioners, have been or shall be appointed as aforesaid, excepting Academies.

To be removable at  
the pleasure of  
the Governor.

III. *And be it enacted*, That of every such Board of Commissioners, a majority of the whole Board shall be sufficient to form a quorum for the transaction of business; and that the Commissioners, or any of them, shall be removable, at the pleasure of the Governor, with the advice of the Executive Council, and the Governor shall also have power, with such advice, to add to their number, and to fill up vacancies occasioned by removal, death, or continued absence from the County or District for which such Commissioners have been or shall be appointed as aforesaid.

No Teacher to act as  
Commissioner.

IV. *And be it enacted*, That no person shall be competent to be appointed or to act as a Commissioner of Schools, or as Trustee of any Academy, Grammar School or Common School, who shall be a Teacher of any Academy, Grammar School or Common School, entitled to claim aid under this Act; and no person while being or acting as such Commissioner or Trustee, shall draw or receive any sum of Money under this Act as a Teacher of any Academy, Grammar School or Common School.

Commissioners re-  
sponsible for all  
monies.

V. *And be it enacted*, That the Commissioners shall be responsible for the due and faithful application of the Money to be granted and paid to and for their respective Counties or Districts, by virtue of this Act, and shall take good and sufficient security from their Clerk, for his faithful application of all sums of Money to be by him received for the purposes in this Act directed, and for the true discharge of his duty.

To send in a certifi-  
ed account and re-  
port annually.

VI. *And be it enacted*, That every Board of Commissioners shall make and return to the Governor, on or before the Thirty-first day of December in every year respectively, during the continuance of this Act, a true and correct account and report of their proceedings, and of the Monies by them received and distributed, and such other returns as may be directed from time to time by the Governor, to be certified and signed by the Clerk of said Board; and it shall also be certified by the said Commissioners, or a quorum of them, that the same is to the best of their knowledge and belief correct in every particular, and that they have distributed the Provincial Money impartially, without favor or affection to any person.

Proportion of Grant  
to be allotted to  
each County Dis-  
trict, &c.

VII. *And be it enacted*, That, from and after the first day of May, in this present year of our Lord One Thousand Eight Hundred and Forty-five, the sum of Eleven Thousand One Hundred and Seventy Pounds shall be annually granted and paid to the Governor, in aid of Schools throughout the Province, to be distributed and applied to and among the several Counties and Districts, in manner following, that is to say—For the County of Pictou, Eleven Hundred and Twenty-two Pounds.—For the Western District of the County of Halifax, Three Hundred and Eighty-nine Pounds.—For the Eastern District of the County of Halifax, Three Hundred and Eighty-nine Pounds.—For the following Schools within the City of Halifax, the respective sums following, that is to say—For the National, Acadian, Wesleyan, Catholic, and African Schools, and the School under the charge of the Reverend R. F. Uniacke, each One Hundred Pounds, and for the Infant School, and the School in connection with Saint John's Church, each Fifty Pounds.—For the District of Stirling, in the County of Colchester, One Hundred and Forty-two Pounds.—For the District comprising the residue of the County of Colchester, Four Hundred and Seventy-nine Pounds.—For the District of Rawdon and Douglas, in the County of Hants, Two Hundred and Thirty-two Pounds.

For the District comprising the residue of the County of Hants, Three Hundred and Eighty-seven Pounds.—For the County of King's, Six Hundred Pounds.—For the County of Annapolis, Six Hundred and Forty-nine Pounds.—For the County of Lunenburg, Six Hundred and Fifty-two Pounds.—For the County of Cumberland, Five Hundred and Forty Pounds.—For the District of Clare, One Hundred and Ninety-one Pounds.—For the District comprising the residue of the County of Digby, Three Hundred and Twenty-two Pounds.—For the District of Yarmouth, Two Hundred and Ninety-four Pounds. For the District of Argyle, Two Hundred and Fifteen Pounds.—For the District comprising the Township of Shelburne, One Hundred and Ninety-five Pounds.—For the District comprising the Township of Barrington, One Hundred and Ninety-five Pounds.—For the County of Queen's, Three Hundred and Ninety Pounds.—For the District of Saint Mary's, in the County of Guysborough, One Hundred and Twenty Pounds.—For the District of Guysborough, Three Hundred and Two Pounds.—For the County of Sydney, Six Hundred Pounds. For the County of Cape-Breton, Eight Hundred and Fifty-five Pounds.—For the County of Richmond, Four Hundred and Thirty-three Pounds.—For the County of Inverness, Seven Hundred and Seventy-seven Pounds.

VIII. *And be it enacted*, That the said Boards of Commissioners shall divide and lay off their several and respective Counties and Districts into School Districts, of such convenient size and extent as they shall deem proper, (wherever the same shall not have been already so divided and laid off) and shall give notice by public advertisement, of such intended division, by publishing a copy of the same, at least one month before the same shall be established, to give an opportunity to all persons concerned to make their objections thereto, that the same may be rendered as convenient to each neighbourhood as possible.

Commissioners to form School Districts.

IX. *And be it enacted*, That the Boards of Commissioners shall have power from time to time to alter, extend, or diminish the limits of any of the School Districts which are or may be established in the County or District under their superintendance, and to divide or unite any of the said School Districts where they shall judge it necessary or desirable.

To alter them.

X. *And be it enacted*, That the Commissioners shall furnish a copy of the description and boundaries of each School District to the Trustees, and also to the Teacher of every School established, or to be established therein, under and by virtue of this Act.

To give a description thereof to Trustees

XI. *And be it enacted*, That whenever any number of individuals residing in a School District shall, by application in writing to the Commissioners for the County or District, distinctly engage to employ a Teacher capable of instructing the Children of such District in Reading, Writing, and Arithmetic, at a rate of remuneration therein stated for a specified period of time, not to be less than three months, and to build or provide a School House, and keep the same in repair; the Commissioners shall, in a List of Schools to be kept by them for that purpose enter such School for participation in the sum of money by this Act allotted to such County or District: *Provided*, that there shall not be established under this Act more than one School taught by a Male Teacher, and one School taught by a Female Teacher, within the limits of any one School District, except when there shall be no School taught by a Male Teacher, two Schools each taught by a Female may be allowed and established in one District under this Act.

Parties employing a Teacher to participate in Grant.

Proviso.

XII. *And be it enacted*, That a majority present at a meeting of the Householders in every School District, shall annually appoint two Trustees, and report their names to the Board of Commissioners on or before the fifteenth day of May annually, to whom the Commissioners shall have power to add a third, if they shall see fit, and the said Trustees shall, for the year thence ensuing, have power and authority to make and enter into all necessary contracts and agreements with the persons who have applied for the establishing of Schools within such Districts, and such other persons as shall be disposed to unite with them in the support thereof, and with

Trustees to be appointed.



Power of Trustees.

with the Teachers to be employed therein, and such contracts shall be good and valid; and the said Trustees shall have power to sue and be sued, in their own names, concerning all matters relative to the Schools of which they shall be Trustees: (*Provided*, that the rights of Teachers or others to any action respecting the same shall not be hereby taken away or interfered with); and that such Trustees shall have power from time to time to examine the said Schools, and to make regulations as to the hours of attendance of the Master and Scholars, the allowance and duration of Vacations and Holidays, and for the general government and conducting of the Schools within the said District; and the Trustees acting for the time being in the management of such Schools shall be deemed to have the possession and control of the School Houses used for the Schools under their charge.

Commissioners to summon Householders for the election of Trustees

XIII. *And be it enacted*, That the Commissioners shall have power to make regulations touching the time and mode of calling a meeting of the Householders for appointing Trustees as aforesaid, and conducting the same; and in case of default or delay of any such meeting, or of an appointment thereat in the present or any future year, the present or any future Trustees shall continue in office until an appointment shall be made by virtue hereof.

To examine and give licence to Teachers.

XIV. *And be it enacted*, That no Common School Teacher shall receive aid under this Act unless such Teacher shall first have been examined as to his qualifications and fitness by, and shall have received a License to teach a Common School from, the said Commissioners, and no such License shall, on any pretence or account be given, unless the Commissioners shall be satisfied of the good moral character and suitable qualifications of such Teacher.

To draw their several amounts half yearly.

XV. *And be it enacted*, That the said sums of money so to be granted and paid to the Counties and Districts as aforesaid, shall be drawn from the Treasury half-yearly by the several Boards of Commissioners, upon the Warrant of the Governor, and shall by the said Boards be paid to the Clerks of the said Boards respectively, by whom the same shall be paid over to the Teachers in the several School Districts in such County or District, in manner and form and in the proportions to be directed and prescribed by the Boards of Commissioners as hereinafter mentioned.

To appoint a Clerk.

XVI. *And be it enacted*, That the Board of Commissioners for each County and District shall appoint a Clerk to such Board, with power to remove him at pleasure, who shall receive and pay all monies to be received and paid by virtue of this Act, and shall keep a true and correct account and record of the proceedings of the said Board, and of the number of Schools, and of the Scholars taught in each School, and of the different sums paid and received by virtue of this Act, and all such other particulars as may be directed by the Board of Commissioners—which Clerk shall receive Two Shillings and Six Pence for each License to be granted to a Teacher by the said Board, and also five per cent. on the amount of the monies to be received under this Act actually paid by him for the purposes thereof: *Provided always*, that no one Clerk shall receive a greater amount for commissions in any one year than Twenty-five Pounds.

Trustees to render certified accounts half yearly.

XVII. *And be it enacted*, That the Trustees of all Schools receiving or seeking aid under this Act, as well Grammar as Common Schools, shall, once in every six months, render to the Board of Commissioners for the County or District a true and correct account of the number, names, and ages of the Scholars taught in such Schools, the branches in which they have been instructed, the books they have used, and their progress in education, the amount and particulars of the expenditures and income of such School, the amount of salary of the Master, and in what manner the same is paid, and shall certify that the sum to be received from the Commissioners by the Trustees for such Schools is *bona fide* payable to the said Master for his own use and benefit; and also, that the several representations made to, and engagements entered into with, the said Board, by the persons applying for such Schools at the time of such application have been kept and performed, and shall produce and give into the said Board a certificate from the Teachers of such Schools,

Schools, previously attested on oath taken before some one of Her Majesty's Justices of the Peace, who are hereby authorised to administer such oath, that no part of the salary which the persons engaged in supporting such Schools have undertaken to pay such Teachers is collusively withheld, and that the said representations or engagements were made in good faith, and not merely for the purpose of procuring a portion of the Provincial Allowance hereinbefore mentioned.

XVIII. *And be it enacted*, That if any Trustees or Teachers shall wilfully make or render a fraudulent or incorrect account or statement on any Return, Report, Certificate, or Affidavit, required under the provisions of this Act, for the purpose of obtaining Provincial aid for any Schools, or for any Teachers or Trustees, whether the said Schools are Common or Grammar Schools or Academies, such Trustees or Teachers shall be liable to a penalty of Five Pounds, to be sued for, recovered, and received by the Clerk of such Board of Commissioners, in a summary manner, before any two Justices of the Peace for the County where such School is situate, with costs of suit, and the said Clerk is hereby required to sue for and recover such penalty—one half to his own use, and the other half to be paid to the Commissioners for the general purposes of this Act.

XIX. *And be it enacted*. That out of the Monies granted to the Counties and Districts aforesaid, for the purposes of this Act, the Board of Commissioners shall have power to expend, annually, a sum not exceeding Fifty Pounds in the purchase of School Books and Stationary—one half for re-sale among the Schools within their County or District, and the other half for gratuitous distribution among poor pupils: *Provided always*, that in those Counties which are now, or shall be divided into Districts, no larger sum than Twenty-five Pounds shall be so appropriated in any one District.

XX. *And be it enacted*, That out of the said Monies, it shall be lawful for each Board of Commissioners, annually, to appropriate so much thereof as they shall think necessary and proper for the establishment, support, or assistance of Schools, either stationary or permanent, or itinerant or occasional, among the poor or thinly peopled Settlements, and for Schools for people of Color, and the education of Indians, to be appropriated, paid and applied, in such proportions, and under such regulations and restrictions as the Board shall, from time to time appoint—provided the amount so to be appropriated in each County or District shall not annually exceed one-fourth of the whole amount of the Monies by this Act placed at the disposal of the said Board of Commissioners; and the Commissioners for determining the Settlements entitled to be thus classed and assisted, shall have reference to the Assessment Roll, and all other means of information in their power; and the Commissioners shall specially make return to the Governor, on or before the Thirty-first day of December in each year, of all the Monies applied by them under this Clause, and the particular mode in which such Monies were distributed and applied, and whether the people receiving such assistance raised any and what sums in aid of such Schools.

XXI. *And be it enacted*, That when any Board of Commissioners shall deem it expedient, it shall be lawful for the said Board to establish itinerating Schools, under such regulations as by the Board may, from time to time, be prescribed, and to allow for such Schools a portion of the Money allotted to such Board under this Act.

XXII. *And be it enacted*, That the remainder of the gross sum granted for each County or District as aforesaid, shall be distributed and paid half yearly by the said Board, to and among the several Schools entered as Common Schools on their said List of Schools, which shall have been in operation agreeably to this Act, in such sums and proportions as to the said Board shall seem fit and proper, having reference in such distribution to the relative number of children taught in each School, and the character and nature of the instruction given, and the capacity, information, and diligence of the Teacher, and the amount of Salary or Fees

actually

Penalty for fraudulent accounts.

How recoverable

Books to be purchased.

Proviso.

Commissioners to establish Schools in poor Settlements, &c.

Proviso.

To make returns annually.

To establish itinerating Schools.

Balance of Grant to be distributed among Common Schools.

actually paid to him by the People and Pupils, and if it shall appear to the Board that any District has not provided for and paid the Teacher adequately, according to the means and ability of the Inhabitants of such District, it shall be the duty of the Commissioners to exclude such District from any or such portion of the monies to be appropriated under this Act as they shall think fit: *Provided* that there shall always be taught in every Common School, Grammar School, or Academy, receiving aid under this Act, so many poor Scholars as the Trustees respectively shall see fit to send, or the Board of Commissioners shall direct: *Provided* that no greater number than eight poor Scholars shall be required to be taught at any one time in any one School.

Proviso where inhabitants are able to maintain a School.

XXIII. *Provided also, and be it enacted*, That in any populous or other Settlement where it shall appear to the Commissioners, from the Assessment Roll, and other means of information, that the Inhabitants are fully able to maintain and keep a School, without any participation in the Provincial allowance, no sum shall be paid to any School in such Settlement unless as an allowance for the teaching of poor Children, and not more than Twenty Shillings annually shall be allowed for each poor Child taught in such School, and provided that such last mentioned allowance to any one School shall not exceed in the whole Ten Pounds.

What Schools to participate in Grant.

XXIV. *And be it enacted*, That any School wherein the ordinary instruction may be wholly or in part communicated in the French, Gaelic, German, or other Languages, shall be entitled equally to participate in the Provincial allowance with Schools where the English Language is exclusively used, provided such Schools are in other respects entitled to such participation.

Comms. to increase Teachers allowance in Counties not receiving the Academy Grant.

XXV. *And be it enacted*, That in such of the Counties hereafter mentioned, as do not participate in the Grant hereinafter mentioned, of One Hundred Pounds for Academies or Grammar Schools, or as participating therein, but do not draw any part of the said grant for Grammar Schools, it shall and may be lawful for the respective Boards of Commissioners, if they shall think fit so to do, from and out of the Monies hereinbefore placed at their disposal for the support of Common Schools, to increase the allowance payable to the Teachers to a sum not exceeding in the whole Thirty Pounds each, to such superior Common Schools in such locations as the Commissioners shall approve, wherein there shall be taught in addition to Reading, Writing, Geography, English Grammar, and Composition, English History and Arithmetic, one or more classes in the Classics, Algebra, and the practical branches of Mathematics, or some of them, which Schools shall not exceed the number following, that is to say:

In the County of Pictou, Three Schools.—In the District of Sterling, in the County of Colchester, One School.—In the District comprising the residue of the County of Colchester, Three Schools.—In each District of the County of Hants, One School. In the County of King's Four Schools.—In the County of Annapolis, Two Schools. In the District comprising the residue of the County of Digby, exclusive of the Township of Clare, Two Schools.—In the District of Argyle, Two Schools.—In the County of Queen's, Three Schools.—In the District of Saint Mary's, in the County of Guysborough, Two Schools.—In the District of Guysborough, Two Schools.—In the County of Cape Breton, Three Schools.—In the County of Richmond, Two Schools.—In the County of Inverness, Two Schools. And provided that such increased allowance shall include the whole pecuniary aid furnished to such Schools under this Act, and provided that no School shall be entitled thereto unless a Certificate in Writing shall be rendered to the Commissioners by the Trustees, under their hands, every half-year, to the effect that at least Six Scholars, above the age of Ten Years, have been continuously for the preceding half-year taught the Classics, Algebra, and the practical branches of Mathematics, or some of them, and which Certificate shall state the names and ages of all such Pupils, and the course of their instruction.

Proviso

XXVI. *And be it enacted*, That in addition to the sums hereinbefore appropriated

ed amongst the respective Counties and Districts, there shall, during the continuance of this Act, be annually granted and placed at the disposal of the Governor the sum of One Thousand and Two Hundred Pounds, to be applied under the limitations hereinafter contained, equally to and amongst the several Counties following, for the support of an Academy or Grammar Schools therein, as expressed in relation to such Counties respectively, that is to say:

Amount to be placed at the disposal of the Governor.

To the County of Annapolis for an Academy.—To the County of Yarmouth for an Academy.—To the County of Shelburne.—Fifty Pounds for the Township of Shelburne, and Fifty Pounds for the Township of Barrington, for one or more Grammar Schools, at the discretion of the Commissioners for the respective Districts.—To the County of Queen's for an Academy.—To the County of Lunenburg for one or more Grammar Schools, at the discretion of the Commissioners of Schools for that County.—To the County of Guysborough for an Academy.—To the County of Cape-Breton for an Academy.—To the County of Richmond for an Academy.—To the County of Digby for an Academy.—To the County of Colchester for an Academy.—To the County of Inverness, at the discretion of the Commissioners of Schools for that County, for an Academy or Grammar Schools.—To the County of Sydney for two or more Grammar Schools.—To the County of Cumberland for two or more Grammar Schools.

How to be expended.

XXVII. *Provided always, and be it enacted,* That in all cases where the said sum of One Hundred Pounds, set apart for the support of an Academy within any County, shall not be drawn for that purpose by the Trustees thereof, the said sum of One Hundred Pounds may be drawn for the support of two or more Grammar Schools in such County, and in case there shall be more than one such Board in any such County, then the same shall be divided among the respective Boards, in the same proportion as those Monies by this Act allotted for the support of Common Schools within such Counties respectively—and provided that the sum of One Hundred Pounds for Academies or for Grammar Schools, shall only be drawn and applied under the restrictions and in the manner hereinafter provided.

Proviso.

XXVIII. *And be it enacted,* That where Grammar Schools are authorized under this Act, the allowance for such Grammar Schools shall only be paid under the conditions and limitations following, that is to say: That a good and substantial School House, in a situation to be approved by the Commissioners, shall be erected and completed for the use of each Grammar School, to the satisfaction of the said Board. Secondly, that a Salary not less than Forty Pounds a year shall be subscribed and secured, to the satisfaction of the Commissioners, for the Teacher of such Grammar School by the Inhabitants, during the continuance thereof. Thirdly, that the Teacher to be engaged therein before such School shall be admitted on the List of Grammar Schools, shall be qualified, examined and approved, as herein mentioned; and on the fulfilment of the said conditions, the Board of Commissioners may enter such School on the List of Schools as a Grammar School.

Conditions necessary for participation in Grant by Grammar School.

XXIX. *And be it enacted,* That the contributors to every such Grammar School, to the extent of Twenty Shillings or upwards, shall have the power annually to appoint two Trustees, to whom the Board of Commissioners may, if they see fit, add a third, and such Trustees shall have the same powers and authority over the said Grammar School, and its management, and the School House provided therefor, and shall make half-yearly returns to the Board of Commissioners in the manner hereinbefore directed, in the case of the Trustees of the Common Schools.

Trustees to be appointed.

Their powers and duties.

XXX. *And be it enacted,* That no such Grammar School shall receive any allowance as a Common School, or any other aid under this Act than as aforesaid: *Provided,* if any such Grammar School shall not be found entitled to assistance as a Grammar School, either from failure in any of the conditions aforesaid, or other cause to be judged of by the Board, then, and in any such case, the Board shall have power in its discretion to class the said School as a Common School, and afford it assistance under this Act accordingly.

Proviso.

Commissioners authorized to continue Schools now in operation.

**XXXI.** *Provided always, and be it enacted,* That it shall be lawful for the Commissioners in the Eastern and Western Districts of the County of Halifax respectively, if they shall think fit so to do, to continue and sustain the respective Grammar Schools now in operation within their respective limits, and to compensate the Teachers thereof at the same rate as at present, from the funds placed at their disposal for the support of Common Schools, anything herein contained to the contrary notwithstanding.

Requisites for participation in Grant to Grammar School

**XXXII.** *And be it enacted,* That at all such Grammar Schools as shall receive aid under this Act, there shall, in addition to Reading, Writing, Arithmetic, Geography, English Grammar, History, and Composition, be taught the Classics, Algebra, Land Surveying, Navigation, and the other practical branches of the Mathematics, or such of them as the Trustees shall require, but Land Surveying, Navigation, and the Mathematics, shall be taught whenever any pupil shall require to be instructed therein, and no such Grammar School shall receive any allowance under this Act, unless the Trustees shall have actually and *bona fide* received by contributions of the people, and tuition fees, at least Forty Pounds per annum in money, toward the payment of the Teacher, and unless at least Twenty-five Scholars shall be regularly and constantly taught therein through the year, of whom not less than Ten shall regularly and constantly receive instruction in the Classics, Algebra, Land Surveying, Navigation, and the other practical branches of the Mathematics, or some of them, in addition to Arithmetic, English Grammar, History, Composition, and Geography.

Commissioners to draw the sums allowed for Grammar Schools.

**XXXIII.** *And be it enacted,* That on due proof of the several foregoing requisites being complied with, and on receiving half-yearly returns from the Trustees and Teachers of such Grammar Schools, to the effect and in the manner required in the case of Common Schools, and being satisfied of the efficiency and utility of the said Grammar Schools respectively, and of the nature of the instruction thereat, and condition and management of the same, and the conduct and acquirements of the Teachers, the Boards of Commissioners in the Counties and Districts entitled to Grammar Schools under this Act, shall be authorised to draw the sum of money hereby provided for such Grammar Schools, or such portion thereof as may be required for the Grammar Schools established in such County or District, so as no such Grammar School shall be entitled to more than Fifty Pounds.

Teachers to be examined by Comms.

**XXXIV.** *And be it enacted,* That no allowance under this Act shall be made to any Grammar School, unless the Teacher before entering upon the instruction thereof, shall have been examined as to his capacity, qualifications, and fitness, by, and shall have received a License to teach such Grammar School from, the Commissioners of the County or District wherein such Grammar School shall be, and no such License shall on any pretence or account be given, unless the Commissioners shall be fully satisfied of the good moral character and suitable attainments and qualifications of such Teacher for the duties of such Grammar School, according to the requisites and provisions of this Act.

Trustees of Academies to be appointed.

**XXXV.** *And be it enacted,* That it shall be lawful for the Governor, in every County where Academies may be established or contained under this Act, (except where such Academies shall be under the management of Trustees, by virtue of any Act which shall continue in force after this Act shall come into operation), to appoint and commission three or more fit and proper persons to be Trustees of an Academy therein, to be removable any or either of them at the pleasure of the Governor, with the advice of the Executive Council, and the Governor shall have power, with such advice, to fill up any vacancy occasioned by such removal, or by death, absence, or other cause, provided that the appointment or authority of the Trustees of any such Academy now in office shall not be superseded, or their re-appointment, or the appointment of others be made necessary hereby.

Instruction to be given at Academies.

**XXXVI.** *And be it enacted,* That at all such Academies as shall receive assistance under this Act, instruction shall be given in the Classics, in the practical

branches

branches of Mathematics, and in Algebra, Geography, English Grammar, History, and Composition, and also in one or more of the Modern Languages, whenever it shall be found practicable to introduce the same.

**XXXVII.** *And be it enacted,* That the Trustees of such Academies shall have power from time to time to make Rules and Bye-Laws for the regulation thereof, which shall be transmitted within one month from the time of their being made to the Governor, for his approbation, and shall not have effect until such approbation is signified.

Trustees to make Rules to be approved by the Governor.

**XXXVIII.** *And be it enacted,* That the Trustees of Academies receiving aid under this Act, shall make up and return, on or before the Thirtieth day of June, and the Thirty-first day of December, in every year, to the Governor, a full and accurate account of all sums of Money received and expended by them, whether from Legislative Grant or otherwise, with a report of the names and ages of the Pupils, and of the course of instruction and other particulars concerning such Academy, and its progress and management, in such form as the Governor in Council may from time to time direct.

To make returns half yearly.

**XXXIX.** *And be it enacted,* That the Trustees of Academies and Grammar Schools, receiving aid under this Act, shall hold Public Examinations twice in every year of the Pupils or Scholars therein, of which said examination Public Notice shall be given, so that the same may be attended by all persons desirous of being present thereat.

To hold examinations half yearly.

**XL.** *And be it enacted,* That no Academy shall receive any allowance under this Act unless the Trustees shall have actually and *bona fide* received by contribution of the people, and Tuition Fees, at least One Hundred Pounds per annum in Money, toward the payment of the Teacher or Teachers, and the otherwise sustaining and upholding of the Academy, and unless at least Twenty-five Scholars shall be regularly and constantly taught therein through the year, of whom not less than ten shall regularly and constantly receive instruction in the Classics, or in the Modern Languages, or otherwise in the practical branches of Mathematics and Algebra, in addition to English Grammar, History, Geography, Composition, and other branches of a higher English Education.

Requisites for participation in Grant to Academies.

**XLI.** *And be it enacted,* On due proof of the foregoing requisites being complied with, and that the said sum of One Hundred Pounds so to be contributed has been actually paid, or adequately secured to be paid, and on receiving returns from the Trustees and Teachers of such Academies to the effect and in the manner required by this Act, or that may be required by the Governor, and being satisfied of the efficiency and utility thereof, the Governor shall be authorized, by warrant under his hand, half-yearly to pay out of the Treasury to the Trustees of such Academy, such sum as the same shall be entitled to under this Act.

Amount to be drawn by Warrant.

**XLII.** *And be it enacted,* That whenever an Academy is established according to the provisions of this Act, it shall be lawful for the Trustees of such Academy, if they shall think fit so to do, to appoint a Female Teacher capable of teaching the different English Branches, including Geography, and to provide apartments for the pupils by her to be taught, in or separate from such Academy, as the said Trustees may deem advisable; and such Female Teacher and her pupils shall be under the control and superintendance of the Principal Teacher in such Academy; and the said Female Teacher shall be entitled to receive, in addition to the ordinary Tuition Fees taken in Common Schools, such sum out of the Provincial allowance for such Academy as the said Trustees shall deem proper.

Trustees may appoint Female Teachers.

**XLIII.** *And be it enacted,* That in order to authorize a voluntary assessment in favor of Schools, it shall and may be lawful at any time during the continuance of this Act, for the Trustees of any School District to call a public meeting of the rateable Inhabitants within its limits, after public notice given by the Trustees for at least twenty days previously, in five or more public places in the same District; and if a majority of the rateable Inhabitants present at the time agree to raise Money for the support of a School or Schools, by assessment, they shall then and there appoint three Assessors for the purpose,

May call a meeting to raise money by assessment.

pose, who shall forthwith proceed to assess the amount voted at such meeting upon the Inhabitants of such School District, by an even and equal rate upon every such Inhabitant in proportion to his ability; and shall make up and return such Assessment to the General Sessions of the Peace for the County or District, or to any Special Sessions to be held for that purpose—at which General or Special Sessions appeals from any such rate may be heard and determined, and all such rates shall be collected, and such other and further proceedings had in relation thereto, as by Law prescribed in case of Poor Rates.

No School to receive aid unless a School House is provided.

XLIV. *And be it enacted*, That no School, Grammar School or Academy, shall receive any aid under this Act, unless it shall be made to appear to the satisfaction of the Board of Commissioners that a School House has actually been built or provided according to the means of the people, and fitting and suitable for such School, Grammar School and Academy; and the Trustees acting for the time being in the management of any such School, Grammar School and Academy, shall be deemed to have, and be entitled in Law to the possession, disposition, and control of the School Houses appropriated, provided, or used for the Schools, Grammar Schools or Academies, under their charge.

Comrs. to change Teachers.

XLV. *And be it enacted*, That the Board of Commissioners in each County and District shall be, and they are hereby empowered, if they see just occasion, to remove or displace the Teacher or Teachers of any Grammar or Common Schools, and to cancel any contract or agreement between such Teachers and the Trustees, and to withdraw the License of such Teacher.

Teachers to be free from Poor Rates, &c. &c.

XLVI. *And be it enacted*, That any Teacher duly licensed or appointed, who shall be employed or engaged as a Principal or Assistant in any Academy, Grammar or Common School established, or to be established under this Act, shall be, during his holding such License or appointment, wholly free and exempted from the payment of all or any Poor or County or City Rates, and from the performance of Statute Labor on the Roads or Bridges, or Streets, and from Militia Duty, and from serving on Juries, and from serving in the office of Constables, or any other Town Office whatsoever.

Interpretation of words used in this Act.

XLVII. *And be it enacted*, That the words and expressions hereafter mentioned shall, where used in this Act, except where the nature of the provision, or the context shall exclude such construction, be interpreted as follows, that is to say—the word Governor shall extend to signify the Governor, Lieutenant-Governor, or Commander in Chief, or other person administering the Government of this Province for the time being; and every word importing the plural number shall extend, and be applied to one person or thing, as well as several persons or things, and every word importing the masculine gender only, shall extend and be applied to a Female as well as a Male.

Act to commence on 1st May next.

XLVIII. *And be it enacted*, That this Act shall come into operation on the first day of May next, and thereupon, the Act, passed in the Second year of the Reign of His late Majesty King William the Fourth, entitled, “An Act for the encouragement of Schools,” and all Acts since passed in amendment or alteration thereof or addition thereto, shall be repealed, and that this Act shall continue and be in force for four years from the time the same shall come into operation, and thence until the end of the then next ensuing Session of the General Assembly.

To continue 4 years.

### CAP. XXVI.

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

(Passed the 14th day of April, A. D. 1845.)

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

Her Majesty, and for supplying the exigencies of Her Majesty's Government, do humbly beseech that it may be enacted; and,

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

And a further sum of Six Hundred Pounds to the Treasurer of the Province, for 600l. Treasurer.  
his Salary, and 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 Two Hundred Pounds to the Clerk of the House of As- 200l. Clerk of Assembly.  
sembly, for his services in the same year.

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

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

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

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

And a further sum of Forty Pounds to the Messenger of the Governor, Lieuten- 40l. Messenger of Governor.  
ant Governor, or Commander in Chief for the time being, and the Executive and Legislative Councils, for the present year.

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

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

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

And a further sum, to be paid on the Certificate of the Commissioners of the 600l. Allowance to Extra Waiters.  
Revenue, at the rate of Seven Shillings and Six Pence per day, to such person or persons as shall be employed 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; Five Shillings per day to such extra Waiter or Waiters when unemployed, and at the rate of Five Shillings per day to Temporary Waiters.

And a further sum of Sixty Pounds to the Keeper of the Assembly House and 600l. Keeper of Assembly.  
Council Chamber and Law Library for the present year.

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

And a further sum of Four Hundred Pounds to the Commissioners of Sable Is- 400l. Commissioners Sable Island.  
land, for the support of that Establishment for the present year.

And a further sum of Fifty Pounds to such person or persons as will run a pro- 50l. Guysborough Packet.  
per 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.

And a further sum of Twenty Pounds to W. Weeks, or any person who will 20l. to W. Weeks.  
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.

201. County of Hants. And a further sum of Twenty Pounds to aid the Inhabitants of Douglas, at the mouth of the River Shubenacadie, in supporting a suitable Boat or Scow to run between Londonderry and that place—the said Boat or Scow to be run under the Regulations of the General Sessions for the County of Hants—to be paid by Warrant from His Excellency the Lieutenant Governor, upon Certificate from said Sessions that said Boat has been running at least twice a week for Six Months, to the satisfaction of said Sessions, under their regulations.
301. Cape Breton. And a further sum of Thirty Pounds, to aid the Inhabitants of Cape Breton in supporting a suitable Boat or Scow to run between McMillan's Point, in Cape Breton, and Auld's Cove, in the County of Sydney; the said Boat or Scow to be placed under the regulation of the General Sessions for the County of Inverness.
101. each, Licensed Ferry-men. And a further sum of Ten Pounds each to the two licensed Ferrymen at the mouth of the Shubenacadie, in the Counties of Colchester and Hants, for the transportation of Horses and Carriages across that River; the same to be paid on the Certificate of the General or Special Sessions of each County respectively; that such Ferry has been duly attended, and proper Boats procured and used.
151. John Pernette and Chas. Pernette. And a further sum of Fifteen Pounds to John Pernette and Charles Pernette, for keeping up the Ferry over LaHave River.
101. Cornelius Craig. And a further sum of Ten Pounds to Cornelius Craig, to enable him to keep up the Ferry across the Narrows, at the entrance of Sable River, in the County of Shelburne.
101. Richard Carter. And a further sum of Ten Pounds to Richard Carter, to enable him to run a suitable Ferry Boat or Scow between his Landing, on the Western side of the Gut of Canso, and David McPherson's, on the Eastern side thereof, the said Ferry Boat or Scow, to be run under the regulations of the General Sessions for the County of Guysborough.
101. Ferryman Gut of Canso. And a further sum of Ten Pounds to the Ferryman on the Eastern side of the Gut of Canso, to enable him to run a suitable Ferry Boat or Scow between Richard Carter's Landing, on the Western side of said Gut, and David McPherson's, on the Eastern side thereof, the said Ferry Boat or Scow to be run under the regulations of the General Sessions for the County of Richmond.
101. each, to persons keeping up a Ferry at Port L'Herbert. And a further sum of Ten Pounds each to such persons as shall respectively keep up a Ferry at the mouth of the Harbor of Port L'Herbert—provided a Boat be kept to convey Horses and Cattle across said Harbour; said sum to be paid upon the Certificate of the Court of Sessions in the County of Shelburne.
101. Dun. McPhee. And a further sum of Ten Pounds 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.
151. Cape Sable Island. And a further sum of Fifteen Pounds to William Cunningham and John Knowles, or such other persons as shall keep a Ferry across the Narrows of the Passage between Cape Sable Island and the Main, such persons being furnished with suitable Boats for the accommodation of Passengers—to be paid on 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.
201. Edmd. Crowell. And a further sum of Twenty Pounds to Edmund Crowell, to enable him to keep up his Establishment at the Seal Islands, for the relief of Shipwrecked Mariners for the present year.
121. Margaret Nickerson. And a further sum of Twelve Pounds to Margaret Nickerson, to enable her to keep a House of Entertainment on the Post Road from Shelburne to Barrington for this present year.

And a further sum of Twenty-five Pounds at the disposal of His Excellency the Lieutenant Governor, for the purchase of Seed Potatoes for distressed families among the Colored Population at Hammonds Plains and Preston, to be applied under the directions of His Excellency, to the relief of such Individuals as shall be found in circumstances of urgent necessity.

25l. Seed Potatoes.

And a further sum of Five Hundred Pounds 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 expended for that purpose.

500l. Revenue Cutter.

And a further sum of Forty Pounds 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.

40l. Revenue Boat, Sydney.

And a further sum of Two Hundred Pounds, 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.

200l. Indians.

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

25l. Commissioners Poor.

And a further sum of Fifty Pounds to Doctors Grigor and Sterling, in aid of the Halifax Dispensary, for the present year—provided they keep during the year a sufficient quantity of Vaccine Matter.

50l. Doctors Grigor and Sterling.

And the following sums, that is to say—the sum of One Thousand Eight Hundred and Twenty-five Pounds allotted for the service of Roads and Bridges in the County of Cape-Breton; the sum of One Thousand Seven Hundred and Twenty-five Pounds allotted for the service of Roads and Bridges in the County of Inverness; the sum of One Thousand Two Hundred and Fifty Pounds allotted for the service of Roads and Bridges in the County of Richmond; and the sum of One Thousand Two Hundred and Fifty Pounds allotted for the service of Roads and Bridges in the County of Guysborough, at the disposal of His Excellency the Lieutenant-Governor, to be respectively expended in the said services.

1825l. County of C. Breton.

1725l. County of Inverness.

1250l. County of Richmond.

1250l. County of Guysborough.

And a further sum of One Thousand Eight Hundred and Twenty-five Pounds allotted for the several Roads and Bridges in the County of Pictou, to be applied and expended agreeably to a Resolution of the House of Assembly, passed on the Fourteenth day of April, in this year of our Lord One Thousand Eight Hundred and Forty-five, and agreed to by the Legislative Council.

1825l. County of Pictou.

And a further sum of One Thousand and Nine Hundred Pounds for the several Roads and Bridges in the County of Halifax, to be applied and expended agreeably to a Resolution of the House of Assembly, passed on the Eight day of April, in this year of our Lord One Thousand Eight Hundred and Forty-five, and agreed to by the Legislative Council.

1900l. County of Halifax.

And a further sum of One Thousand Seven Hundred and Fifty Pounds for the several Roads and Bridges in the County of Hants, to be applied and expended as last aforesaid.

1750l. County of Hants.

And a further sum of One Thousand Five Hundred and Fifty Pounds for the several Roads and Bridges in the County of Lunenburg, to be applied and expended as last aforesaid.

1550l. County of Lunenburg.

And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Colchester, to be applied and expended as last aforesaid.

1500l. County of Colchester.

And a further sum of One Thousand and Five Hundred Pounds for the several Roads and Bridges in the County of Cumberland, to be applied and expended as last aforesaid.

1500l. County of Cumberland.

And a further sum of One Thousand Three Hundred and Seventy-five Pounds

1375l. County of King's.

for

for the several Roads and Bridges in the County of King's, to be applied and expended as last aforesaid.

1300l. County of Annapolis.

And a further sum of One Thousand and Three Hundred Pounds for the several Roads and Bridges in the County of Annapolis, to be applied and expended as last aforesaid

1250l. County of Yarmouth.

And a further sum of One Thousand Two Hundred and Fifty Pounds for the several Roads and Bridges in the County of Yarmouth, to be applied and expended as last aforesaid.

1250l. County of Shelburne.

And a further sum of One Thousand Two Hundred and Fifty Pounds for the several Roads and Bridges in the County of Shelburne, to be applied and expended as last aforesaid.

1250l. County of Digby.

And a further sum of One Thousand Two Hundred and Fifty Pounds for the several Roads and Bridges in the County of Digby, to be applied and expended as last aforesaid.

1250l. County of Sydney.

And a further sum of One Thousand Two Hundred and Fifty Pounds for the several Roads and Bridges in the County of Sydney, to be applied and expended as last aforesaid.

1250l. County of Queen's.

And a further sum of One Thousand Two Hundred and Fifty Pounds for the several Roads and Bridges in the County of Queen's, to be applied and expended as last aforesaid.

5000l. Roads.

And a further sum of Five Thousand Pounds to be appropriated to and for the following objects, that is to say:—To open the Great Eastern Road to Guysborough, Eight Hundred Pounds.—To open the Great Western Shore Road from Halifax to Chester, One Thousand Pounds.—On the Road from Halifax to Pictou, Five Hundred Pounds.—On the Road around the Cumberland Mountain, Five Hundred Pounds.—On the Road from New Glasgow to Merigomish, Two Hundred Pounds.—On the Road from Antigonish to the Gut of Canso, One hundred and Fifty Pounds.—On the Road from Truro to Tatamagouche, One Hundred and Fifty Pounds.—On the Road from Halifax to Annapolis, Five Hundred Pounds.—On the Road from Annapolis to Dalhousie, Two Hundred Pounds.—On the Road from Middle Cape to Soldier's Cove, Five Hundred Pounds.—On the Road from Port Hood to Margaree, Two Hundred and Fifty Pounds.—For Baddeck Bridge, One Hundred and Twenty-five Pounds; and on the Road from Margaree to Middle River, One Hundred and Twenty-five Pounds.

14l. 11s. Dan. Wier and John Chambers.

And a further sum of Fourteen Pounds and Eleven Shillings, to Daniel Wier and John Chambers, Commissioners for building the Bridge over the Saint Croix River, being balance of expenses incurred by them in that capacity, agreeably to the Report of the Committee.

12l. 15s. Peter Crerar.

And a further sum of Twelve Pounds and Fifteen Shillings to Peter Crerar, being amount of his Account for Inspecting and making Report of the State of the Roads and Bridges from Halifax to Pictou, and from Truro to Amherst.

100l. George Mitchell.

And a further sum of One Hundred Pounds at the disposal of His Excellency the Lieutenant Governor, to assist in paying the claims of George Mitchell against the New Glasgow Bridge, in the County of Pictou.

10l. John M'Kay.

And a further sum of Ten Pounds to John McKay, of the West River of Pictou, being expenses incurred by him as Commissioner for building the West River Bridge, agreeably to the Report of the Committee appointed to investigate the subject; and also, the further sum of Six Pounds and Fourteen Shillings to John Cameron, for his expenses in attending before such Committee.

10l. Edw. Bulger.

And a further sum of Ten Pounds to Edward Bulger, as compensation for Land taken for the purpose of altering a Road pursuant to the prayer of his Petition.

20l. Peter Cameron.

And a further sum of Twenty-five Pounds to Peter Cameron, to enable him to defray the expense of proceeding to Boston, for the purpose of having a tumor removed with which he is afflicted.

11l. 10s. 7d. Messrs. M'Farlane and Dickson.

And a further sum of Eleven Pounds Ten Shillings and Seven Pence to Messrs. M'Farlane and Dickson, Executors of Trenholm, deceased, for Drawback on Goods

Goods exported from Pugwash to New Brunswick, agreeably to the Report of the Committee on Trade and Manufactures.

And a further sum of Two Pounds and Ten Shillings to Henry Palmer, being for return of Duties paid by him on a Breeding Mare imported into this Province, agreeably to the Report of the Committee on Trade and Manufactures. 2l. 10s. Henry Palmer.

And a further sum of Thirty-two Pounds and Four Shillings to George Eastwood and Company, being on account of Duties paid by them on Machinery and Dye Stuffs imported by them for the use of their Cloth Manufactory at Sackville, agreeably to the Report of the Committee on Trade and Manufactures. 32l. 4s. George Eastwood & Co.

And a further sum of Three Hundred and Sixty-one Pounds Eighteen Shillings and Seven Pence at the disposal of His Excellency the Lieutenant Governor, to pay the respective parties named in a List or Schedule contained in a Report of the Committee of the House of Assembly on Trade and Manufactures, at the rates in such Report mentioned, being for Bounties for prosecuting the Seal Fishery in the year One Thousand Eight Hundred and Forty-four. 361l. 18s. 7d. disposal Lieut. Governor.

And a further sum of Four Pounds Five Shillings and Four Pence to William Starr, Seizing Officer at Cornwallis, being the Government proportion of a Seizure made by him during the past year, and paid into the Treasury, pursuant to the prayer of his Petition, and the recommendation of the Board of Revenue thereon. 4l. 5s. 4d. William Starr.

And such further sum as will be sufficient 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 Doctor Benjamin Page, of Amherst, for Medical Attendance on Indians, Seven Pounds.—To Doctor Charles Tupper, of Amherst, for Medical Attendance on Indians, Three Pounds.—To Doctor Ebenezer Annan, of Liverpool, for Medical Attendance on Indians, Thirteen Pounds Four Shillings and Nine Pence.—To Robert Currie, Shelburne, for aid to Transient Paupers, Ten Pounds.—To the Overseers of the Poor for the Township of Egerton, County of Pictou, Seven Pounds Nineteen Shillings and Seven Pence.—To Doctor Edward L. Brown, of Horton, for Medical Attendance on Indians, Three Pounds.—To the Overseers of the Poor for the Township of Cornwallis, Ten Pounds Sixteen Shillings and Nine Pence.—To Doctor William Slocomb, of Lunenburg, for Medical Attendance on Indians and others, Seven Pounds Eighteen Shillings and Six Pence.—To the Overseers of the Poor for the Township of Annapolis, Twenty-four Pounds Two Shillings and Nine Pence.—To the Overseers of the Poor for the Township of Newport, Ten Pounds and Two Shillings.—To the Overseers of the Poor for the Township of Yarmouth, (Ten Pounds of which to be paid to Doctor Farrish), Twenty-seven Pounds Eight Shillings and Five Pence.—To the Overseers of the Poor for the Township of Digby, Thirteen Pounds Four Shillings and Three Pence.—To the Overseers of the Poor for the Township of Granville, (Two Pounds of which to be paid to Doctor Oakes), Twenty-two Pounds Six Shillings and Ten Pence.—To the Overseers of the Poor for the Township of Windsor, Eight Pounds Seven Shillings and Three Pence.—To the Overseers of the Poor for the Township of Pictou, Twenty-two Pounds.—To the Overseers of the Poor for the Township of Barrington, Nine Pounds Eleven Shillings and Nine Pence.—To the Overseers of the Poor for the Township of Arisaig, in the County of Sydney, Four Pounds Seventeen Shillings and Eleven Pence.—To John Rude, Nine Pounds and Four Shillings; and to John Quillinan, Four Pounds and Twelve Shillings, for bringing Shipwrecked Seamen from Labrador to Halifax, making in the whole Thirteen Pounds and Sixteen Shillings.—To the Overseers of the Poor for the Township of Horton to pay Benjamin Terfry and Alexander Buchanan for taking care of and burying a Pauper named Robert Masters, Six Pounds Eight Shillings and Nine Pence.—To the Overseers of the Poor for the Township of Wilmot, in the County of Guysborough, Twelve Pounds and Ten Shillings.—To Michael and Robert Geddes, Musquodoboit, for relief to a Transient Pauper, Ten Pounds.—To

Jecomiah

Jecomiah Seaman, Horton, for relief to Transient Paupers, Four Pounds.—To John Ferguson, Overseer of the Poor for the Township of Sydney, Cape Breton, Four Pounds and Ten Shillings.—And to Doctor Thomas O. Geddes, of Barrington, for expenses incurred and Medical Attendance on Two Seamen saved from the Wreck of the Brig "Sarah Lovett," of Saint Stephen's, New Brunswick, Seventy-seven Pounds Nine Shillings and Three Pence.

1577. 10s. 2d. disposal Lieut. Governor.

And a further sum of One Hundred and Eighty-seven Pounds Ten Shillings and Two Pence at the disposal of His Excellency the Lieutenant-Governor, to defray that amount advanced as follows, that is to say : For Salary of George Wightman, as superintendant of Roads from January to May, when his services were discontinued, Eighty-five Pounds.—For Reports of Cases of Judicial Committee, Eleven Pounds Sixteen Shillings and Three Pence. For the Crew and Passengers of the "Lady Colebrooke," Thirty Pounds and Six Shillings.—For the Crew and Passengers of the "Sir George Provost," Thirty-eight Pounds Sixteen Shillings and Eight Pence. For the Crew of the "Morning Star," Three Pounds. For the Crew of the "William Rippon," Five Pounds, and to Frederick LeBlanc for copying Minutes of Council, Thirteen Pounds Eleven Shillings and Three Pence.

151. John Woodin.

And a further sum of Fifteen Pounds to John Woodin, for assistance rendered to Captain Blagden and Francis Hays, of the Brigantine "John," wrecked on the Silver Keys, and brought to Halifax in the Schooner "Dartford," by order of the British Consul at Cape Haytien, in pursuance of the report of the Committee appointed to enquire into such claim.

301. Wm. Sanford

And a further sum of Thirty Pounds at the disposal of His Excellency the Lieutenant-Governor, to continue the education of William Sanford, a deaf and dumb lad, at an Asylum in Hartford, Connecticut, for another year, from the first of May next, in conformity with the prayer of the Petition and the report of the Committee on that subject.

521. 10s. James Allison.

And a further sum of Fifty-two Pounds and Ten Shillings at the disposal of His Excellency the Lieutenant-Governor, to be drawn, Twenty-six Pounds and Five Shillings, annually, in the years One Thousand Eight Hundred and Forty-six, and One Thousand Eight Hundred Forty-seven, and paid towards defraying the expense of maintaining a deaf and dumb boy, the son of James Allison of Windsor, at an Asylum at Hartford, Connecticut, pursuant to the report of the Committee on that subject.

521. 10s. James Stephens.

And a further sum of Fifty-two Pounds and Ten Shillings at the disposal of His Excellency the Lieutenant-Governor, to be drawn twenty-six Pounds and Five Shillings, annually, in the years One Thousand Eight Hundred and Forty-six, and One Thousand Eight Hundred and Forty-seven, and paid towards defraying the expense of maintaining a deaf and dumb boy, the son of James Stephens of Horton, at an Asylum, for the education of such, pursuant to the report of the Committee on that subject.

561. John Campbell.

And a further sum of Ninety Pounds at the disposal of His Excellency the Lieutenant-Governor, to be applied, Forty-five Pounds, annually, in One Thousand Eight Hundred and Forty-five, and One Thousand Eight Hundred and Forty-six, under such guards as he may deem necessary, to assist John Campbell, of St. Paul's Island, to send three of his children to a deaf and dumb Asylum.

2501. Margaree Breakwater.

And a further sum of Two Hundred and Fifty Pounds at the disposal of His Excellency the Lieutenant Governor, to aid in the completion of the Margaree Breakwater, it having been made appear that the Inhabitants have already subscribed and expended on such Breakwater more than three times the amount hereby granted.

Breakwater, Everett's Landing.

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 Everett's Landing, in the County of Digby, equal to one-third of any amount which shall be satisfactorily proved to His Excellency to have been

subscribed

subscribed by the Inhabitants, and actually expended on said Breakwater—provided that the sum hereby granted shall not exceed Twenty-five Pounds.

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 Meteghan Breakwater, 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 Fifty Pounds.

Meteghan Breakwater.

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 Sonia's Cove, 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 Twenty-five Pounds.

Breakwater, Sonia's Cove.

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 Whale Cove, 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 Sixty Pounds.

Breakwater, Whale Cove.

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 Gevan's Cove in Kings' 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 Fifty Pounds.

Breakwater, Gevan's Cove.

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 building a Pier, and rebuilding an additional Breakwater at Canady's Creek 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 such Pier and Breakwater—provided that the sum hereby granted shall not exceed Fifty Pounds.

Breakwater, Canada's Creek.

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 Marshall's Cove, in the Township of Wilmot, in the County of Annapolis, 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 Twenty-five Pounds.

Breakwater, Marshall's Cove.

And a further sum of Thirty Pounds to aid the Inhabitants in removing Rocks in the Sluice Passage, between Great Tusket Island and the Main Land—to be drawn when it shall appear to the satisfaction of His Excellency the Lieutenant Governor, that at least Twenty Pounds have been subscribed by the Inhabitants and actually expended in such undertaking.

30l. Sluice Passage.

And a further sum of Ten Pounds at the disposal of His Excellency the Lieutenant-Governor, for the purpose of replacing the Buoys in Cockabit Passage, in County of Shelburne.

10l. Buoys.

And a further sum of Fifteen Pounds at the disposal of His Excellency the Lieutenant-Governor, to repair or replace the Buoys on the West Ledge, in Barrington Passage.

15l. Buoys.

And a further sum of Fifteen Pounds at the disposal of the General Sessions of the Peace for the County Sydney, to be applied towards the placing of Buoys at the entrance of the Harbor of Antigonishe.

15l. Buoys.

And a further sum of Four Thousand Dollars at the disposal of His Excellency

\$4000 Bridgetown, Barbadoes.

the Lieutenant-Governor, to be applied for the relief of the sufferers by the late extensive conflagration at Bridgetown, Barbadoes.

51. Clerks of Peace.

And a further sum of Five Pounds to each Clerk of the Peace in the several Counties of this Province, in full for their services in the distribution of Road Commissions, and execution of the Bonds during the two past years, and that no future allowance be made for such services.

51. Clerks of Peace.

And such further sum at the disposal of His Excellency the Lieutenant-Governor, as will suffice to pay the sum of Five Pounds each to the Clerks of the Peace in the several Counties following, that is to say:—Lunenburg, Colchester, Annapolis, Pictou, Inverness, Guysborough, Sydney, Shelburne, Queen's, Richmond, Digby, Cape-Breton, Yarmouth, Hants and Halifax, being for services performed by them in making Returns to the House of Assembly of the Assessment Rolls in their respective Counties, and to pay the like sum to such other Clerks of the Peace as may return such Assessment Rolls from other Counties previous to the next Session, pursuant to the report of the Committee.

301. John W. Harris.

And a further sum of Thirty Pounds to John W. Harris, Esquire, High Sheriff in and for the County of Pictou, to repay his travelling and other expenses, while in attendance by order of the House of Assembly before the Committee appointed to try the merits of the Petition relating to the late Election in and for the Township of Pictou, and also at the Bar of the House.

201. each, Doctor  
A. Gesner and J.  
W. Dawson.

And a further sum of Twenty Pounds each to Doctor Abraham Gesner and John W. Dawson, for their attendance before the Committee on the subject of the Coal Mines.

1501. Commissioners  
signing Treasury  
Notes.

And a further sum of One Hundred and Fifty Pounds to the Commissioners for signing Treasury Notes for their services in that Department for the last five years.

1001. Treasurer.

And a further sum of One Hundred Pounds to the Treasurer of the Province, for his extra services in issuing and cancelling Treasury Notes during the past five years.

2501. Baptist Educa-  
tion Society.

And a further sum of Two Hundred and Fifty Pounds annually, by quarterly payments, to the Nova Scotia Baptist Education Society, in support of their Institutions at Horton, during the period for which the School Bill of the present Session may be limited—on its being certified to His Excellency the Lieutenant Governor that in each year ten youths of exemplary conduct and poor parentage, have been educated at these institutions, if so many shall apply, one-half of them to be nominated by the Lieutenant Governor.

2501. Saint Mary's  
Seminary.

And a further sum of Two Hundred and Fifty Pounds annually, by quarterly payments, to the President and Trustees of Saint Mary's Seminary, in support of that Institution, during the period for which the School Bill of the present Session may be limited—on its being certified to His Excellency the Lieutenant Governor, that in each year ten youths of exemplary conduct and poor parentage have been educated at that Institution, if so many shall apply, one-half of them to be nominated by the Lieutenant Governor.

2501. Pictou Acade-  
my.

And a further sum of Two Hundred and Fifty Pounds, annually, by quarterly payments, to such persons as shall be appointed Managers of the Pictou Academy, under any Act of the General Assembly that shall be passed at this present Session, on the like terms and conditions, and for the same period as the grants to Acadia and Saint Mary's Colleges.

1501. Wesleyan Aca-  
demy, New-Brun-  
swick.

And a further sum of One Hundred and Fifty Pounds, annually, by quarterly payments, to the Treasurer of the Wesleyan Academy at Sackville, New Brunswick, in aid of the Funds of that Institution, during the period for which the School Bill of the present Session shall be limited.

5001. Steam Boat;

And a further sum of Five Hundred Pounds, annually, for three years, to such person or persons as shall, in each year, first establish and run weekly a suitable 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

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.

And a further sum of Two Hundred Pounds, annually, for the next three years, at the disposal of His Excellency the Lieutenant-Governor, to compensate some person for carrying the Mails between Annapolis, Digby, and Saint John, New-Brunswick, at least once in each week during such period—provided the said Mails be conveyed in a good and sufficient Steamer—the voyage to be extended to Annapolis at all times when practicable—the said sum to be drawn quarterly, on the Certificate of the Deputy Post Master at Digby, that the duty has been faithfully performed.

200l. Persons carrying Mails.

And a further sum of Three Hundred and Fifty Pounds at the disposal of His Excellency the Lieutenant Governor, to encourage the running of the Steamer "St. George" weekly, between Pictou, Prince Edward Island, and Miramichi, and once in each week from Pictou to St. Peter's Bay, touching to land Passengers and Mails at Canso and Arichat—to be drawn and paid to the Owners of such Steamer, on their engagement to the satisfaction of His Excellency to perform such services.

350l. Steamer Saint George.

And a further sum of Seven Hundred and Seventy-three Pounds Three Shillings and Three Pence half-penny, 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.

773l. 3s. 3d. Post Office Department

And such further sum at the disposal of His Excellency the Lieutenant Governor, as will suffice to pay to the Chaplain of the Provincial Penitentiary a Salary at the rate of Forty Pounds per annum, from the date of his appointment up to the present time.

40l. Chaplain Penitentiary.

And a further sum of One Thousand Three Hundred and Fifty-nine Pounds Seventeen Shillings and Four Pence 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.

1359l. 17s. 4d. Commissioners Penitentiary.

And a further sum of One Thousand One Hundred and Fifty-eight Pounds Thirteen Shillings and Ten Pence to the Commissioners of the Public Buildings, to defray the expenses incurred by them during the last year.

1158l. 13s. 10d. Commissioners Public Buildings.

And a further sum of Six Hundred and Eighty-two Pounds Four Shillings and Five Pence, to defray the expenses of the Legislative Council for the present year.

682l. 4s. 5d. Expenses Legislative Council.

And a further sum of Twenty-five Pounds to John Chamberlain, towards remunerating him for his services in reporting the Debates at this present Session, agreeably to the prayer of his Petition.

25l. John Chamberlain.

And a further sum of Twenty-five Pounds, additional, to the Sergeant-at-Arms to the House of Assembly, for his expenses incurred in consequence of the accident that occurred to him in this present Session.

25l. Sergeant-at-Arms.

And a further sum of Twenty-two Pounds Sixteen Shillings and Four Pence to the Honorable the Speaker, being balance of Monies advanced by him during the last year, to procure the Annual Register and other Publications for the use of the House of Assembly.

22l. 16s. 4d. Speaker

And a further sum of One Hundred and Eleven Pounds Nineteen Shillings and Five Pence, to James B. Hadley, being balance due him for his services as Collector of Light Duties in the Gut of Canso, in the years One Thousand Eight Hundred and Forty-three, and One Thousand Eight Hundred and Forty-four, agreeably to the report of the Committee.

111l. 19s. 5d. James Hadley.

And a further sum of One Hundred Pounds to John Lewis Tremain, Esquire, Sub-Collector of Her Majesty's Customs at Port Hood, agreeably to the prayer of his Petition, and in accordance with a report of a Committee of the House of Assembly in One Thousand Eight Hundred and Forty-four.

100l. John Lewis Tremain, Esq.

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



91. 9s. stg. Reports  
Judicial Commit-  
tee.

nor as will enable him to transmit to the Colonial Office Nine Pounds and Nine Shillings, Sterling, in payment of Reports of Decisions of the Judicial Committee of the Privy Council.

118l. 4s. 7d. Binding  
of Laws, &c.

And a further sum of One Hundred and Eighteen Pounds Four Shillings and Seven Pence to the Clerk of the House of Assembly, to defray the expense of Stationary and Binding of the Journals and Laws for the House of Assembly, during the last year.

10l. each, Chairmen  
of Committees.

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

100l. each, Clerks of  
House.

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

328l. Extra Messen-  
gers, &c.

And a further sum of Three Hundred and Twenty-eight Pounds, to defray the expense of extra Messengers and other services and articles for the House of Assembly, and for Fuel according to estimate, and also to pay the sum of Seventy-five Pounds towards services performed in relation to a revision of the Laws, pursuant to the Report of the Committee on that subject—the said sum to be drawn and applied by the Clerk of the House of Assembly, under the sanction of the Speaker.

15l. Books and Pub-  
lications.

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

200l. stg. Lt. Gov.  
contingencies.

II. *And be it enacted*, That in the event of a Bill, entitled, "An Act to provide for the Civil List of Nova Scotia, and to commute the Casual and Territorial Revenues," receiving Her Majesty's assent and passing into a Law, the sum of Two Hundred Pounds Sterling be granted and paid to the present Lieutenant-Governor for contingencies for the present year, it not being the intention of the House of Assembly to renew such grant to any future Lieutenant-Governor.

250l. stg. Secretary  
of Governor.

And also, in the like event, the sum of Two Hundred and Fifty Pounds, Sterling, to the present Lieutenant-Governor, for a Private Secretary for the present year, it not being the intention of the House of Assembly to renew such Grant to any future Lieutenant-Governor.

100l. stg. Superin-  
tendant of Mines.

And also, in the like event, the sum of One Hundred Pounds, Sterling, to the Superintendent of Mines in Cape Breton, for the present year.

150l. stg. Surveyor  
General of Nova-  
Scotia.

And also, in the like event, the sum of One Hundred and Fifty Pounds, Sterling, to the Surveyor General of Nova Scotia, as his Salary for the present year.

100l. stg. Surveyor  
General of Cape  
Breton.

And also, in the like event, the sum of One Hundred Pounds, Sterling, to the Surveyor General of Cape Breton, as his Salary for the present year.

200l. stg. first Clerk  
in Secretary's  
office.

And also, in the like event, the sum of Two Hundred Pounds, Sterling, as the Salary of the First Clerk in the Provincial Secretary's Office for the present year.

160l. stg. second  
Clerk in Secreta-  
ry's office.

And also, in the like event, the sum of One Hundred and Sixty Pounds, Sterling, as the Salary of the Second Clerk in the Provincial Secretary's Office for the present year.

100l. stg. third Clerk  
in Secretary's  
office.

And also, in the like event, the sum of One Hundred Pounds, Sterling, as the Salary of the Third Clerk in the Provincial Secretary's Office, for the present year.

100l. stg. Messenger  
of Governor, con-  
tingencies, &c.

And also, in the like event, a sum not exceeding One Hundred Pounds, Sterling, for the Messenger of the Lieutenant Governor and Executive Council, and for Stationary, Printing, and other contingencies of the Provincial Secretary's Office, for the present year—the expenditure to be accounted for at the next Session of the General Assembly.

30l. stg. Master of  
the Rolls, &c.

And also, in the like event, the sum of Thirty Pounds, Sterling, to the Master of the Rolls, the Judge of Vice Admiralty, and the Judge of Probate, at Halifax, for Fuel and Criers of their Courts for the present year.

8l. Appropriation  
changed from al-  
teration of road in  
Hants to re-build  
Bridge.

III. *And be it enacted*, That the sum of Eight Pounds granted in the First Session of the Legislature held in One Thousand Eight Hundred and Forty-four, for an alteration of Road at Hugh Ross', in the County of Hants, and remain-

ing undrawn, be applied to rebuild the Bridge over the Mill Creek, near Archibald Smith's, and to repair the Road leading to the said Bridge.

IV. *And be it enacted*, That the sum of Ten Pounds granted in One Thousand Eight Hundred and Forty-two, for the purpose of opening a New Road from Beech Hill, in Horton, to Black River, and thence to Falmouth, which has not been drawn, be appropriated to pay expenses incurred in the survey of that Road, in such way as may be recommended and approved of by the members of King's County.

10L. Appropriated to pay expenses of survey of road.

V. *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 Three Hundred Pounds in any one year.

Drawback on Wines used by Officers of the Army.

VI. *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 same shall not exceed in the whole the sum of Five Hundred Pounds, and the sums so drawn shall be charged at the next Session of Assembly, as against the several Counties in which the same shall be expended.

Proviso.

Bridges giving away or roads obstructed Lt. Governor may repair them.

VII. *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 several Acts of the General Assembly passed in the First Session of One Thousand Eight Hundred and Forty-four, and in the present Session of the General Assembly, respectively 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 One Thousand Pounds.

Collector of Impost to keep a distinct account of Duties on live Stock, Apples, Onions, Fruit, Biscuit and Bread from the U. S. of America.

To be paid to Commissioners of Poor.

Proviso.

VIII. *And be it enacted*, That the sum of One Pound per day be granted and paid to each and every Member of the House of Assembly, for 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.

Allowance to Members of Assembly.

Proviso.

IX. *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 this 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

The 9th, 12th, 16th, and 18th Sec. of 41, Geo. 3d., and the 11th, 12th and 13th Sec. of 4th. Wm. 4th., continued.

this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province," shall be and each of the said Clauses or Sections is hereby continued in force, in as full and ample a manner as if herein repeated word for word, until the Thirty-first day of March, which will be in the year of Our Lord One Thousand Eight Hundred and Forty-six, and no longer.

## CAP. XXVII.

## An Act to Incorporate sundry persons by the name of the Richmond Bridge Company, for the purpose of erecting a Toll Bridge across the Harbour of Halifax.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** the building of a Bridge across the Harbour of Halifax would greatly facilitate the communication of the Settlements in the Eastern and the adjacent Western parts of the Province with the City of Halifax.

*And whereas*, John Edward Starr, and Arthur Wellington Godfrey, have proposed to raise by private subscription a sufficient sum of money for the purpose of building a Bridge of Boats or other structure across the said Harbour, and have prayed the aid of the Legislature of this Province to enable them to carry into effect this intention :

Company Incorporated.

Title, Rights, &amp;c.

**I.** *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That John Edward Starr, and Arthur Wellington Godfrey, their Associates, Successors, and Assigns, shall be, and they are hereby declared to be, a Body Corporate, by the name of "The Richmond Bridge Company," and by that name shall be able and capable in Law to have, get, receive, take, possess, and enjoy Houses, Lands, Tenements, Hereditaments and Rents, in fee simple or otherwise, and also Goods, Chattels, and all other things, real, personal or mixed, and also to give, grant, let, or assign the same, or any part thereof, and to do and execute all other things in and about the same as they shall think necessary for the benefit and advantage of the said Corporation, and also by that name shall be able and capable in Law to sue and be sued, plead and be impleaded, answer and be answered unto, defend and be defended, in any Court or Courts of Law or Equity, or other places whatsoever, in all and all manner of actions, suits, complaints, demands, pleas, causes, and matters whatsoever, in a full and as ample a manner as any other person or persons are in Law capable of suing and being sued, pleading and being impleaded, answering and being answered unto, and also by that name shall have succession and a Common Seal, and also that the said Company, or the major part of the Stockholders, or such persons as may hereafter become such at any meeting of the said Stockholders, shall from time to time, and at all times, have full power, authority, and license to constitute, ordain, make, and establish such Bye-laws and Ordinances as may be thought necessary for the good rule and government of the said Corporation : *Provided*, that such Bye-laws and Ordinances be not contradictory or repugnant to the Laws and Statutes of the Province and those in force within the same : *And provided also*, that no such Bye-law or Ordinance shall be in force or executed until the same shall be submitted to, and approved by, the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council.

Proviso.

Amount of Capital.

Amount of Shares.

**II.** *And be it enacted*, That the Capital or Stock of the said Corporation shall consist of Six Thousand Pounds, with power to increase the same to Ten Thousand Pounds, to be paid in the manner, at such time and times, and in such parts or portions as the Directors for the time being shall from time to time think necessary, the whole amount of such Capital or Stock to be divided into Shares of Two Pounds Ten Shillings each, making in the whole Two Thousand Four Hundred Shares ;

and

and further, that it may be lawful for the said John Edward Starr, and Arthur Wellington Godfrey, to erect and build the said Bridge from, and solely out of, their own funds, or from such sources as they may deem fit and proper, or by the sale of such certain number of Shares as they may deem requisite, to assist them in the building and completion of the said contemplated Richmond Bridge, at the price and in the manner herein specified, such purchasers of Stock to be entitled to all the privileges herein granted to the said John Edward Starr, and Arthur Wellington Godfrey.

III. *And be it enacted*, That whenever the said John Edward Starr, and Arthur Wellington Godfrey, shall deem it necessary and requisite, to aid them in raising funds for the building and completion of the said Bridge, that it shall and may be lawful for them to dispose and sell such number of Shares as they may see fit, of the said Capital or Stock, and when they shall have disposed of such Shares, that then there shall be holden at some convenient place, a General Meeting of the Members and Stockholders, or the major part of them, notice thereof being given in three or more Newspapers published in the City of Halifax, ten days previous to such Meeting, for the purpose of making, ordaining, and establishing such Bye-Laws, Ordinances, and Regulations, for the good management of the affairs of the Corporation as they shall deem necessary, and for the purpose of choosing Five Directors, being Stockholders and Members of the Corporation, and the Directors when chosen, shall at their first meeting after their election, choose out of their number a President.

General Meeting to  
choose Directors,  
&c.

IV. *And be it enacted*, That the Directors of the said Corporation for the time being, shall have power from time to time to nominate and appoint such other Officers and Servants, as to them or the major part of them shall seem necessary and proper, for executing the business of the said Corporation, and the same or any of them from time to time remove, and to nominate and appoint other person or persons in their room or stead, and shall and may allow them such compensation for their respective services as to them shall appear reasonable and proper, all which, together with the expenses of the obtaining and making of Surveys, Plans, and Estimates for the building of such contemplated Bridge, and also of making and completing the said Bridge, and of all other contingencies and expenses whatsoever, shall be borne upon and defrayed out of the funds of the said Corporation, and further, that the said Directors shall likewise exercise such other powers and authorities for the well regulating of the affairs of the said Corporation as shall be prescribed by the Bye-laws and Regulations of the same.

Their powers.

V. *And be it enacted*, That no person shall be eligible as a Director, unless such person is a Stockholder, and holds not less than Forty Shares of the Capital or Stock of the said Company, and is of the full age of Twenty-one Years.

Qualifications.

VI. *And be it enacted*, That the number of votes to which each Stockholder shall be entitled, on every occasion when the votes of the Stockholders are to be given, shall be One Vote for every Three Shares, and that every Stockholder may vote by Proxy, provided such Proxy be a Stockholder, and previous to voting produce a sufficient authority in writing from his Constituent or Constituents.

Number of votes.

VII. *And be it enacted*, That there shall be a General Meeting of the Stockholders and Members of the said Corporation to be annually holden on the First Tuesday of June in each and every year, in the City of Halifax, at which Annual Meeting there shall be chosen by a majority thereof, Five Directors, who shall continue in office for one year, or until others are chosen in their room, in the choice of which the Stockholders and Members of said Corporation shall vote according to the rule hereinbefore mentioned, and the Directors when chosen, shall at their first meeting after their election, choose out of their number a President, as aforesaid.

Annual Meeting.

VIII. *And be it enacted*, That in case of any vacancy among the said Directors by death, resignation, or absence from the Province for Three Months, or in case any Director shall disqualify himself by the sale or disposal, and transfer of his

Vacancies in Direc-  
tors.

his Shares, or any of them, so as to reduce his interest in the said Corporation to less than Forty Shares, required for the qualification of a Director, then and in either of such cases the said Directors shall and may fill up such vacancy by choosing one of the Stockholders, and the person so chosen by the Directors shall serve until another be chosen in his room in manner before mentioned.

Site of Bridge, &c.

IX. *And be it enacted*, That it shall and may be lawful to and for the said Company and their Successors, their Deputies, Agents, Servants, Workmen, and Assistants, and they are hereby authorised and empowered to design, erect, and build or cause to be built, and to complete, make anew, alter, maintain, and keep in repair, a Bridge across the Harbour of Halifax, to commence at any place North of the Government Magazine at Richmond, on the Western side of said Harbour, and to terminate on the opposite or Eastern Shore of said Harbour, and that the said Company and their Successors shall and may occupy, possess, and enjoy all the waters, and Land covered with water from high water mark on the Western side, to high water mark on the Eastern side of said Harbour, wherein or over which the said Company shall erect such Bridge, and also any Public Dock or Street, or place or places reserved for the public accommodation, provided they place no obstruction thereon.

Grants to Company.

Draw in Bridge.

X. *Provided always, and be it enacted*, That the said Company shall be obliged to construct and keep in the most convenient situation, at least one draw in the said Bridge, of sufficient width to admit of the passing and repassing of Ships, Vessels, Rafts, or Boats, which draw in the said Bridge shall from time to time, as occasion may require, be raised up or drawn by a person or persons to be for that purpose provided, free of charge by said Company, for the passage of any Ship, Vessel, Raft or Boat passing up or down the said Harbour upon any lawful business.

Gates, Toll Houses, &c.

XI. *And be it enacted*, That the said Company shall and may erect, set up, or cause to be erected and set up, a Gate or Gates in upon and across the said Bridge, together with Toll Houses and proper and necessary Buildings, conveniences and Fences near to each Gate, across the said Bridge, or the road or avenue immediately communicating therewith.

Transfer of Shares, &c.

XII. *And be it enacted*, That the Shares, Capital or Stock of the said Company, shall be assignable or transferable according to such rules and regulations as may by the Directors be established in that behalf, but no assignment or transfer shall be valid or effectual, until the person or persons making the same shall previously discharge all debts, actually due and payable by him, her or them to the said Corporation, and in no case shall a fractional part of a Share be assigned or transferable; and that whensoever any Stockholder shall transfer in manner aforesaid, all his or her Stock or Shares in the said Corporation to any person or persons, whomsoever, such person shall cease to be a Member of the said Corporation, and the person or persons so purchasing shall become a Member of the said Corporation in his or her stead, and be entitled to all the privileges as such.

Forfeiture of Shares.

XIII. *And be it enacted*, That in case any Subscriber or Stockholder shall neglect or refuse when called upon to pay the amount of his, her or their Shares or interest in the Capital or Stock of the said Company, it shall and may be lawful to and for the Directors within Thirty Days after notice thereof given in writing to the person or persons so neglecting or refusing to pay as aforesaid, to declare the Shares or interest of such parties in said Capital or Stock forfeited to the said Company, together with all deposits, instalments, interest, profit or dividends thereto belonging or appertaining, and that such Stock so forfeited shall be Sold by Public Auction, for and on account of the said Company, and the purchaser or purchasers thereof shall be likewise subject to all the provisions of this Act.

Stockholders may call a meeting.

XIV. *And be it enacted*, That any number of Stockholders not less than Ten who shall together be Proprietors of Five Hundred Shares, on presenting a requisition in writing to the President for the time being, shall have power by themselves or

their

their Proxies at any time to call a General Meeting of the Stockholders for purposes relating to the business of the said Corporation, giving at least fifteen days notice, in three of the Newspapers published in this Province, and specifying in such notice the time and place of such Meeting, with the objects thereof, but the Directors shall have the power at any time upon observing the like formalities, to call a General Meeting as aforesaid.

XV. *And be it enacted,* That if the said Richmond Bridge Company shall not within Three Years after the passing of this Act, complete the said Bridge so as to make the same passable for Horses and Carriages, that, then and from thenceforth all the powers and authorities vested in them by this Act, shall cease and determine to all intents and purposes whatsoever.

Bridge to be built within three years

XVI. *And be it enacted,* That a way and passage in, upon and over the said Bridge, and the approaches, outlets and entrance thereof, shall be at all times and seasons (except when obstructed or closed from absolute necessity) free and open to all Her Majesty's subjects, with their Horses, Cattle, Carts, and Carriages, upon payment of such Toll or Pass money as shall from time to time be fixed and established by the President and Directors of the said Company, by and with the sanction and concurrence of the Governor in Council, or by any Bye-law of such Company, to be transmitted and approved as aforesaid; *Provided always,* That no Toll whatsoever, shall be demanded or taken for any person or persons, Horses, Cattle, Beast, or Carriage, of whatever description, employed in conveying, fetching, or guarding Mails of Letters and Expresses, under the authority of Her Majesty's Postmaster General, either when employed in conveying, fetching or guarding such Mails or Expresses, or returning back from conveying or guarding the same, or for any Soldiers or Militia upon their march or upon duty, or for any Horse, Cattle or Carriage attending them with their Arms and Baggage, or returning after having been so employed, nor for any Waggon, Cart or other Carriage whatsoever, or the Horse or Horses, or other Cattle drawing the same, which shall be employed in the conveying of any Ordnance, Barrack or Commissariat, or other Public Stores, of or belonging to Her Majesty's Forces, or for any Fire Engine or Company, or People thereto belonging on duty.

Bridge to be always open.

Mails, Expresses, Soldiers, &c. to pass free.

XVII. *And be it enacted,* That notwithstanding any Real Estate which the said Company may at any time own or possess, the Shares and Interests of the Shareholders of and in the Joint Stock Funds, Property, and Estate of the said Company, shall be and be deemed, taken, and held to be Personal Property, to all intents and purposes whatsoever.

Shares held to be personal property.

XVIII. *Provided always, and be it enacted,* That nothing herein contained shall be held or construed to give the said Company the privilege of dealing in the lending of money by way of discount or otherwise, or engaging in any Banking 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.

Restriction of Privileges.

XIX. *And provided also, and be it enacted,* That nothing herein contained shall extend, or be construed to extend to relieve or discharge the said Company or any of the present or future Proprietors or other Holders of shares in the said Company, from any responsibility, contract, duty, or obligation, whatsoever to which by Law they, he or she, now is, or at any time hereafter may be, or would have been subject or liable, had not this Act been passed, as between such Company and any other party or parties whomsoever, and the said Proprietors or Holders of Shares in the said Company, their Lands, Goods, and Chattels, shall be liable under any Execution that may be issued against the said Corporation, in the same manner and to the same extent as if this Act had not been passed: *Provided always,* That if the Directors 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 obtained at any General or Special Meeting, to be called or summoned as hereinbefore mentioned, the Directors of the said Company shall themselves be held and be personally liable for the amount so by them incurred.

Extent of liability.

Proviso.

Penalty for neglect to open draw.

XX. *And be it enacted*, That for every refusal or neglect to open the said Draw on the said Bridge; to admit the passage of any Ship, Boat, or Raft, or other thing, the said Company shall be liable to a penalty of Five Shillings for every Five Minutes during which the said Company, or their Deputy, Servant, or person having charge of the said Bridge, shall so refuse or neglect to open the said Draw, such penalty to be recovered by the party requiring the said Draw to be opened, against the said Company, in the same manner as if the same were a private Debt due to such person by the said Company.

Reservation.

XXI. *And be it enacted*, That nothing herein contained shall extend or be construed to extend to affect the rights of Her Majesty, her Heirs, or Successors, or any person or persons whomsoever.

Act to be in force 30 years.

XXII. *And be it enacted*, That that this Act shall continue and be in force for the space of Thirty Years from the last day of this present Session.

CAP. XXVIII.

An Act to continue and amend the Acts to regulate the Pilotage of Vessels at the Port of Halifax.

(Passed the 28th day of March, A. D. 1845.)

Act 11, Geo. 4, and Acts 1 and 2, Wm. 4. continued.

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the Eleventh year of the Reign of His late Majesty King George the Fourth, entitled, An Act to regulate the Pilotage of Vessels at the Port of Halifax, and the several Acts, passed in the first and second years respectively of the Reign of His late Majesty King William the Fourth, in amendment of, and additional to, the said Act, except so far as the same may be altered or amended by this Act, shall be continued, and the said Acts, and every matter, clause and thing, therein contained, except as before excepted, are hereby severally and respectively continued for two years, and thence to the end of the then next Session of the General Assembly.

Rates of Pilotage altered.

II. *And be it enacted*, That instead of the Rates of Pilotage into and from the Harbour of Halifax, now by Law established, the Rates of Pilotage to which Licensed Pilots shall be entitled when employed by any Vessel shall be according to the Table of Rates of Pilotage following, that is to say :

Table of Rates of Pilotage into and out of the Harbour of Halifax.

Table of Rates

On Vessels of two hundred tons and under	- - - - -	£2 0 0
On Vessels from two hundred to three hundred tons	- - - - -	2 10 0
On Vessels from three hundred to four hundred tons	- - - - -	3 0 0
On Vessels of four hundred tons and upwards	- - - - -	3 10 0
On Her Majesty's Ships under sixth rates	- - - - -	2 0 0
On Her Majesty's Ships of fourth, fifth, and sixth rates,	- - - - -	2 10 0
On Her Majesty's Ships of Line	- - - - -	3 0 0
On Vessels entering the Port of Halifax, if boarded to the northward of Herring Cove and Thrum Cap Island, one fourth less than the above Rates.		

Act to be in force for two years

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

## CAP. XXIX.

## An Act to revive, continue, and alter the Act in amendment of the Act relating to Highways, Roads and Bridges.

(Passed the 28th day of March, A. D. 1845.)

**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, and every matter, clause, and thing therein contained, shall be revived, and except as hereinafter amended, continued, and the same are hereby revived, and except as hereinafter amended, continued for one year, and thence to the end of the then next Session of the General Assembly. Act 4, Wm. 4, revived.

**II.** *And be it enacted,* That all Petitions, Precepts, Reports, Orders, and Proceedings whatsoever, preferred, directed, entered upon, had or made, under and by virtue of the said Act, hereby revived and continued since the last Session of the General Assembly, if in other respects legal, shall be and be held legal, valid, and effectual, to and for all intents and purposes whatsoever, notwithstanding the expiration of the said Act, and shall and may be proceeded with in the same manner as if the said Act had not been allowed to expire. Proceedings under Act confirmed.

*And Whereas,* It is expedient that the Freeholders hereafter to be appointed, under and by virtue of the provisions of the first Section of the said Act for laying out new Roads, or altering old ones, should have more extended powers so far as regards the alteration of old Roads: Preamble.

**III.** *Be it enacted,* That the said Freeholders so appointed as aforesaid, for the purpose of making any alteration of any old Roads, shall have power and authority and they are hereby authorised and empowered to lay off and apportion the old Road so varied from in whole or in part, to the Proprietor or Proprietors of the Land through which any alteration of such old Road may have been made, and shall put a certain value on such old Road or parts thereof, as may be so laid off and apportioned, as a compensation in whole or in part for the Land so taken for the purposes of such alteration as aforesaid, and shall make return of their proceedings therein, and all other the further proceedings thereon shall and may be had in manner prescribed in and by the said Act: *Provided always,* That such Land so laid off and apportioned shall run through or adjoin the Land of such Proprietor or Proprietors to whom the same shall be so laid off and apportioned. Freeholders may lay off old roads to adjoining Proprietor.

**IV.** *And be it enacted,* That when and so soon as the report of the said Freeholders, or such other proceedings as may be thereafter had thereon, shall be confirmed, the said Land, the laying off and apportioning which shall have been so confirmed, shall be and become the sole and absolute property of, and the same is hereby vested in the person or persons to whom the same may have been so laid off and apportioned: *Provided always,* That no such old Road, or part thereof, so laid off and apportioned, shall be shut up, or the public in any way excluded from the free use thereof, until the new line of Road shall be finished and rendered passable for travelling, nor until such old Road shall be abandoned, and such proceedings had for shutting up the same as are prescribed in and by the Act, passed in the Sixth year of Her Majesty's Reign, entitled, An Act for disposing of old Roads. Road to become property of adjoining Proprietor.

**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. Old Road not to be shut up till New Road finished, &c.

Act to be in force one year.



## An Act in further addition to the Act to Incorporate the Town of Halifax.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** the Corporation of the City of Halifax are desirous of Lighting the Streets of said City by Gas :

Corporation to raise money for Lighting City with Gas.

**I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That** from and after the passing of this Act, it shall be lawful for the Mayor, Aldermen, and Common Council of the said City of Halifax, at a Meeting or Meetings of the said Council, to make such Bye Laws or Ordinances as to them shall seem meet, for raising, assessing, and applying such Monies as may be required for erecting Lamp Posts and Lighting the Streets of the City with Gas, by causing a fair and proportionable rate to be made upon the whole property in any Street or any part of a Street to be lighted in manner hereinafter mentioned, by two or more sworn appraisers to be appointed by said Council, who shall not be interested in the Street or part thereof in question, or be Proprietor of Stock, or interested in any Gas Company ; and when such rate shall be made and approved by the Mayor aforesaid, he shall order Public Street Lamps to be erected, and the same to be lighted, and that the expense thereof shall be borne by the Proprietors or Owners of the Houses and Buildings on such Street, or part of Street, agreeably to the rate aforesaid; and on the refusal or neglect of any Proprietor or Owner to pay such rate, the Gas Company supplying such Light shall be entitled to proceed against such Proprietor or Owner, 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 labor performed by such Company for the said Proprietor or Owner : *Provided always*, That the said Mayor and City Council shall have no authority to erect Lamp Posts, or light any Lamps in any Street in Halifax, until a majority of the Proprietors from one corner to another, inclusive of such corners in any Street, shall apply to the Mayor and City Council in writing for such purpose.

Proviso.

To contract for erecting Lamps

**II. And be it enacted, That** whenever a majority of the Proprietors of Houses or Buildings on any Street, both sides thereof inclusive, or a majority of the Proprietors of Houses or Buildings, between any two corners of any portion of any Street, including such corners and both sides of such Street, shall desire that such Street, or portion of a Street, may be lighted up with Public Lamps or Burners, and shall apply in writing to the said Mayor, it shall and may be lawful for the Council of said City to contract and agree with any Gas Light Company to erect Public Lamps, and to light the same for any Term not less than Four Years, and to assess for maintaining the same annually, as hereinbefore provided.

Regulations to be approved of

**III. And be it enacted, That** no Bye Law or Ordinance to be made by virtue of this Act, shall have any force or effect until after the same shall have been transmitted and approved, as prescribed by the Fifty-first Section of the Act; passed in the Fourth Year of Her present Majesty's Reign, entitled, An Act to Incorporate the Town of Halifax.

Part of Act 3, Vict. repealed.

**IV. And be it enacted, That** the Seventh Clause of the Act, passed in the Third Year of Her present Majesty's Reign, entitled, An Act to Incorporate the Halifax Gas Light and Water Company, shall be and the same is hereby repealed.

## CAP. XXXI.

**An Act for supplying the City of Halifax with Water.***(Passed the 14th day of April, A. D. 1845.)*

**WHEREAS** the Corporation of the City of Halifax are desirous of entering into Contracts for the purpose of conducting Water into the City aforesaid, and to tax the Inhabitants of the said City for that purpose, And Whereas the Halifax Water Company are willing to perform the necessary work to supply the Inhabitants of said City with Water, on having a reasonable and permanent contribution from the said City :

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That from and after the passing of this Act, it shall and may be lawful for the Mayor, Aldermen, and Common Council of the said City of Halifax, at a Meeting or Meetings of the said Council, to make such Bye Laws or Ordinances as to them shall seem meet, for raising, assessing, and applying such monies as may be required to furnish the City of Halifax with Public Fountains, Hydrants, and Fire Plugs, abundantly supplied with Water, by causing a fair and proportionable rate, not less than Four Hundred Pounds, in each and every year to be made, upon the whole property in the said City, to be assessed, levied, collected, and paid, in the same manner as the other City Rates and Taxes are assessed, levied, collected and paid.

Corporation to raise money for supplying City with Water.

II. *And be it enacted,* That the said Halifax Water Company shall, in consideration of the said annual sum of Four Hundred Pounds, erect and build in the said City Eighteen Fountains or Hydrants, and shall lay down Twenty-five Fire Plugs, in such places as may be pointed out and assigned by the said Mayor and Corporation, and from time to time such additional number of Fire Plugs and Fountains as may be required by the said Mayor and Corporation, on payment of such sum or sums of money as may be agreed and contracted for by the said Company, with the said Corporation.

Water Co. to erect Fountains, Fire-plugs, &amp;c.

III. *And be it enacted,* That no Bye Laws or Ordinances to be made by virtue of this Act, shall have any force or effect until after the same shall have been transmitted and approved, as prescribed by the Fifty-first Section of the Act, entitled, An Act to Incorporate the Town of Halifax.

Regulations to be approved of.

## CAP. XXXII.

**An Act to Incorporate the Atlantic Marine Insurance Company.***(Passed the 14th day of April, A. D. 1845.)*

**WHEREAS**, the Trade and Navigation of this Province will be benefitted by the establishment of another Company for carrying on the business of Marine Insurance, 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 therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That William Saltus, Andrew M. Uniacke, Robert M. Brown, Alexander Muri-son, Thomas C. Kinnear, Nathaniel L. West, John Strachan, William B. Fairbanks, Gilbert R. Frith, John H. Anderson, John Bazalgette, Archibald Harshaw, John Duffus, William Murdoch, George H. Starr, Thomas Ring, Samuel Story, Junior, and all and every such other person 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,

Company incorporated by the name of the Atlantic Marine Insurance Company.

pany, and declared to be one Body, Politic and Corporate, by the name of "The Atlantic 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 Felony, Misdemeanor or other Offence, by Law indictable, and shall by that name be capable, authorized 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 Thirty 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, authorized 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.

Restriction on purchase of Lands, Houses, &c., for Offices.

*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 Two Thousand Pounds, unless to replace the same, or to repair damages sustained by the accidental destruction thereof, a larger expenditure shall become necessary.

Capital or Joint Stock to be raised and divided into Shares.

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 Forty 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 Eight Hundred Shares, of Fifty 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.

Registration of Shares.

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 into the books for the registration thereof, and to be called the Registry of Shares, to be kept by the Secretary, Broker, or Brokers 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 Shares to be granted.

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 any such share or shares from selling or disposing thereof.

IV. *And be it enacted*, That the several persons who become Subscribers toward 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.

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 devisable 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 Fifty 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 Fifty Pounds shall include all the calls and payments to be made on one share, and that no greater sum than Fifty 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.

VII. *And be it enacted*, That the said original Capital of Forty 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 Twelve Pounds Ten 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 Newspapers, Thirty Days at least, previous to such day; and all the said calls or payments shall be made by the Proprietor of every share in such Coin or Money, as at the time of such payment shall be a legal tender in this Province.

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 nine persons named in this Act, until the Board of Directors shall be chosen, and afterwards to the approval of such Board.

Payment of Shares  
in increased Capital.

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 the said Company.

Management of  
Company vested  
in certain Officers.

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 Six Directors, and that the necessary Officers of the said Company, shall be, and at all times, except in cases of vacancies arising from death, resignation, or otherwise, shall consist of one President, six Directors, a Secretary, Broker or Brokers, 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, Broker or Brokers, 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.

Eligibility of Directors.

XI. *And be it enacted*, That no Shareholder in the said Company shall be qualified to be elected, or to sit or 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.

Annual and Special  
Meetings of the  
Company.

XII. *And be it enacted*, That the Annual General Meeting of the said Company shall be held in the month of January, 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, owning not less than One Hundred 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 three days 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 said Company shall be given by an Advertisement, published at least ten days previous thereto, in two of the Public Newspapers in Halifax.

Provide.

Shareholders entitled to vote according to the number of Shares held by them.

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

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 on 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 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.

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 Twenty Proprietors, holding at least Two Hundred 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 one hour 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, Broker or Brokers of the Company, as the case may be, or by such person as may attend in his or their place.

Attendance of twenty Proprietors requisite at Meetings.

Chairman of Meetings.

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, Broker or Brokers, of the Company, or such other persons as shall attend in his or their 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.

Record of Proceedings to be kept.

*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 ten 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 shares therein. And when and so 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

Notice to be given when Subscription Books will be opened.

Number of Shares to be taken by one individual.

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.

When Shares are taken Meetings to be called and Officers elected.

XVII. *And be it enacted*, That so soon as the number of Eight Hundred Shares of the said original Capital of Forty Thousand Pounds shall have been subscribed, the said Four Persons first named in this Act shall, by public advertisement to be printed in at least two of the Newspapers at Halifax, 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, Broker or Brokers, the Company hereby incorporated shall be formed and organized, 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 Seven Directors for the said Company, and Secretary, Broker or Brokers, Auditors, and such other Officers as may be deemed expedient for organising 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 January, One Thousand Eight Hundred and Forty-six, 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.

Board of Directors to be established.

XVIII. *And be it enacted*, That, on the second Tuesday of January, in each and every year, the Directors of the said Company shall be elected by ballot, in the following manner:—The Shareholders shall first elect Five Directors for the then ensuing year, out of the Seven, 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 Seven Directors of the preceding year, if they shall think proper so to do.

Election of Officers on vacancies occurring.

XIX. *And be it enacted*, That the office of the President or Directors, Secretary, Broker or Brokers, or Auditors of the Company, shall become, and may by the Board be declared vacant, on the death, resignation, three months absence, or permanent removal of such Officer from the Province, by his ceasing to hold the number of shares required 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 elected to supply the place of these Officers, who are, as aforesaid, to go out of Office on the second Tuesday of January 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 January, 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.

When Company may commence operations.

XX. *And be it enacted*, That when and so soon as the sum of Ten Thousand 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 Halifax, or elsewhere in this Province, the business and operations of Marine Insurance, in all its branches, and shall and may receive and accept orders, directions, and proposals for Insurances, 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, Merchandise, 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 or Goods or Merchandise, carried or to be carried upon any Ship or Vessel, or on any voyage whatsoever ; and also upon Monies lent or 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, 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.

**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, Broker or Brokers, 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 or adjusted. *Provided always,* that until the expiration of one year from the constitution of the said Company as aforesaid, no greater sum than Two Thousand Five Hundred Pounds, and after the said one year expired, no greater sum than Three 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 Merchandize, 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 Two Thousand Five Hundred Pounds, during the first year, and Three Thousand Five Hundred Pounds afterwards.

**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 power and authority to meet and adjourn, from time to time, and from place to

Validity of Policies  
and extent of Insurance.

Proviso limiting amount of risk.

Affairs of Company  
by whom managed.



place, as they shall see fit, and also to direct, manage and conduct, with the assistance of the Secretary, Broker or Brokers, all the affairs and business 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.

Compensation to Officers of Company.

**XXIII.** *And be it enacted,* That it shall be lawful for the said Board of Directors to allow and pay to the President, Secretary, Broker or Brokers, and any other Officers or Servants of the said Company, such compensation and allowances as may be reasonable or agreed upon, and to the Directors, such compensation as the Company, at any General Meeting shall order for their services.

Surplus Funds and Capital Stock how to be invested.

**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 Stock, 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 in Bottomry or Respondentia, or in Mortgages of Ships or Vessels.

Proviso.

*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, Mortgage of Real Estate, or Personal Property may be made to, and held by, the Company; *Provided also,* that Mortgage Interests in Ships, Vessels or Goods may be insured thereby, nor shall the said Funds be used or employed in Merchandize, nor shall the Company trade or carry on any business as Merchants, or deal in buying or 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.

No Loan to be made to a Director.

Books of Company when to be balanced.

**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 December, One Thousand Eight Hundred and Forty-five, 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 Insurance made by the Company, are determined or remain undetermined, and at risk, and what claims for losses are unsettled, and what deductions or allowances ought to be made thereupon; and also, shewing how and in what manner the Capital Stock of the Company is invested or disposed of, and what sums of money are due to the

Company,

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.

Abstract to be submitted to the Governor, Council and Assembly.

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 orders 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 Auditor, the right to inspect in the Books of the Company, the account of any individual, other than himself with the said Company.

Books of Company subject to inspection by Directors.

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 of 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 December, One Thousand Eight Hundred and Forty-five, and in each year thereafter, shall not be deemed to be part of such profits.

Dividends.

XXVIII. *Provided always, and be it enacted*, That if at the Annual Meeting in January, One Thousand Eight Hundred and Forty-six, 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. on more than 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.

Surplus of Dividends.

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.

Company empowered to make Rules, Bye Laws, &c.

Proviso.

Governor may order  
inspection of  
Books of Compa-  
ny.

XXX. *And be it enacted*, That the Books and Accounts of 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.

Course to be pursued  
should Capital of  
Company be whol-  
ly expended.

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 authorize 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.

Dissolution of Com-  
pany

XXXII. *And be it enacted*, That upon the happening of any 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 the same shall cease, on a day to be fixed, and therefrom the said Company shall on that day cease and determine, but the President, and Board of Directors and officers of the Company, shall continue in office, during such time as shall be required for winding up the affairs and business of the said 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.

Liability of Stock-  
holders

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, 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. *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.

Duration of Act.

XXXIV. *And be it enacted*, That this Act shall continue for Eleven Years, and no longer, unless the same shall be determined in the manner before expressed.

## CAP. XXXIII.

**An Act to Incorporate the Cole Harbour Dike Company.***(Passed the 25th day of March, A. D. 1845.)*

**W**HEREAS the erection of a Dike across the Outlet of Cole Harbour, in the County of Halifax, would reclaim several Thousand acres of Land from the Sea, and convert the same into valuable Marsh and Arable Land, and the persons hereinafter named have, with others, proposed to join themselves into a Company for the purpose of erecting such a Dike, and are desirous of obtaining an Act of Incorporation for that purpose :

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That, Thomas Conrod, Senr, John Gammon, Senior, Joseph Bissett, Senr., James F. Bissett, Robert Turner, Senr, John Robertson, John Evans, Hector Elliott, Geo. Moreash, William Lawler, James Robertson, William Gammon, Robert Settle, John Chamberlain, William H. Wisdom, and all and every person and persons that shall from time to time become Proprietors of Shares in the said Company and undertaking, hereby established as hereafter mentioned, and their respective Successors, Executors, Administrators and Assigns, shall be, and they are hereby erected into a Company, and declared to be one Body Politic and Corporate, by the name of the Cole Harbour Dike Company, and by that name shall have perpetual succession, and a Common Seal, with power the said Seal to change, alter, break, and make anew, as to the said Company shall seem meet, and by that name shall sue and be sued, plead and be impleaded, answer and be answered, 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, Larceny or Misdemeanor, or other offences by Law indictable ; and by that name shall be capable, authorised, and empowered to purchase, have, hold, receive, possess and enjoy, any Lands, Tenements, and Real Estate whatsoever, either in fee simple or otherwise, which may be deemed necessary for the purposes of this Act, and likewise, Monies, Securities for Monies, Goods, Chattels, Effects, and other things of whatsoever kind or quality ; and by that name, and in their Coporate capacity, be capable, authorised, and empowered to give, grant, sell, assign, mortgage, demise absolutely, 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 also, that the said Company, or the majority in numbers and interests of them, shall from time to time, and at all times, have full power and authority at any meeting of the said Company to be duly called as hereinafter directed, to constitute, ordain, make and establish, change, vary, and alter such Bye Laws and Ordinances, as may be thought necessary for the good rule and government of the said Corporation, and in and about the erecting, building, opening, cutting, repairing, keeping in repair, upholding and sustaining any Dike or Dikes, Drain or Drains, or other work or works whatsoever to be done and performed, under and by virtue of this Act : *Provided* such Bye Laws and Ordinances be not contradictory or repugnant to the Laws or Statutes of this Province, or those in force within the same : *And provided always,* that such Bye Laws and Ordinances shall not be of any force or effect until the same have been submitted to, and approved of, by the Governor, Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of the Executive Council.

II. *Provided always, and be it enacted,* That the said Company shall not take, have, hold, or possess, at any one time, Lands, Tenements, or any Real Estate whatsoever, of greater value than Five Thousand Pounds, exclusive of any Lands which they may reclaim from the Sea, as hereinafter mentioned, and any Dike or Dikes, Drain or Drains, or other work or works done, under and by virtue of this Act, in or about the reclaiming of the same.

Notice to be given of Meetings.	<p>III. <i>And be it enacted</i>, That no meeting of the said Company shall be held without public notice being first given thereof, by inserting for at least three successive weeks in at least two of the Halifax Newspapers, a notice of the time and place of such meeting, and also by posting up Advertisements thereof in at least three of the most public places in the vicinity of Cole Harbour aforesaid, for at least ten days previous to every meeting.</p>
Officers of Company.	<p>IV. <i>And be it enacted</i>, That the said Company, and its affairs and business, shall be under the management and direction of a President and such other Officers as may be named and designated by the Bye Laws of the said Company, and the Capital of the said Company shall be divided into shares of such amount as by the said Bye Laws may be hereafter provided, and such shares shall be assignable and transferable in such manner and upon such terms as by the said Bye Laws may be also provided and directed.</p>
Amount of Shares.	
Number of Votes.	<p>V. <i>And be it enacted</i>, That each Shareholder in the said Corporation shall be entitled to vote by himself, or any other Shareholder, duly authorised in writing, at any meeting of the said Company, according to the number of shares he may possess, in the manner following, that is to say—the owner of one share shall be entitled to one vote, the owner of five shares shall be entitled to two votes, the owner of ten shares to three votes, the owner of twenty shares to four votes, and every ten shares over such twenty shares shall entitle the owner to an additional vote.</p>
Estimates to be submitted at General Meetings.	<p>VI. <i>And be it enacted</i>, That no work, undertaking, or operation whatsoever, shall be commenced or prosecuted by the said Company, until a fair estimate of the probable expenses thereof shall have been made and submitted to a General Meeting of such Company to be called for that purpose, at which meeting any member of the said Company, or any person who may have agreed to take any share or shares in the said Company shall, if he thinks fit, be allowed to withdraw therefrom, and shall thenceforth cease to be a Shareholder therein or a member of said Company; <i>Provided always</i>, that any person or persons so retiring from the said Company shall be liable to pay his or their portion or portions of the expense of making such estimate, and of all other expenses incurred previous to such meeting.</p>
Proviso	
Privileges of Company.	<p>VII. <i>And be it enacted</i>, That it shall and may be lawful for the said Company to make, erect, build, repair, keep in repair, sustain, and uphold, any Dike or Dikes, Wear or Wears, Aboiteau or Aboiteaux, Embankment or Embankments, or other erection or erections across the Outlet of Cole Harbour aforesaid, for the purpose of reclaiming the Lands lying within the same, and to make, open, and cut, any Drain or Drains, Ditch or Ditches, or other opening or openings whatsoever, for the purpose of directing and carrying off the same, and generally to do, execute and perform, all other works, acts, matters, and things whatsoever, in and about the draining of such Lands, and expelling the Tides therefrom, as to the said Company shall seem meet and advisable, and for these and any of these purposes to enter into and upon the adjoining Lands of any person or persons whomsoever.</p>
Damages to be settled by arbitration.	<p>VI. <i>And be it enacted</i>, That all and every person or persons who shall have sustained any injury by the entering of the said Company in and upon his or their Lands as aforesaid, or by the cutting or opening of any Drain or Drains through the same, or by the shutting out of the Tide or otherwise, shall be entitled to have and receive a full compensation for any such injury so sustained, either by payment in money, or by having a suitable and adequate quantity of the Marsh so to be reclaimed allotted to him or them, as may be mutually agreed upon by and between the said Company and such person or persons; and in case of disagreement in reference thereto, the same shall be submitted to the decision of two indifferent persons, one thereof to be chosen by the person or persons so sustaining such injury, and the other by the President, on behalf of the said Company, or in case of the President being the party so sustaining the injury, or being otherwise individually interested therein, then such Arbitrator so to be appointed on behalf of the said Company, shall be chosen by a majority of the said Company, at any meeting thereof</p>

thereof to be held as aforesaid; and such Arbitrators so to be appointed shall, in case of disagreement, have power to choose an Umpire, and the award of such Arbitrators, or any one of them, together with such Umpire, shall be final and binding on all parties in the premises.

IX. *And be it enacted*, That any such Lands so agreed on to be taken as a compensation for any injury as aforesaid, when allotted and laid off to the person or persons who shall have sustained such injury, shall be and become the sole and exclusive property of such person or persons, his or their Heirs and Assigns, in fee simple, subject however to the payment of any rate or rates to be thereon assessed for repairing and keeping in repair any such Dike or Dikes, and the keeping and continuing any such Drain or Drains as may be imposed and assessed under and by virtue of this Act, or of any Bye Law or Ordinance made thereunder, and also subject in other respects to all such Bye Laws, Ordinances, and Regulations so to be made as aforesaid.

Land allotted in compensation subject to payment of rates.

X. *And be it enacted*, That no Shareholder shall be called upon or required to pay at any one time more than one-fourth part of the amount of the share or shares held by him in such Company, nor shall he in any case be called upon for any such payment, without at least one Calendar Months' notice having been previously given him of such payment being required.

Notice, &c., of Instalments.

XI. *And be it enacted*, That each Shareholder owning Land fronting on Cole Harbour aforesaid, holding one share only in the said Corporation, shall be entitled, at his option, to pay the amount of such share by work, labor and materials, to be done, performed and furnished, upon, and in, about, and during the progress of any work to be done, under the provisions of this Act: *Provided always*, that such Shareholder shall be willing to perform such labor or furnish such materials as may be required, at the price or prices then current therefor; and in case any such Shareholder shall, after ten days' notice given him to that effect, neglect or refuse to furnish or perform such materials or work as may be required, at the current price aforesaid, then and thenceforth the amount of such share shall be and become payable in money.

Payment of Shares in labor, &c.

Proviso.

XII. *And be it enacted*, That all the Lands so reclaimed from the Sea, except such parts thereof as may have been set off to any person or persons as a compensation for any injury by him or them sustained as aforesaid, and also except such parts thereof, if any, as may have been by the said Company conveyed, absolutely or conditionally, under the provisions of this Act, shall be divided and apportioned by three indifferent persons, to be chosen and selected by a majority of votes of said Company, at a General Meeting to be called for that purpose, to and among the different Shareholders in the said Company, according to the amount of their respective interests therein, in the most convenient way that may be, and in cases where any Shareholder shall own Land fronting on the said Marsh, the portion of such Shareholder of and in such Marsh, shall be allotted to him, as convenient to his Upland as possible without depriving the main body of a suitable front, And from and after such division of the said Marsh, such part and parcel thereof as may have been apportioned to each individual Shareholder, shall be and become the sole and exclusive property of such Shareholder, to hold the same, to him, his Heirs, and Assigns forever, in fee simple, subject however, to the payment of any rate or rates that may hereafter be imposed or assessed thereon, under or by virtue of any of the Bye Laws or Ordinances, so to be made as aforesaid, and to all rates and regulations in relation to such Lands as may be made and passed, in, under, and by virtue of such Bye Laws, Ordinances, or any of them.

Division of Land reclaimed from the Sea.

XIII. *And be it enacted*, That previous to such division of the said Marsh as aforesaid, the Title of and in the same shall be, and the same is hereby vested in the said Corporation hereby established, and they are hereby declared to have full power and authority to grant, sell, and convey, mortgage, or in any way incumber the same, or any part thereof, as may seem for the general benefit of the said Company,

Corporation authorized to sell Mortgage.

and

and the person or persons to whom such Conveyances or Mortgages have been made, shall respectively have, hold, and enjoy the same, subject to the terms of such Conveyance, and also subject to all such Rate or Rates, Assessment or Assessments, as may thereafter be made thereon, under and by virtue of this Act, or of any such Bye Laws or Ordinances so to be made thereunder as aforesaid, and generally under and subject to all such Bye Laws, Ordinances, and Regulations.

Shares deemed Personal property.

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.

Real property to be sold as personal.

XIV. *And be it enacted*, That all such Lands and Real Estate, or so much as may be necessary to satisfy the same, shall and may be taken upon any writ of *feri facias*, or other Execution that may be issued against the said Corporation upon any Judgment that may be given against them, and sold in the same manner as Goods and Chattels may be taken and sold, and the Sheriff shall immediately after such sale, make and execute a Deed to the purchaser or purchasers, which Deed shall convey and transfer all the Estate and Interest of the said Corporation, in the Lands so taken, sold, and conveyed.

Restriction of Privileges.

XV. *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 the way of discount or otherwise, or engaging in any Banking operations whatever, or to effect any Insurance on any Ship or Vessel, or Marine Risk, or upon any loss by Fire, or upon any Life or Lives.

Liabilities of Shareholders.

XVI. *And be it enacted*, That nothing herein contained shall extend, or be construed to extend, to relieve or discharge the said Company, or any person or persons who may become Shareholders in the said Company, from any responsibility, contract, duty, or obligation whatever, to which he, she or they, at any time thereafter, may be, or would have been, subject or liable had this Act not been passed as between such Company, and any other party or parties whomsoever in any manner or way howsoever, and every such Shareholder in the said Company, his Lands, Goods and Chattels, shall be liable under any Execution which may be issued against the said Corporation, in the same manner and to the same extent as if this Act had not been passed.

#### CAP. XXXIV.

### An Act to amend and alter the Act to regulate and support the Pictou Academy.

(Passed the 14th day of April, A. D. 1845.)

Preamble

**WHEREAS**, at a Public Meeting lately held in the County of Pictou, it was determined as expedient to introduce such alterations in the trust and future management of said Institution, as to unite the two leading parties existing in that County, in the support thereof, and to found a general and improved system of Education therein, for the benefit of the Eastern Section of the Province generally, as well as of said County. *And whereas*, the Trustees, under and by virtue of the existing Charter, in order to carry out the Resolutions of said Meeting, and to secure unanimity of feeling in support of such Institution, have voluntarily consented to relinquish their rights, and to resign the Trust held by them under said existing Charter :

Part of Act 2d. Wm. 4th. repealed.

I. *Be it therefore enacted*, by the Lieutenant-Governor, Council, and Assembly, That the third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth and fifteenth Clauses or Sections of the Act, passed in the second year of the Reign of His late Majesty King William the Fourth, entitled, An Act

to

to regulate and support the Pictou Academy, shall be, and the same are hereby wholly repealed and declared null and void, to all intents and purposes whatsoever.

II. *And be it enacted*, That the said Trustees having resigned their Trust, as aforesaid, such resignation is hereby declared to be valid and binding, and that said former Trustees shall not hereafter be entitled to vote or interfere in the management of said Academy, and are hereby declared to be and shall absolutely be divested of all Estate and Interest in the Lands, Funds, and Property of and belonging to said Academy. Resignation of Trustees.

III. *And be it enacted*, That in the name and stead of said former Trustees, Alexander Fraser, Esquire, Middle River, Henry Blackadar, Esquire, Alexander Fraser, Merchant, New Glasgow, James Crichton, Esquire, James D. B. Fraser, Esquire, Peter Crerer, Esquire, Alexander Peter Ross, Esquire, Adam Gordon, Doctor William James Anderson, James Fraser, Esquire, New Glasgow, Thomas Gibson Taylor, and Hugh Houston Ross, Esquire, West River, all of the said County of Pictou, shall be and become Trustees of and for the said Academy, with all the power, authority, privileges, and liabilities of the Trustees of said Institution, in the same manner and to the same extent in all respects as if they had been originally named and incorporated in and by the Act and Charter, passed, made, and granted, for founding, establishing, and maintaining the said Academy. Trustees appointed.

IV. *And be it enacted*, That it shall and may be lawful for the said Trustees, within the period of one month after the passing of this Act, to meet together and appoint one of their own number to be Chairman, and that all questions shall be decided at such or any future Meetings of said Trustees by at least two-thirds of the Trustees present, including the Chairman—Nine to be a Quorum. To elect a Chairman.

V. *And be it enacted*, That the higher branches of learning and education, to which instruction in the said Academy has hitherto been confined shall continue to be taught as has hitherto been practised. Course of Education

VI. *And be it enacted*, That, in addition to the above mentioned Branches, Instruction shall also be given in the Languages, and in all the Elementary Branches of Learning usually taught in Grammar Schools, including in the course of education therein the Modern Languages, and the practical application of the Mathematics, or such other branches as may be determined on by the Trustees, and that a Teacher or Teachers be appointed to give such instructions as soon as the said Trustees can find a suitable person or persons to fill such situation. Ditto ditto.

VII. *And be it enacted*, That if the said Trustees shall find it inconvenient to appropriate any part of the Building now called the Pictou Academy, for the purpose of affording Instruction in the Lower Branches, that it shall and may be lawful for them to provide any House or Building in the Town of Pictou, suitable for such purpose, or to make such addition to the present Building as will afford sufficient accommodation for the Scholars, as to the said Trustees shall seem most expedient and advisable. Building for Academy.

*And whereas* it is intended that the said Academy shall not be confined to persons called Presbyterians : Preamble.

VIII. *Be it therefore enacted*, That no Theological Lectures shall be delivered in said Academy, and that no Master or Teacher employed and paid by such Trustees shall be engaged in the teaching, publicly or privately, of any Theological Class. No Theological Class

IX. *And be it enacted*, That it shall be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, when and as often as it shall be deemed expedient or proper, to nominate and appoint a Visitor or Visitors for the said Academy, who shall be a person or persons not resident in the said County, and wholly unconnected with the said Corporation, and who shall inspect the existing state of the said Institution in regard to its Bye-laws, Funds, Teachers, Students, and Proceedings of the Trustees, and report thereupon for the information of the several branches of the Legislature. Appointment of Visitors.



Vacancies.

X. *And be it enacted*, That the death, resignation, removal from office, or continued absence of more than one year from the Province, of any Trustee of the Academy, shall occasion a vacancy in the Board of Trustees thereof.

Vacancies in Trustees, how to be supplied.

XI. *And be it enacted*, That to supply any vacancy or vacancies occasioned as aforesaid, the choice of any future Trustee or Trustees of the said Academy shall be made by the votes of two-thirds at least of the Quorum hereinbefore named, and shall be certified to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and if he shall disapprove of such choice within three months after the same is certified to him, then the said Trustees shall proceed to choose another Trustee instead of the party disallowed, and shall certify such second choice in manner as aforesaid; and if the person so elected as Trustee shall also be disallowed within three months after the election is certified as aforesaid, then the vacancy in the trust shall be filled up, and a Trustee appointed by the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of the Executive Council; and in case the said Trustees shall not elect any person to fill such vacancy in manner aforesaid within six months after such vacancy shall have occurred, then the said vacancy shall also be filled up by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of the Executive Council.

Amount to be raised by subscription, Tuition Fees, &amp;c.

XII. *And be it enacted*, That the said Trustees shall cause to be collected or contributed and secured to and for the uses and purposes of said Academy by Subscription, Tuition Fees, or otherwise, in each and every year during the continuance of the Grant of this Legislature of Two Hundred and Fifty Pounds per annum, a like sum of Two Hundred and Fifty Pounds, and that a Certificate to this effect, duly signed by the said Trustees or three-fourths of the number thereof, shall be furnished to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, for his information and approbation, which said Certificate shall be so forwarded and approved before any portion of the said Grant of Two Hundred and Fifty Pounds shall be paid.

Act to be in force 4 years.

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

## CAP. XXXV.

## An Act for Taxing Dogs in certain parts of the City of Halifax.

(Passed the 14th day of April, A. D. 1845.)

Mayor, &amp;c., to make Bye Laws for taxing Dogs.

**B**E it enacted by the Lieutenant Governor, Council, and Assembly, That from and after the passing of this Act, it shall and may be lawful for the Mayor, Aldermen, and Common Council of the City for Halifax, to make and pass Bye-laws to impose, levy, and collect such Tax upon Dogs owned or kept by persons living within that part of the City of Halifax comprehended within the following limits, that is to say, commencing at Fresh Water River, so called, where it runs into the Harbor, thence Northerly bounded by the Harbor to Young Street, thence Westerly by Young Street to Gottingen Street, thence Southerly along Gottingen Street to the most Northerly Road leading to the Kempt Road, thence Westerly along said Road to the Kempt Road, thence Southerly along the Kempt Road to the Common, thence along the Roads at the Northern, Western, and Southern sides of the Common to the Road leading to the Tower, thence along said Road Southerly to the Road leading to Fresh Water River, and thence along said Road Easterly to the place of beginning, as may appear expedient, not to exceed in any case the following Rates, that is to say:—Upon every Bitch of Three Months old, or upwards, kept by any one person or family, Five Shillings.—Upon every additional

Tax.

tional Bitch kept by the same person or family, Ten Shillings.—Upon every Dog of Six Months old or upwards, other than Bitches, kept by one person or family, Five Shillings.—Upon every such Dog more than one, kept by the same person or family, Seven Shillings.

II. *And be it enacted*, That it shall and may be lawful for the said Mayor, Aldermen, and Common Council, to make and pass Bye-laws to ascertain the number of Dogs so to be Taxed, and to compel the Owner or Possessor to deliver a description in writing of every such Dog owned or possessed by him, and for the collection of said Tax; and for the destruction of any Dogs whose owner or possessor shall refuse or neglect to pay the Tax so assessed; and to prevent Dogs going at large in said City; and for every neglect or refusal to comply with said Bye-laws and Regulations, and for every false statement the person or persons offending, shall forfeit Ten Shillings, to be recovered as other penalties are recovered, under and by virtue of the Act passed in the Fourth Year of Her present Majesty's Reign, entitled, An Act to Incorporate the Town of Halifax.

Bye Laws to be made for ascertaining number of Dogs.

III. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be construed to extend, to authorise the imposition of any Tax upon any Dog not owned within the limits hereinbefore mentioned.

Proviso.

IV. *And be it enacted*, That no Bye-law or Ordinance to be made by virtue of this Act, shall have any force or effect until after the same shall have been transmitted and approved, as prescribed by the Fifty-first Clause or Section of the aforesaid Act, entitled, An Act to Incorporate the Town of Halifax.

Bye Laws to be approved by Governor.

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.

Continuation of Act.

## CAP. XXXVI.

### An Act relating to the Funded Debt of the Province.

(Passed the 14th day of April, A. D. 1845.)

**WHEREAS** it is expedient to reduce the rate of Interest on that part of the Funded Debt of the Province now bearing interest at Five per cent., and also to pay off a part of the said Funded Debt.

Preamble.

I. *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, as soon as circumstances will admit, to direct the Treasurer of the Province to notify the respective parties holding Stock Certificates, bearing Interest at the rate of Five per centum per annum, that it is intended to reduce the rate of Interest on such Certificates to Four per cent., and to make them payable at a certain time therein to be named, and also to pay off a part of the said Debt, and to require such of the holders thereof as may be willing to take such reduced rate of Interest, and to have their Certificates made payable at the time so to be expressed in such notice, to deposit their Certificates in the Treasurer's Office, and to send in their assent in writing to such reduction of interest and extension of time for payment, as aforesaid, on or before a certain day in such notice to be expressed, and from and after such day mentioned in the said notice, the amounts due the respective holders who shall have assented to the reduction of interest and extension of time aforesaid, and who shall not be paid off as hereinafter provided, shall bear interest at and after the rate of Four Pounds per centum per annum.

Treasurer to notify 5 per cent. Stockholders of reduction of interest, &c.

Part of debt to be paid off.

II. *And be it enacted*, That the Treasurer immediately after the expiration of the day specified in such notice as aforesaid, shall submit to the Governor, Lieutenant Governor, or Commander in Chief for the time being, a statement in writing of the names of such persons (if any) who shall have refused or neglected to assent

Treasurer to submit to Governor statement of persons who refuse to take lower interest, and amount of their stock.

to

Governor to direct Treasurer to borrow Money.

to such reduction of interest and extension of time for payment as aforesaid, and of the amount (if any) that will be required to pay off such persons respectively, and thereupon it shall be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, by Warrant under his Hand and Seal, to direct the Treasurer of the Province to borrow such sum as may be required for the purpose aforesaid, from any person or persons who will lend the same.

Treasurer to advertise for Money.

III. *And be it enacted*, That upon the receipt of such Warrant it shall be the duty of the Treasurer to give Public Notice by one insertion in each Newspaper printed in the City of Halifax, that he will on or before a certain day and hour, which day shall not be less than twenty days from the date of such notice as aforesaid, receive at the Treasury Office Tenders from such persons as are willing to lend the Province in even hundreds, the required sum at the reduced rate of interest and time of payment as aforesaid, the same to be paid into the Treasury at the expiration of three months from the time limited for receiving such Tenders.

Treasurer to give notice to Stockholders of payment.

IV. *And be it enacted*, That it shall be the duty of the Treasurer, after he shall have received such Tenders, to give such persons as have refused to accept the reduced rate of Interest, and all other persons (if any) who are to be paid off under this Act, as hereinafter mentioned, the notice by Law required, to attend at the Treasurer's Office on a certain day in such notice to be expressed, to receive their money, and in case of their neglect to attend at such time, no further interest shall thereafter be paid or payable on such amounts respectively.

Mode of accepting Loan.

V. *And be it enacted*, That in case a greater amount shall be tendered for than is required, the names of the different parties tendering shall be put into a Box in numbers, according to the number of Certificates each person has tendered for, and the number required shall be drawn indifferently therefrom, and so in like manner shall the respective parties be ascertained and known who are to remain holders of Certificates, in case more of the present Stockholders shall consent to receive such reduced rate of Interest aforesaid than shall be necessary for the purposes of this Act, or in respect of the Certificates that are to be paid off.

Amount borrowed to bear interest at 4 per cent. per ann.

VI. *And be it enacted*, That the amount so borrowed shall bear interest at and after the rate of Four Pounds *per centum per annum*, which interest, as well as the Interest on so much of the present Debt as may be allowed to remain at interest at Four per cent, as aforesaid, shall be payable and paid at the Treasury from and out of the Monies from time to time therein, at the periods hereinafter expressed.

Stock Certificates to be issued.

VII. *And be it enacted*, That to all persons who shall lend the money required to be borrowed as aforesaid, or who shall consent to receive the reduced rate of Interest, there shall be made and granted Loan Certificates, to be issued conformably to the Rules and Regulations expressed in the Act passed in the Fifth Year of the Reign of His late Majesty King William the Fourth, entitled, "An Act in amendment of and in addition to an Act, entitled, An Act concerning Treasury Notes," and which Certificates shall respectively express therein, that they shall and do bear Interest at and after the rate of Four Pounds per centum per annum, payable half-yearly, and that the Principal is payable in Ten Years after the date thereof.

Sum borrowed not to exceed £13,000. £7,026 of debt to be paid off.

VIII. *And be it enacted*, That the amount of the Stock Certificates granted under this Act shall not exceed in the whole the sum of Thirteen Thousand Pounds, and that the remaining sum of Seven Thousand and Twenty-six Pounds of that portion of the Provincial Debt, at present bearing Interest at Five per cent., shall be paid off with and out of the Monies that may be now or hereafter in the Treasury of the Province, so soon after the time stipulated for the holders of Certificates to make their election as to whether they will or will not receive the rate of Four per cent thereon, as aforesaid, as the requisite notices can be given.

Payment to Stockholders may be made immediately.

IX. *And be it enacted*, That in addition to the usual notice of payment given to Stockholders, notice shall be given to all such persons as are to receive payment

of the said sum of Seven Thousand and Twenty-six Pounds as aforesaid, that they may receive immediate payment at the Treasury, provided they are willing to take one-half the amount of interest up to the date of the expiration of the notice of payment as aforesaid.

X. *And be it enacted*, That the Certificates which shall be cancelled by payment of the amounts due thereon, or for which new Certificates shall have been granted by virtue of this Act, shall be sealed up by the Commissioners issuing the new Certificates, and shall be by them handed to the Joint Committee of the Legislative Council and House of Assembly, appointed to examine and report on the Public Accounts.

Old Certificates to be sealed up by Commissioners.

## CAP. XXXVII.

# An Act for the encouragement of Agriculture and Rural Economy, in this Province.

(Passed the 14th day of April, A. D. 1845.)

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint and commission a Central Board of Agriculture at Halifax, consisting of eleven fit and proper persons, of whom seven shall be resident in Halifax or its vicinity, and one selected from the Eastern, Western, and Middle Divisions respectively of Nova-Scotia, and one from Cape-Breton, four of whom shall be a quorum; and from time to time, as vacancies occur in the Members composing such Board, by revocation, death, resignation, or continued absence from the Province, to supply such vacancies by new appointments.

Central Board to be appointed.

II. *And be it enacted*, That there shall be granted and paid to the said Commissioners, out of the Public Funds of this Province, the sum of Two Hundred Pounds, annually, for four years, from and after the passing of this Act, whereof the said Board shall be at liberty to expend a sum not exceeding Seventy-five Pounds, annually, for the Salary or Salaries of the Officers to be appointed by them, and removed at pleasure; and a further sum not exceeding Twenty-five Pounds, annually, for their incidental expenses, and shall lay out and expend the balance during the aforesaid period of four years, in the encouraging and circulating of Agricultural Publications, and the diffusion of knowledge on the different branches of Husbandry, and in such other objects for the Agricultural improvement of the Province, as the said Board may from time to time approve, and the said Board shall exhibit an account of such expenditure to the Legislature in each year, verified by proper vouchers in that behalf.

£200 annually for 4 years—mode of expenditure.

III. *And be it enacted*, That the said Board shall open and carry on a correspondence with the several Agricultural Societies already formed, or which may hereafter be formed in this Province, and shall aid and direct them as far as may be required in prosecuting their several objects; and shall likewise inspect and audit the Accounts to be rendered by the several Societies, of the application and expenditure of their Funds as hereafter mentioned, and from the Reports to be furnished by the said Societies, and from such other sources of information as may be accessible to the said Board, shall furnish to the Legislature at every Session a General Report of the progress of Agriculture throughout the Province, and of the expenditure of all monies granted therefor.

Board to correspond with Societies, and inspect their accounts.

IV. *And be it enacted*, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to grant his Warrant on the Public Treasury of this Province, annually, for the period of four years, from and after the passing of this Act, for the sum of Eight Hundred and Fifty Pounds, being

£850 annually, for 4 years, granted for County Societies.

at and after the rate of Fifty Pounds for each of the Seventeen Counties in this Province, to be applied and expended as hereafter mentioned.

Central Board to determine application of funds.

V. *And be it enacted*, That the said Board in each and every year shall ascertain whether the Agricultural Societies that now are, or hereafter may be, formed in the several Counties, ought to receive a proportion, and shall likewise determine what proportion, if any, each one of such Societies shall receive out of the aforesaid grant of Fifty Pounds—such proportion to be regulated by the said Board, with reference to the numbers and contributions of the Members of each Society, and to its local position and usefulness, and so as one Society, if there be no more than one in any of the said Counties, may receive, with the assent and approval of the said Board, the whole of such grant; and that the President and Secretary of each Society shall be entitled to draw out of the Treasury for the purposes of this Act, the sum that may have been assigned to it as aforesaid by the said Board: *Provided always*, That no Society shall be entitled to any portion of the said Grant which shall not raise annually by private contribution the sum of Ten Pounds at the least, and that not more than Four Societies shall receive any proportion of the said Grant in any one County: *And provided also*, That in all cases where a Central County Society, with a Branch or Branches in the County, shall be formed, and approved of by the Central Board, that the said sum of Fifty Pounds shall be given to the said Central Society for distribution for the purposes of this Act, in all cases where the sum of Twenty Pounds shall have been raised by the Central Society and Branch or Branches thereof jointly, in manner before mentioned.

Sum to Society limited

Whole sum may be given to Central County Society.

Sums to be expended in the importation of Stock, &c.

VI. *And be it enacted*, That the sums so assigned and paid to the several Societies shall be applied and expended by them in the importation of Live Stock, Implements or Seeds, the offering of judicious Premiums, or in such other Agricultural objects and uses as may from time to time be recommended by the said Board, or in the absence of such recommendation, as in the judgment of each Society may be best adapted to its local position and wants; but no part of such sum shall be applied in the expense of managing the said Societies.

Account of sums expended to be rendered to Board.

VII. *And be it enacted*, That each one of the said Societies throughout the Province shall render to the said Board, on or before the Thirty-first day of December in every year, a full and exact account, verified by the Oath of the President or Secretary thereof, to be administered by any one of Her Majesty's Justices of the Peace, of the expenditure of the sum so assigned and paid to such Society, out of the aforesaid Grant, as also of the amount and appropriation of the Funds contributed by or belonging to such Society, with a report of its proceedings for the past year, and that any Society which shall neglect or refuse to furnish such Account and Report, unless excused therefrom by the said Board, shall not be entitled in any future year to receive any proportion of the aforesaid Grant.

Continuation of Act.

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

### CAP. XXXVIII.

## An Act to Incorporate the Marshall Cove Pier Company.

(Passed the 14th day of April, A. D, 1845.)

Preamble.

**WHEREAS** the erection of a Pier or Breakwater at Marshall's Cove, in the Township of Wilmot, would be highly advantageous to the Inhabitants of the said Township, and it is expedient to encourage the Building of such Pier or Breakwater: *And whereas*, the several persons hereinafter named, with divers others, have agreed to form themselves into a Company for the above purpose.

Company incorporated.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That Handley Starritt, John Graves, Thomas Graves, Robertson Marshall, David Marshall, Archelaus

Archelaus Smith, Thomas Johnson, Andrew Kenny, John Brenton, Charles Brenton, James Hall, John Hall, John Ristun, Peter Starritt, Andrew Templeman, Walter Wilson, David Casson, John Clark, Phineas Graves, Silas Charlton, Joseph Banks, and such other person or persons as shall from time to time become Proprietors of Shares in the Corporation hereby established, their Successors and Assigns, shall be and they are hereby erected into a Company, and declared to be a Body Politic and Corporate in deed and in name, by the name of the Marshall's Cove Pier Company, and by that name shall and may 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 unto 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, possess, and enjoy Houses, Stores, Lands, and Tenements, and Real Estate whatsoever, Materials, Goods, Chattels, and all other things real, personal, or mixed, and also to give, grant, let, assign or convey the same, or any part thereof, and to do and execute all other things in and about the same as shall and may be thought necessary and proper for the benefit and advantage of the said Corporation, and also that the said Company, or the major part of them, shall from time to time and at all times have full power, authority, and license, to constitute, ordain, make, and establish, change, vary, and alter such Bye Laws, Rules, and Ordinances as may be thought necessary for the good order and government of the said Corporation, provided such Bye Laws, Rules, and Ordinances be not contradictory or repugnant to the Laws and Statutes of the Province, or those in force within the same: *And provided also*, That such Bye Laws, Rules, and Ordinances shall not be of any force or effect until the same shall have been submitted to and approved by the Governor, Lieutenant Governor, or Commander in Chief for the time being, nor until the same shall have been registered in the office of the Registrar of Deeds for the County of Annapolis.

Name and Seal.

Proviso.

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

Not to hold Lands of greater value than £2000.

III. *And be it enacted*, That the said Company, and its affairs, and business, shall be under the management and direction of a President, and such other Officers as shall or may be named or designated by the Bye Laws of the said Company, and the Capital of the said Company shall be limited to the sum of Two Thousand Pounds, to be divided into shares of Five Pounds each, and such Shares shall be assignable and transferable in such manner, and upon such Terms as by the said Bye Laws may be also provided and directed.

President and Officers.

Capital.

IV. *And be it enacted*, That it shall and may be lawful for the said Company, when formed, to build and erect a Public Pier or Wharf at Marshall's Cove, in the said Township of Wilmot, upon any Land or piece of Land covered with Water, to which the said Corporation is or may be entitled, and to put up and erect such Stores and Buildings thereon or contiguous thereto, on any Land to which the said Corporation is or may be entitled, as they may deem necessary and proper for the accommodation of the Public, which said Pier or Wharf, Stores and Buildings, shall be open and free for the use of all Ships and Vessels, and persons whomsoever, subject to such rates of Dockage, Wharfage, and Storage, as shall be fixed and established by the said Company, by and with the consent, sanction and approbation of the Court of General Sessions of the Peace for the County of Annapolis.

May erect a Public Pier, &amp;c. at Marshall's Cove.

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

Shares to be held personal property.

VI. *And be it enacted*, That all such Lands and Real Estate, Stores and Buildings, or so much thereof as may be necessary to satisfy the same, may be taken under any Writ of Execution, issuing upon a judgment obtained against the said

Lands, &amp;c. liable to be taken in execution as goods.

Corporation,

Corporation, and sold in the same manner as Goods and Chattels may be taken and sold, and the Sheriff shall immediately after such Sale make and execute a Deed to the purchaser or purchasers, which Deed shall convey and transfer all the Estate and Interest of the said Corporation in the Lands, Stores, or Buildings, so taken, sold, and conveyed.

Not to deal in lending money, &c., or Insurance.

VII. *Provided always, and be it enacted*, That nothing herein contained shall be held or construed to give to 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 become Underwriter or Underwriters upon any Insurance on any Ship or Vessel, or Marine Risk, or upon any loss by Fire, or upon any Life or Lives.

Names of Members to be registered.

VIII. *And be it enacted*, That the names of all the Members of the said Corporation, and the number of Shares owned by them respectively, shall be registered in the office of the Registrar of Deeds in the County of Annapolis, and no transfer of any Share in said Corporation shall be final and effectual, until the certificate thereof shall have been registered in the said Office, to the end it may be publicly known who are the persons composing the said Corporation.

Holders of Shares not discharged from any liability.

IX. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be deemed, construed or taken to extend to relieve or discharge the said Corporation, or any of the present or future Proprietors or other holders of Shares in the said Company, for any responsibility, contract, duty, or obligation whatsoever, to which by Law such Proprietors or holders of Shares, now are or at any time hereafter may be or would have been subject or liable, had not this Act been passed, as between such Company and any other party or parties whomsoever, in any manner or way howsoever, and every Proprietor or holder of such Shares in the said Company, his or her Lands, Goods, and Chattels shall be liable under any Execution that may be issued against the said Corporation, in the same manner and to the same extent as if this Act had not been passed.

Who may be Shareholders.

X. *And be it enacted*, That in every case where any person shall have before the passing of this Act actually contributed to the said Pier or Wharf the sum of Five Pounds or upwards, the said person shall be deemed a Shareholder in the said Corporation, and be entitled to one Share for every Five Pounds of the amount by him so actually contributed as aforesaid, and also to one vote for every such Share.

Continuation of Act.

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

### CAP. XXXIX.

## An Act to divide the Township of Maxweltown into separate Districts for the Support of the Poor.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** the Inhabitants of the Township of Maxweltown, in the County of Pictou, are desirous that the said Township should be set off in Districts for the purpose of more easily and efficiently providing for the Poor of said Township, which will tend much to the benefit of the said Inhabitants.

Township set off into separate Districts.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That for the purpose of providing for the support of the Poor of the said Township of Maxweltown, such Township from and after the time hereinafter mentioned, shall be and is hereby divided and set off into separate and independent Districts, by the respective Bounds following, that is to say:—The first of such Districts to run from the County line between the said County of Pictou and the County of Sydney, to Barney's River, including the property of David Murray, together with the Big Island, and following the East Branch of said River until it meets the County

Bounds, &c.

Line.

Line, to be called the Eastern District of the Township of Maxweltown; the second of such Districts to be bounded on the East by the Eastern Settlement of Barney's River, and the lower Farm of David Murray, on the West by a line running from the mouth of Huggan's Gut by the West line of Roger Huggan's Farm to the Widow McDonald's, and thence South seven miles, to include the Western Settlement of Barney's River, thence East to the County line of Sydney, and on the North by a part of the Harbor of Merigomishe, to be called the Middle District of the Township of Maxweltown; and the third or remaining District to include all the rest and remainder of the said Township of Maxweltown, not included within the limits of either of the before mentioned Districts, to be called the Western District of the Township of Maxweltown.

II. *And be it enacted*, That at the next General Sessions of the Peace in and for the said County of Pictou, it shall and may be lawful for the Justices attending thereat, to ascertain the number of Paupers then chargeable on the whole of the said Township of Maxweltown, and also to ascertain the amount of Rates for the support of said Paupers, and by any Order or Orders to be made at such General Sessions aforesaid, to direct and order that each of the respective Districts so hereby made and set apart in said Township, shall bear such proportion of the whole charges and expenses of all the Paupers then chargeable on the said Township of Maxweltown, as to the said Justices may appear equitable and just, and that from and after the time such Order or Orders shall have been so made, the expenses of the Paupers who shall become chargeable to the said Township, shall be defrayed by the District in which such Paupers respectively shall have gained a residence, and therefor it shall and may be lawful for the respective Inhabitants residing in each of the said Districts so hereby established, to hold a Public Meeting at some central and convenient place within each of such Districts respectively, on the first Monday in November in each and every year, and to then appoint one Assessor of Poor Rates for each of such Districts respectively, and also one Freeholder, who shall possess at least as much property, Real and Personal, as he is appointed to collect, who shall act as Collector of Poor Rates in and for the District for which he may be appointed, and who shall pay the monies by him collected to the Overseers of the Poor for such District, and that at such respective Public Meetings the said Inhabitants shall respectively vote such sums of money as may be required for the support of the Poor of such Districts respectively.

Justices in General Sessions to ascertain number of Paupers, &c.

Public Meeting to be held and Assessors appointed.

III. *And be it enacted*, That at the usual time for the appointing of Town Officers in the said County of Pictou, it shall and may be lawful for the Grand Jury to nominate four persons, two of whom shall be appointed by the Sessions to act as Overseers of the Poor, and two persons, one of whom shall be appointed to act as District Clerk in each of the said Districts hereby established, and the said Districts shall in all respects be respectively governed by the Laws in force within this Province for the settlement and support of the Poor.

Mode of appointing Overseers of the Poor and District Clerks.

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

Not to interfere with Rates or Actions under former Acts

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

To be in force Two Years.

### CAP. XL.

## An Act to preserve and regulate the Navigation of the Harbour of Antigonishe.

(Passed the 14th day of April, A. D. 1845.)

**WHEREAS** it is found necessary to provide regular and efficient Pilots for the conducting of Vessels into, and out of, the Harbour of Antigonishe, in the

Preamble.

County



County of Sydney, and to regulate the Anchorage of Vessels in that Port, and to make provision in other respects for greater safety in the Navigation of such Harbour :

Justices to license  
Pilots and regu-  
late Pilotage, &c.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Justices in their General Sessions of the Peace for the County of Sydney, or at any Special Sessions thereof at which at least Five Justices shall be present, from time to time, as occasion may require, to License so many fit and proper persons as may be deemed necessary to act as Pilots for the Harbour of Antigonishe, in the said County, and to regulate the Pilotage to be demanded and taken by such Pilots for their services ; and from time to time to make and publish such orders and regulations for the government and good conduct of such Pilots, and to prevent unqualified persons from acting in that capacity, and to enable such Pilots to receive such pay for their services as may be fixed and established by order of Sessions as aforesaid, as may be thought necessary, and to annex penalties for the breach of any of the orders and regulations, so by them to be made—which penalties shall not exceed for any one offence the sum of Five Pounds.

To appoint a Harbor  
Master and regu-  
late rates to be  
paid by vessels.

II. *And be it enacted,* That it shall and may be lawful for the said Justices in their General or Special Sessions as aforesaid, from time to time, to appoint and license a fit and proper person to act and serve as Harbour Master for the said Harbour of Antigonishe, and to describe the several duties which he shall be bound to perform, and also to place the Pilots of said Harbour under the direction and superintendance of the said Harbour Master, and to fix the rate of pay which such Harbour Master shall be entitled to receive from each Vessel ; and also from time to time to make rules and regulations for the Anchorage of Ships and Vessels in said Harbour, and to authorise the said Harbour Master to carry such rules, orders and regulations into effect ; and the said Justices shall also have power to annex penalties for the breach of any such rules, orders and regulations—such penalties not to exceed in any one case the sum of Two Pounds.

To appropriate mo-  
ney for repairing  
Tow-path and  
placing Buoys.

III. *And be it enacted,* That it shall and may be lawful for the said Justices in their General Sessions as aforesaid, from time to time, to appropriate from and out of the License Funds of the said County of Sydney, such sum and sums of Money as may be necessary for keeping in repair and good order the Tow-path of the said Port of Antigonishe, and also for placing and putting down Buoys or Marks for the better Navigation of the Channel leading from the said Harbour towards the Town of Antigonishe ; and shall and may also make rules and orders for the better regulation of the said Tow-path, and the protection and preservation of the Buoys and Marks in the said Channel, and to affix penalties for breach of any such rules and orders as may be deemed necessary or proper—such penalties not to exceed in any one case the sum of Five Pounds.

To have Buoys plac-  
ed on Sand Banks,  
make regulations,  
affix penalties, &c.

IV. *And be it enacted,* That it shall and may be lawful for the said Justices in their General or Special Sessions as aforesaid, from time to time, to direct as many Buoys and other Marks to be placed on the Sand-Banks and Bars in the said Harbour of Antigonishe, as to them may appear necessary and expedient for the interest and safety of the Shipping, and for the more easy and convenient navigation of the said Harbor, and to make rules for the due regulation thereof, and to prevent the same being removed or injured, and to affix penalties for breach of any such rules and regulations, which penalties shall not exceed in any one case the sum of Five Pounds, and to authorise the Harbor Master aforesaid to carry such rules into effect, and to appropriate from, and out of, the County Funds, such sum or sums of money as may from time to time be necessary for the placing or continuing such Buoys or other Marks, to be repaid by the different vessels coming into the said Harbor, at and after a regular rate to be from time to time established by such Justices in their Sessions as aforesaid, and which they are hereby authorised and empowered, by any rule or regulation by them to be made, to impose on every

such

such vessel, according to her tonnage—the same to be collected by such Harbor Master in accordance with such regulations, and paid over to the County Treasurer.

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

To regulate Harbor Master's pay.

VI. *And be it enacted*, That it shall and may be lawful for the said Justices, in their General or Special Sessions as aforesaid, to establish and fix such places in the said Harbor of Antigonishe as shall be most convenient and proper for such Ships and Vessels to discharge their Ballast, and to make such agreement as may be needful and necessary with persons for erecting and building Wharves and other conveniencies for such Ships and Vessels to discharge their Ballast upon, and from time to time to make orders and regulations to compel Ships and Vessels to discharge their Ballast on such Wharves and at such places as the said Justices shall appoint, and shall and may establish the Rates of Wharfage to be paid by such Ships and Vessels for the use of such Wharves for the discharge of such Ballast, such Wharfage to be sued for and recovered before any one of Her Majesty's Justices of the Peace for the said County of Sydney; and the said Justices shall also make rules and regulations for the disposal of the Ballast so deposited on such Wharves: *Provided* no rule or regulation respecting the disposal of such Ballast shall be made so as to prevent the Master, or Owner or Owners of such Ships or Vessels from selling or disposing of the Ballast so landed on such Wharves, within a reasonable time, if he or they shall think proper so to do, and the said Justices in General Sessions or Special Sessions as aforesaid, shall make such Rules and Regulations from time to time as may be useful and necessary, to allow the Master of any Vessel landing and depositing Ballast at any of the places so to be appointed, a reasonable time to sell and dispose thereof, and the said Justices in Sessions as aforesaid, may fix and establish penalties for breach of any and every of the respective Rules, Orders, and Regulations to be by them made under and by virtue of this Clause as aforesaid, such penalties not to exceed in any one case the sum of Five Pounds.

To appoint Wharves for the discharging of Ballast, fix rates of Wharfage.

Proviso.

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

Appeals to be made to the Supreme Court.

VIII. *And be it enacted*, That all and every of the penalties by any of the respective Rules, Orders, or Regulations so to be made as aforesaid, imposed for breach thereof, shall and may be sued for and recovered by the said Harbor Master, or by any other person or persons who will sue for the same, in the same manner and by the same ways and means as if such penalty were a private Debt due to the person or persons so suing therefor, and to be applied one-half thereof to the use of the person or persons so suing for the same, and the remainder for and

Penalties—how recovered.

towards

towards the placing and continuing of any such Buoys as aforesaid, or for other the purposes of this Act, under the direction of the General Sessions aforesaid.

Rules to be approved of by Governor.

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

To be in force one year.

X. *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. XLI.

## 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.

(Passed the 28th day of March, A. D. 1845.)

Preamble.

**WHEREAS**, the Inhabitants of that part of the Township of Sherbrooke, in the District of St. Mary's, and County of Guysborough hereinafter mentioned, are desirous of being set off into a separate District for the support of the Poor, and the same would be attended with convenience to such Inhabitants:

Bounds of District.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That all that part of the said Township of Sherbrooke lying to the Southward of a straight line running West from the head of the tide of Gegogin Harbor until it strikes the division line between the Counties of Halifax and Guysborough, to include the Settlements of Ekumsekum, Marie Joseph, and Liscombe, and Gegogin Harbors, shall be, and the same is hereby set off and established as a separate District for the support of the Poor within the same, from and after the time hereinafter mentioned, by the name of the District of Marie Joseph.

Justices to ascertain number of Paupers chargeable on Township.

II. *And be it enacted,* That at the next General Sessions of the Peace in and for the said District of St. Mary's, it shall and may be lawful for the Justices attending thereat to ascertain the number of Paupers then chargeable on the said Township of Sherbrooke, and also to ascertain the amount of Rates for the support of said Paupers, and by any Order or Orders to be made at such General Sessions as aforesaid, to direct and order that the Inhabitants of that part of the said Township of Sherbrooke, hereby set off as a separate District for the support of the Poor, shall bear such proportion of the whole charges and expenses of all the Paupers then chargeable on the said Township of Sherbrooke, as to the said Justices may appear equitable and just, and that from and after the said Order or Orders shall have been so made as aforesaid, the expenses of the Paupers who shall become chargeable to the said Township shall be defrayed by the District in which such Paupers shall have gained a residence, and therefor it shall and may be lawful for the Inhabitants residing within the the limits of the said new District hereby established to hold a Public Meeting in some central and convenient place therein on the First Monday of November in each and every year and to then appoint three Assessors of Poor Rates for the said District, and one Freeholder who shall possess at least as much Property, Real and Personal as he is appointed to collect, who shall act as Collector of Poor Rates, and who shall pay the Monies by him collected to the Overseers of the Poor for the said District, and that at such Public Meeting the said Inhabitants shall vote such sum of Money as may be required for the support of the Poor of said District.

Inhabitants to appoint three Assessors and a Coltr.

Grand Jury to nominate Overseers and Clerks.

III. *And be it enacted,* That at the usual time for appointing Town Officers in the said District of St. Mary's, it shall and may be lawful for the Grand Jury to nominate Four Persons, Two of whom shall be appointed by the Sessions to act as overseers of the Poor, and Two Persons, One of whom shall be appointed to act as

District

District Clerk in and for the said new District hereby established, and such new District shall in all other respects be governed by the Laws and Statutes of this Province for the settlement of the Poor.

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

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. To be in force One Year.

## CAP. XLII.

## An Act in amendment of the Act for the regulation of the Provincial Penitentiary.

(Passed the 14th day of April, A. D. 1845.)

**BE** it enacted, by the Lieutenant Governor, Council and Assembly, That the Court of Quarter Sessions at Halifax, shall have power to sentence Persons convicted before the said Court of any Felony, to confinement in the Provincial Penitentiary at Halifax, and such Convicts shall be received therein and shall be subject to the Regulations thereof in the same manner as if such Court of Quarter Sessions had been named and included in the Fourteenth or any other Section of the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, An Act for the Government and Regulation of the Provincial Penitentiary. Sessions empowered to sentence to Provincial Penitentiary.

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

## CAP. XLIII.

## An Act for the Regulation of Prisons.

(Passed the 28th day of March, A. D. 1845.)

**BE** it enacted, by the Lieutenant Governor, Council and Assembly, That the Justices of the Supreme Court, at the several Terms or Sittings thereof in the different Counties of this Province, may and shall from time to time make and publish such Rules and Orders for fixing and ascertaining the extent and limits of Gaol Yards, Boundaries, and privileges of Prisoners, and for directing and controlling the conduct of Sheriffs, Gaolers, and other Officers having the charge or custody of Prisoners, and for the safe keeping and protection of such Prisoners as the said Justices may judge proper and necessary. Justices Sup. Court to make regulations concerning Prisons, &c.

II. *And be it enacted*, That the Second Clause or Section of the Act passed in the Thirty-first Year of the Reign of His late Majesty King George the Third, entitled, An Act to enable the Justices of the Supreme Court, and Justices of the Courts of Common Pleas, to issue Commissions for the examining of Witnesses out of the Province, and for the Regulation of Prisons therein, and every matter and thing therein contained, shall be and the same are hereby repealed: *Provided always*, That nothing herein contained shall extend or be construed to extend to invalidate, or in any way affect any Rules or Orders heretofore made, under and by virtue of the said Section of the said Act, but the same shall remain in full force and effect until altered or annulled under the authority of this Act, in the same manner and to the same extent as if this Act had not been passed. Part of Act 31, Geo. 3, repealed.

Old Rules to be in force till new Rules are made.

## CAP. XLIV.

## An Act to provide for the holding of a Special Sessions of the Peace in Inverness, for certain purposes therein mentioned.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** from the late period of the Year at which 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," was published and generally known in the said County of Inverness, the appointment of Town Officers and the transaction of other County Affairs, by the said Act required to be done and performed at the October Sittings of the General Sessions of the Peace thereby established and provided for, were not made and proceeded in at such October Sittings, and it is therefore necessary to provide for the holding of a Special Sessions in the said County during the present Year.

Special Sessions to be held at Port Hood.

I. *Be it enacted, by the Lieutenant Governor, Council and Assembly,* That a Special Sessions of the Peace shall be held at Port Hood, in the County of Inverness, on the Second Monday of June, in this present Year, at which Special Sessions it shall and may be lawful for the Justices attending thereat to appoint Town Officers in and for the different portions of the said County, or to continue in office those already appointed, and to grant or continue any Licenses for the Sale of Spirituous Liquors, and generally to do and transact all such other business of the said County as it may be necessary should be done and transacted previous to the Sitting of the next October Term of the General Sessions of the Peace in the said County, without the intervention of any Grand Jury, in as full and ample a manner, to all intents and purposes, as if such appointments were made or such other business transacted at a General Sessions of the Peace by and with the assistance of a Grand Jury: *Provided always,* That all such appointments so made or continued, and all such other County business transacted at such Special Sessions shall not extend or be in force beyond the period by Law established for the holding of the said October Term of the General Sessions of the Peace in the said County in this present year: *And provided also,* That nothing herein contained shall extend or be construed to extend to give such Special Sessions any power to make any assessment or amercement upon the said County of Inverness, or to do or transact any business that may not be called for by the omission of the Justices at the said last October Term, to do or transact the same.

Proviso.

## CAP. XLV.

## An Act to make provision for a Harbor Master at Spanish River, in the County of Cape Breton.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** the expense of maintaining a Harbor Master at Spanish River, in the County of Cape Breton, has hitherto been defrayed from the Casual and Territorial Revenue of this Province, which has been discontinued, and unless Regulations are made for the discharging of Ballast in the said River, the Harbor therein will be destroyed:

Lieutenant Governor to appoint Harbor Master.

I. *Be it enacted, by the Lieutenant Governor, Council and Assembly,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint and Commission during pleasure, one fit and proper person to be Harbor Master at the Port of Sydney, or Spanish River, in the County of Cape Breton aforesaid.

II. *And be it enacted*, That it shall and may be lawful for the General Sessions of the Peace for the said County to make Rules and Regulations for the protection of said Harbor or River, and for the guidance and direction of the said Harbor Master, and which Rules and Regulations it shall be the duty of the said Harbor Master to enforce; and the Master or Commander of any Ship or Vessel who shall refuse or neglect to obey or conform to the directions of such Harbor Master, shall forfeit and pay the sum of Five Pounds for every such refusal or neglect; and it shall and may be lawful for such Harbor Master to ask, demand, and receive from the Master or Commander of every Ship or Vessel the sum of Five Shillings for all Vessels not exceeding One Hundred Tons Register Tonnage; Ten Shillings for all Vessels exceeding One Hundred and not exceeding Two Hundred Tons; Twenty Shillings for all Vessels above Two Hundred and not exceeding Three Hundred Tons; and Twenty-five Shillings for all Vessels above Three Hundred Tons, as Harbor Master's Fees: *Provided* that Vessels engaged in the Coasting and Fishing Trade shall not be liable to pay any Fees under this Act; which said Fees may be collected before any one of Her Majesty's Justices of the Peace in and for the County of Cape Breton, at the suit of the said Harbor Master, in the same way as Debts of the like amount are now authorised to be collected by Law; and the said Harbor Master shall furnish Copies of the Regulations, made by the said Sessions to the Pilots appointed for the said Harbor or River, one Copy of which Regulations such Pilots are hereby required to give to the Master or Commander of every Vessel they may take in charge for his information; and it shall be the duty of the Harbor Master to prosecute all breaches of said Regulations, or of this Act.

Sessions to make  
Rules for Protec-  
tion of Harbor,  
&c.

Harbor Master's  
Fees.

Proviso.

III. *And be it enacted*, That all Penalties imposed under and by virtue of this Act, shall be recovered on the Oath of one or more credible Witness or Witnesses before any one of Her Majesty's Justices of the Peace for the said County of Cape Breton, which penalties when recovered shall be paid into the hands of the Commissioners of Pilots for the said Harbor or River, to be appropriated towards the improvement of the Navigation in the said River or Harbor.

Penalties how to be  
recovered.

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

To be in force One  
Year.

## CAP. XLVI.

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

(Passed the 14th day of April, A. D. 1845.)

**WHEREAS** it is expedient to alter and amend the Act passed in the Seventh Year of Her present Majesty's Reign, entitled, "An Act relative to the performance of Statute Labor on Highways," so far as respects the provisions thereof hereinafter referred to.

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That hereafter every person having accepted the Office of Surveyor of Highways, and been sworn to the discharge of the duties thereof, who shall neglect his duty therein, shall forfeit and pay the sum of Five Pounds, instead and in lieu of the sum of Two Pounds, by the third Section of the said Act hereby amended, imposed for such neglect of duty, which said penalty of Five Pounds shall be sued for and recovered by the Clerk of the Peace, whose duty it shall be on every such neglect of duty to sue for the same before any two Justices of the Peace for the County, and to be applied one-half thereof to the use of the said Clerk of the Peace, and the remainder on the Roads and Bridges within the County or District, under the directions of the General Sessions of the Peace for such County or District.

Penalty for neglect-  
ing duty as Sur-  
veyor.

How to be recovered  
and applied.

II.

Term "able of body," how construed.

II. *And be it enacted*, That the term "able of body" as used in the Fifth Section of the said Act, shall be defined to mean and include all such persons as are able to do a reasonable day's work for themselves, and that no person who shall be a Freeholder, or otherwise sufficiently able to pay the commutation or hire the labor prescribed and required by the said Act without injury to his Family, shall hereafter be relieved from liability to perform Statute Labor under the said Act, on the ground of his not being able of body, but every such person shall be bound to perform or pay for the same number of day's labor, in every respect as if not labouring under such disability of body.

Surveyors to make out Lists

III. *And be it enacted*, That in future instead of the mode directed by the eleventh Section of the said Act, for making out the Lists therein mentioned, all Surveyors of Highways and Commissioners of Streets respectively shall make out Lists of all such persons as are owners of working Oxen, Horses, Carts, Trucks or Waggon, as also of every other Householder and other persons liable to perform Statute Labour by Law within their respective limits and jurisdictions, and shall be respectively responsible for the correctness of such Lists, and the persons in such Lists respectively contained shall be summoned in the manner by said Act prescribed.

Penalty for non-performance of labor by persons leaving District.

IV. *And be it enacted*, That any person liable to perform Statute Labor under the said Act, who has been duly notified according to law, but who may have left the District, and shall be absent therefrom during the time appointed for the performance of Statute Labor, and shall not have provided a proper substitute, or paid the sum of Two Shillings and Six Pence for each day's labor in commutation thereof, or shall not adduce satisfactory proof of his having performed or commuted his Statute Labor in some other District of the Province, such person shall in case of his return to his usual place of abode within the year, be liable to pay to the Surveyor of Highways for the District, or to his Successor in Office the sum of Three Shillings for each and every days labor such person shall be liable to perform, to be sued for and recovered in like manner as debts of the like amount may and can be ordinarily sued for and recovered, to be applied to the repair of the Highways, Roads, Streets, and Bridges within the said District.

Time for performing labor in Cape Breton.

V. *And be it enacted*, That in the County of Cape Breton, instead of the time prescribed in and by the Twelfth Section of the said Act for the performance of Statute Labor, the time within which the Statute Labor shall hereafter be performed in each and every District of the said County of Cape Breton, shall be between the First day of June and the Fifteenth day of October in each and every year.

## CAP. XLVII.

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

(Passed the 28th day of March, A. D. 1845.)

Preamble.

**WHEREAS** Wolves have of late made their appearance in this Province, and in order to prevent their increase it is expedient that a Reward for the Killing thereof should be held out :

Bounty for killing Wolves

I. *Be it therefore enacted*, by the Lieutenant Governor, Council and Assembly, That every person being at the time an Inhabitant of this Province, who shall kill a full grown Wolf or a Wolf Whelp within any County of this Province, shall be entitled to a Bounty of Forty Shillings for each full grown Wolf, and Twenty Shillings for each Wolf Whelp, to be allowed and paid in the manner hereinafter provided.

How to be applied for.

II. *And be it enacted*, That every person intending to apply for such Bounty shall take every Wolf or Wolf Whelp killed by him, or the Head thereof, with the Skin

\* Skin and ears entire thereon, to one of the Justices of the Peace of the County in which such Wolf or Whelp shall have been taken, and shall then and there be sworn by such Justice, and shall state on Oath the time and place when and where every Wolf or Wolf Whelp for which a Bounty is claimed by him was taken and killed, and shall also submit to such further examination on Oath concerning the taking and killing such Wolf or Whelp as the said Justice may require, and the statements made by him on such examination shall be reduced to writing in the form of an affidavit, which shall be subscribed by the person making it.

III. *And be it enacted*, That if it shall appear to the said Justice upon such examination that the Wolf or Whelp was taken and killed within this Province, by the person applying for the Bounty, and that the Mother of such Whelp was not taken before she brought forth the same, such Justice shall cut off and burn the Ears and Scalp of such Wolf or Whelp, and deliver to the person so applying a Certificate of the facts, annexing thereto the original affidavit made and subscribed by such person, and every Justice who shall issue any such Certificate, shall regularly Number all the Certificates issued by him during each year, and shall mark such number and year on each Certificate.

Justice to issue Certificate.

IV. *And be it enacted*, That the said Certificate with the affidavit so taken shall be by the person claiming such Bounty forthwith transmitted to the Office of the Provincial Secretary, and thereupon it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, to draw a Warrant on the Treasury in favor of such persons so claiming such Bounty, for such amount as is by this Act appointed to be paid, as and for such Bounty on the killing of Wolves and Wolf Whelps respectively as aforesaid.

Governor to draw Warrant for amt. of Bounty.

#### CAP. XLVIII.

### An Act to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places.

(Passed the 14th day of April, A. D. 1845.)

**B**E 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 George the Fourth, entitled, An Act relating to Commissioners of Highways in Halifax, and certain other places, and every matter, clause and thing therein contained, shall be extended, and the same are hereby extended to the Village of Maitland, in the County of Hants.

Act 7 Geo. 4th extended to the Village of Maitland.

II. *And be it enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, by and with the advice of Her Majesty's Executive Council, to appoint and Commission during pleasure three fit and proper persons, Inhabitants of the said Village, to be Commissioners for repairing, keeping in repair, and paving the Streets and Highways in the said Village of Maitland, and upon the death, removal or refusal to act, of any one or more of the said Commissioners, it shall and may be lawful for the said Governor, Lieutenant Governor, or Commander in Chief, by and with the advice of the Executive Council, to appoint and commission some fit and proper person, being an Inhabitant of the said Village, to supply every such vacancy, and such appointment to renew whenever necessary, so that the said Commissioners may always continue to be three in number.

Appointment of Commissioners of Streets.

III. *And be it enacted*, That the jurisdiction, powers, and authority of the Commissioners so to be appointed for the said Village of Maitland, shall be restricted

Extent of their jurisdiction.



to the bounds and limits following, that is to say—shall extend from Richard Anthony's east line to the Five Mile River, and along the Kennetcook Road to Rocky Brook.

IV. *And be it enacted*, That hereafter the powers and authorities of the Surveyors of Highways within the foregoing limits, shall absolutely cease and determine.

Act 4 Victoria re-  
pealed.

V. *And be it enacted*, That the Act passed in the Fourth Year of Her present Majesty's Reign, entitled, "An Act to extend to the Village of Maitland, in the County of Hants, the provisions of the Act relating to Commissioners of Highways in Halifax, and certain other places," and every matter, clause, and thing therein contained, shall be and the same are hereby repealed.

Proceedings under 4  
Vict. valid.

VI. *Provided always, and be it enacted*, That all and every the Acts, matters, proceedings and things whatsoever, had, made or done thereunder, shall be and be held legal, valid, and effectual to all intents and purposes whatsoever, and all and every of the Commissioners appointed thereunder, shall remain and be Commissioners under this Act, until new Commissioners are appointed in manner hereinbefore mentioned.

Old Commissioners  
to remain till new  
are appointed.

## CAP. XLIX.

### An Act to Incorporate Agricultural Societies.

(Passed the 14th day of April, A. D. 1845.)

Preamble.

**WHEREAS** the Landholders and Agricultural population of this Province are desirous of improving the system of Husbandry pursued therein, by offering Premiums to excite enterprize and emulation, by the importation of Seeds, Implements, Books, and the choice specimens of new and improved Breeds of Cattle from other Countries, and of introducing the best and most scientific systems of tillage practised in Europe and the United States. *And whereas*, they have found it essential and necessary, to promote these useful and public objects, to found Agricultural Societies. *And whereas*, it has been found indispensable, to give these Societies combination and useful action, to incorporate the same, and to provide for the incorporation of others hereafter, and application having been made to the Legislature in such behalf, it hath been deemed wise and expedient to yield to such request :

Incorporation of So-  
cieties.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That whenever twenty or more persons combine together and form themselves into a Society for the advancement and improvement of the objects aforesaid, and raise the sum of Ten Pounds of lawful money of Nova-Scotia, or any larger sum of money in each and every year, to be bona fide and faithfully and solely applied for the improvement and benefit of the Local Agriculture, that they, and all and every such other person or persons as shall thereafter be and become Members of such Society, shall be and are hereby constituted into and appointed a Body, Politic and Corporate, in deed and in name, by such name as the said Society at its formation shall assume as the name and designation thereof, and by that name have succession and a Common Seal, 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 to sell, let, assign, or convey the same or any part thereof, and to do and execute all other things in and about the same as shall or may be thought necessary or proper, and also shall have from time to time and at all times full power 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 Society, the establishing of the Officers proper for the management of its af-  
fairs.

fairs, and declaring the extent, duration, and authority of the Offices and Officers of the said Society, and their mode of appointment, and generally for the promoting the objects of the Society: *Provided* such Bye-Laws, Rules, and Ordinances, 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 Society shall not hold at any time Lands, Tenements, Houses, Hereditaments, and Rents, Goods, Chattels, Property, or effects of greater value than One Thousand Pounds: *And Provided further*, that the said Society shall consist of Twenty persons or more, and that the said sum of Ten Pounds, or any such larger sum, shall be annually raised and bona fide and faithfully and solely applied for the purposes aforesaid, and lastly that in the event of the failure of either or both of said conditions at any future time or times, any and every existing Society before entitled to and enjoying the privilege and benefit of this Act, shall be wholly excluded from and deprived thereof.

Provisoes.

Limitation of Property.

No. of Members.

Amount of Subscriptions.

II. *Provided always, and be it enacted*, That nothing herein contained shall extend, or be deemed constituted or taken to extend, to relieve or discharge such Corporation, or any of the present or future Proprietors or other Holders of Shares in such Society, from any responsibility, contract, duty, or obligation whatsoever, to which by law such Proprietors or Holders of Shares now are or at any time hereafter may be or would have been subject or liable, had not this Act been passed, as between such Society and any other party or parties whomsoever, in any manner or way howsoever, and every Proprietor or Holder of Shares in such Society, his or her Lands, Goods, and Chattels, shall be liable under any Execution that may be issued against the said Corporation in the same manner and to the same extent as if this Act had not been passed.

Not to relieve Proprietors from personal responsibility.

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.

To be in force Three Years.

## CAP. L.

## An Act in further amendment of the Act for establishing the Times and Places for holding the Poll at Elections of Representatives.

(Passed the 14th day of April, A. D. 1845.)

**WHEREAS** the Times and Places established for holding Polls for Elections of Representatives to serve in General Assembly, by the Act passed in the Third Year of Her present Majesty's Reign, entitled, An Act for establishing the Times and Places of holding the Polls at Elections of Representatives, and by the Acts in amendment thereof, have been found inconvenient so far as respects the County of Richmond:

Preamble.

I. *Be it enacted, by the Lieutenant Governor, Council, and Assembly*, That instead of the Times and Places specified and appointed by the said Acts, or any of them, for holding the Poll for the said County at Elections for Representatives, at any future Election to be held in and for such County, the Poll shall be held and opened at the Places and for the Times hereinafter mentioned, that is to say:

County of Richmond.

## COUNTY OF RICHMOND.

The Poll shall be opened at the Court House in Arichat, at the same time with the Poll for the Township of Arichat, and be there held for Five Days, and be 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 central and convenient place at Saint Peter's, and be there held for two days, and

Poll, where to be held and how long

be

be thence adjourned to some fit and convenient place on the Western side of the Grand River, near the Bridge, and be there held for three days.

II. *And be it enacted*, That all such parts or portions of the said Acts hereby amended, and every of them, which relate to the Times and Places for holding Polls for Elections for the County of Richmond, shall be and the same are hereby repealed, but all other the portions and enactments of the said Acts, and every of them shall extend to any Election for such County, in the same manner as if the Times and Places hereby established for holding the Poll for any such Election had been and were originally inserted in the said Act hereby amended.

Part Act 5d Vict.  
repealed

CAP. LI.

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

(Passed the 25th day of March, A. D. 1845.)

Act 5th Vict. con-  
tinued.

**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 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.

issuing of Execution  
in case of death,  
&c. of Justices of  
the Peace.

II. *And be it enacted*, That where any judgment shall have been given by two Justices under the said Act, and before the issuing of a first or other Execution thereon, one of such Justices shall happen to die or remove from the County, or be dismissed from or resign his office, it shall and may be lawful for the remaining Justice to issue every such first or other Execution, in the same manner as the same might and could otherwise have been issued by such two Justices, and in case of the death, dismissal, resignation or removal from the County of both such Justices, or of any single Justice before whom Judgment shall have been given under the said Act, previously to the issuing of any such first or other Execution, it shall and may be lawful for any other Justice of the Peace for the County, upon application of the party entitled thereto, to issue every such first or other Execution, in the same manner as the same might and could have been issued by such Justice who shall have so died, resigned, been dismissed, or removed from the County as aforesaid, and no exception to the form of any such Execution, connected with the issuing thereof as aforesaid, shall in any case be allowed or sustained, but the same if in other respects legal and valid, shall be held and deemed to be duly and lawfully issued, any defect in the statement therein of the death, resignation, dismissal or removal of such Justice or Justices notwithstanding.

To be in force One  
Year.

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. LII.

An Act to amend the Act for providing Fire Engines for  
the Town of Yarmouth, and for other purposes.

(Passed the 25th day of March, A. D. 1845.)

**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

Engine Men ex-  
empted from half  
of labor on roads.

Town of Yarmouth, and for other purposes, conferred upon the Engine Men appointed, and to be appointed under the Act, such Engine Men shall also hereafter be exempted from one half of the number of days' labor on the Roads and Highways to be by them respectively performed 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. Proviso.

## CAP. LIII.

## An Act to continue and amend the Acts in amendment of the Acts for the choice of Town Officers, and regulating of Townships.

(Passed the 28th day of March, A. D. 1845.)

**B**E 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, or by this Act; 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 Act 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, shall be continued, and the said several Acts, and every matter, clause, and thing, therein contained, except as before excepted, are hereby respectively continued for one year, and thence to the end of the then next Session of the General Assembly.

Acts 10, Geo. 4, (as amended) 2d Wm. 4, 2d Vict. and 3d Vict. continued.

II. *And be it enacted*, That whenever the Committee appointed under and by virtue of the third clause of the said Act, passed in the Tenth Year of the Reign of His late Majesty King George the Fourth, shall find it necessary to raise and collect any sum for the purpose of carrying into effect any regulations respecting the making or repairing of Roads in or across any Common Field, made under the authority of the said Act, and with the execution whereof they may have been entrusted, the said Committee shall hereafter assess the amount to be raised and collected for that purpose on the several Proprietors or Occupiers of such Common Field, by an even and equal rate, according to the benefit to be derived from such Roads respectively by each Proprietor or Occupier respectively, instead of according to the quantity and quality of the land by him held therein, as directed by the fourth clause of the said Act.

Assessments how to be made.

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

To be in force One Year.

## CAP. LIV.

## An Act to extend to the Village of Antigonishe the several Acts for appointing Firewards.

(Passed the 14th day of April, A. D. 1845.)

Freamble.

**W**HEREAS the increase of the Village of Antigonishe, in the County of Sydney, renders it necessary that Firewards should be appointed there, and proper precautions taken to preserve said Village from the danger of Fire :

Act 2nd, Geo. 3d, to be extended to Antigonishe.

I. *Be it enacted by the Lieutenant-Governor, Council, and Assembly,* That from and after the publication hereof, the Act of the General Assembly made in the Second Year of the Reign of His late Majesty King George the Third, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing thefts and disorders at the time of Fire, and all the several Acts which have been since made and passed in addition to and amendment or alteration thereof, and all the several matters, clauses and things contained therein, shall be and the same are hereby extended to the said Village of Antigonishe, in the County of Sydney, and the Justices in their Sessions for the said County of Sydney, Justices of the Peace, and all other persons whosoever, in and within the said Village of Antigonishe, are hereby bound strictly to conform to the said Acts, and to carry the same into execution within the said Village, in as full and ample a manner, to all intents and purposes, as if the said Village of Antigonishe had been originally named therein.

Jurisdiction of Firewards.

II. *And be it enacted,* that the extent of the said Village of Antigonishe for all the purposes of this Act, and the Jurisdiction, Powers and Authorities of the said Firewards, shall be confined and restricted to the bounds and limits following, that is to say:—to all that part of the Township of Dorchester, in the said County of Sydney, which is or may be comprehended within the lines and bounds of lots numbers four and five, in Block number thirteen, and within the lines and bounds of Blocks numbers fourteen, fifteen, sixteen, seventeen, eighteen, twenty-nine, thirty and thirty-one, of the Hierlihy or Soldier's Grant, so called, in the said Township of Dorchester.

## CAP. LV.

## An Act to repeal the Act to regulate the Shad Fishery in King's County.

(Passed the 14th day of April, A. D. 1845.)

Act 7, Vict. repealed

**B**E 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 to regulate the Shad Fishery in King's County, and every matter, clause and thing, therein contained, shall be and the same are hereby repealed.

## CAP. LVI.

## An Act to repeal the Act for the regulation and management of the Combined Common and Grammar School at Lunenburg.

(Passed the 14th day of April, A. D. 1845.)

Act 3, Vict. repealed

**B**E 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 for the regulation and management of the Combined Common and Grammar School

School at Lunenburg, and every matter, clause and thing, therein contained, shall be and the same are hereby repealed.

## CAP. LVII.

**An Act to repeal the Act to prevent the taking of Oysters from Tracadie, in the County of Sydney.**

(Passed the 14th day of April, A. D. 1845.)

**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 prevent the taking of Oysters from Tracadie, in the County of Sydney, and every matter, clause and thing, therein contained, shall be and the same are hereby repealed. Act 5, Vict. repealed

## CAP. LVIII.

**An Act to continue the Act for making Regulations relative to the setting of Snares for catching Moose.**

(Passed the 8th day of March, A. D. 1845.)

**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 one year, and thence to the end of the then next Session of the General Assembly. Act 6, Vict. continued.

## CAP. LIX.

**An Act to continue the Act for the better regulation of Sable Island, in this Province.**

(Passed the 8th day of March, A. D. 1845.)

**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 one year, and thence to the end of the then next Session of the General Assembly. Act 1, Vict. continued.

## CAP. LX.

**An Act to continue the Act relative to the Assessment of Dike Rates for the New or Wickwire Dike, in Horton.**

(Passed the 28th day of March, A. D. 1845.)

**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 Act 6, Wm. 4, continued.

the Fourth, entitled, An Act relative to the Assessment of Dike Rates for the New or Wickwire Dike in Horton, 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.

## CAP. LXI.

### An Act to continue the Act respecting the Collection of Poor's Rates of Pictou, as amended.

(Passed the 5th day of March, A. D. 1845.)

Act 6, Wm. 4, continued, (with exceptions.)

**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 Poor's 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 Poor's 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 One Year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXII.

### 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 5th day of March, A. D. 1845.)

Act 1, Wm. 4, continued, (with exceptions.)

**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 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 One Year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXIII.

### 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 5th day of March, A. D. 1845.)

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

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 One Year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXIV.

### An Act to continue the Act for establishing a Harbor Master at Bridgeport, in the Island of Cape Breton.

(Passed the 5th day of March, A. D. 1845.)

**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 Harbor 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 One Year, and thence to the end of the then next Session of the General Assembly.

Act 2, Vict. continued.

## CAP. LXV.

### An Act to continue the Act for dividing the Township of Digby into separate Districts for the support of the Poor.

(Passed the 5th day of March, A. D. 1845.)

**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 dividing the Township of Digby into separate Districts for the support of the Poor, 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, Vict. continued.

## CAP. LXVI.

### An Act to continue the Act for the preservation of Moose.

(Passed the 5th day of March, A. D. 1845.)

**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 one year, and thence to the end of the then next Session of the General Assembly.

Act 7, Vict. continued.



## CAP. LXVII.

**An Act to continue the Act additional, concerning Nuisances.***(Passed the 8th day of March, A. D. 1845.)*

Act 5, Wm. 4, continued.

**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 additional, concerning Nuisances, 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 relating to Marriage Licenses.***(Passed the 8th day of March, A. D. 1845.)*

Act 2, 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 relating to Marriage Licenses, 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 to extend to the Town of Dartmouth the Act to amend the Act to regulate the Assize of Bread.***(Passed the 8th day of March, A. D. 1845.)*

Act 6, Vict. continued.

**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.

## CAP. LXX.

**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 8th day of March, A. D. 1845.)*

Act 6, Vict. continued.

**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

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 one year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXXI.

**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 5th day of March, A. D. 1845.)*

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the Fifth year of the Reign of His late Majesty King William the Fourth, entitled, An Act to direct and ascertain the mode of assessing County and District Rates, and for other purposes, except so far as the same is altered or amended by the Acts hereinafter mentioned, and also except 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 Her present Majesty's Reign, 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 Acts 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.

Acts 5, Wm. 4, with exceptions, also Acts 6, Wm. 4, and 1 & 2, Vic. continued.

## CAP. LXXII.

**An Act to continue the Acts to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.**

*(Passed the 28th day of March, A. D. 1845.)*

**BE** it enacted, by the Lieutenant-Governor, Council, and Assembly, That the Act, passed in the Fourth and Fifth year of the Reign of His late Majesty King George the Fourth, entitled, An Act to regulate the Expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges, except as altered or amended by the Act, passed in the Eighth year of His said late Majesty's Reign, to continue and amend the said Act, or by the Acts hereinafter mentioned; also the Act, passed in the Ninth year of His said late Majesty's Reign, to continue, alter, and amend the said first mentioned Act, except as altered or amended by the Acts hereinafter mentioned; also, the Act, passed in the Seventh year of the Reign of His late Majesty King William the Fourth, entitled, An Act to continue 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 Act, except as altered or amended by the Acts hereinafter mentioned; also, the Act, passed in the First year of Her present Majesty's Reign, entitled, An Act in further amendment of the Act to regulate the Expenditure of Monies hereafter

Acts 4 and 5, Geo. 4, and 3, Vict. continued.

hereafter to be appropriated for the service of Roads and Bridges, except as altered or amended by the Act hereinafter mentioned; and also, the Act, passed in the Seventh year of Her present Majesty's Reign, 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, 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.

## CAP. LXXIII.

**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 8th day of March, A. D. 1845.)

Act 4, Vict. con-  
tinued.

**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 one year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXXIV.

**An Act to continue certain Acts in amendment of the Act for Incorporating the Town of Halifax.**

(Passed the 28th day of March, A. D. 1845.)

Acts 6 & 7 Vict.  
continued with  
exceptions.

**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 relating to the Halifax Assessments, and further to amend the Act to Incorporate the Town of Halifax, except as altered or amended by the Act hereinafter mentioned; and also, the Act, passed in the Seventh year of Her present 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, 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.

## CAP. LXXV.

**An Act to continue the Act to amend an Act for establishing a Public School in the Town of Halifax.**

(Passed the 14th day of April, A. D. 1845.)

Act 51, Geo. 3, con-  
tinued.

**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

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.

## CAP. LXXVI.

**An Act to continue the Act to revive the Act to amend the Act to regulate the Assize of Bread.**

*(Passed the 8th day of March, A. D. 1845.)*

**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 5th Vic. continued.

## CAP. LXXVII.

**An Act to continue the Act to amend the Act to Incorporate sundry persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia.**

*(Passed the 8th day of March, A. D. 1845.)*

**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 to amend the Act to Incorporate sundry persons by the name of the President, Directors, and Company of the Bank of Nova-Scotia, and every matter, clause and thing, therein contained, shall be continued, and the same are hereby continued for Two years, and thence to the end of the then next Session of the General Assembly.

Act 7, Wm. 4, continued.

## CAP. LXXVIII.

**An Act to continue the Act to regulate the Weighing of Beef, and the Acts in amendment thereof.**

*(Passed the 8th day of March, A. D. 1845.)*

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the Tenth year of the Reign of His late Majesty King George the Fourth, entitled, An Act to regulate the Weighing of Beef, and every matter, clause and thing, therein contained, save and except as amended by the Acts hereinafter mentioned; also, the Act, passed in the Second year of the Reign of Her present Majesty Queen Victoria, to continue and amend the first mentioned Act, and every matter, clause and thing, therein contained, save and except as altered or amended by the Act hereinafter mentioned; also, the Act, passed in the Fourth year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act to regulate the Weighing of Beef, and the Act in amendment

Acts 10, Geo. 4, and 2 and 4 Vic. continued.

amendment thereof, and every matter, clause and thing, in the said last mentioned Act contained, shall be continued, and the said several Acts except as before excepted, are hereby continued for One year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXXIX.

### An Act to continue the Acts to regulate the Survey of Timber and Lumber.

(Passed the 5th day of March, A. D. 1845.)

Act 5, Wm. 4, (except 8th and 9th clauses and except as amended) continued.

**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 One year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXXX.

### An Act to continue the Acts for regulating the Militia.

(Passed the 5th day of March, A. D. 1845.)

Acts 4 and 5 Vic., (except as amended) continued.

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

## CAP. LXXXI.

### An Act to continue the Acts for the regulation of Juries.

(Passed the 28th day of March, A. D. 1845.)

Acts 1 and 3, Vic. (with exception) continued.

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the First year of the Reign of Her present Majesty Queen Victoria, entitled, An Act for the regulation of Juries, except as altered or amended by the Acts hereinafter mentioned; also, the Act, passed in the Third year of Her present Majesty's Reign, entitled, An Act to continue and amend the Act for the regulation of Juries, and to render valid the proceedings of certain Grand Juries,

ries, except as altered or amended by the Act hereinafter mentioned ; also, the Act, passed in the Seventh year of Her present 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, are hereby continued for One year, and thence to the end of the then next Session of the General Assembly.

## CAP. LXXXII.

**An Act to continue the several Acts to provide for the accommodation and billeting of Her Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.**

*(Passed the 8th day of March, A. D. 1845.)*

**BE** it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the Forty-eighth year of the Reign of his late Majesty King George the Third, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another ; and also, the Acts, passed in the Fifty-first and Fifty-third years of His said late Majesty's Reign, in 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, Geo. 3, and Acts 51 and 53, Geo. 3, except as amended, and Act 6, Vic. continued.

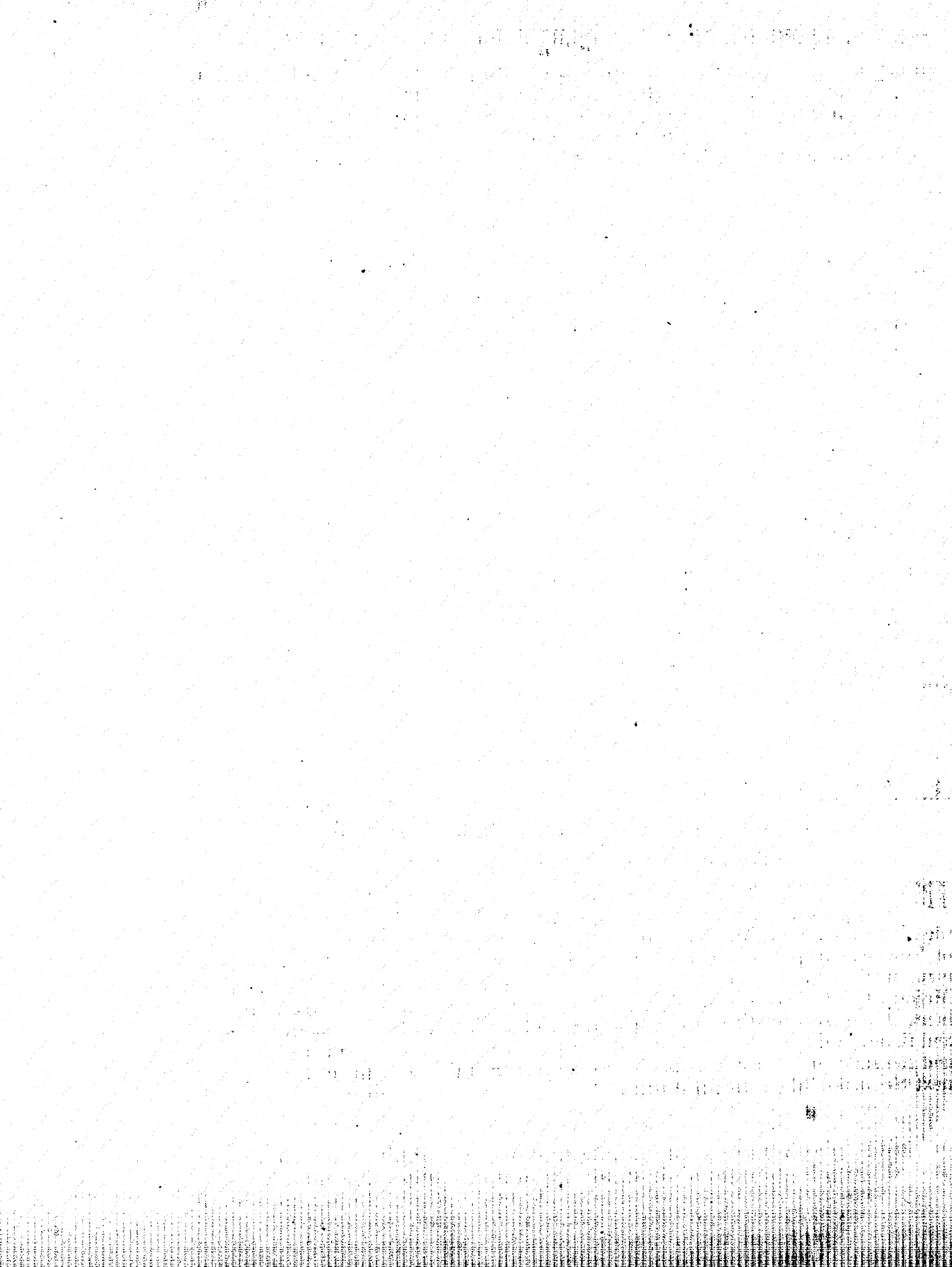
## CAP. LXXXIII.

**An Act to continue the Acts in amendment of the Acts relating to Commissioners of Sewers.**

*(Passed the 28th day of March, A. D. 1845.)*

**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 in amendment of the Acts relating to Commissioners of Sewers, except so far as the same is altered or amended by the Act hereinafter mentioned ; 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, and every matter, clause and thing, in the said Acts contained, except as before excepted, 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.

Acts 5, Wm. 4, and 3, Vic. continued.



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TO

## ACTS OF THE GENERAL ASSEMBLY

OF THE

Province of Nova-Scotia.

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ANNO OCTAVO VICTORIÆ REGINÆ.

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1845.

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