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THE  
**STATUTES**  
OF  
**NOVA-SCOTIA,**

PASSED IN THE  
**FOURTH SESSION OF THE GENERAL ASSEMBLY,**

OF THE  
SEVENTEENTH YEAR OF THE REIGN OF HER MAJESTY

**QUEEN VICTORIA;**

HELD

**26th January, 1854.**



**HALIFAX:**

PRINTED BY WILLIAM ANNAND,

Printer to the Queen's Most Excellent Majesty.



At the general assembly of the province of Nova-Scotia, begun and holden at Halifax, on Thursday, the twenty-sixth day of January, 1854, in the seventeenth year of the reign of our sovereign lady Victoria, by the grace of God, of the United Kingdom of Great Britain and Ireland, queen, defender of the faith, &c. &c. &c. being the fourth session of the twentieth general assembly convened in the said province.\*

\*In the time of his excellency Sir John Gaspard LeMarchant, lieutenant-governor; Michael Tobin, president of the legislative council; William Young, speaker of the assembly; Joseph Howe, provincial secretary; and Henry Twining, clerk of assembly.

## CHAPTER 1.

An Act to authorize the construction of Railways in this Province.

[Passed the 31st day of March, 1854.]

### SECTION

1. Railways to be public works; grades—where to be made.
2. Trunk line to be completed first.
3. Other lines.
4. Construction; management; commissioners.
5. Lines to be built by tender and contract.
6. Contracts—securities for performance of.
7. Chief engineer—appointment and duties of.
8. Payments to contractors.
9. Contractors and officers not to be members of the Legislature.
10. Lands required for lines and termini.
11. Powers of commissioners to deposit soil, earth, &c. supply materials.
12. Construction of roads, bridges, &c. over lands, &c.

### SECTION

13. Alteration of courses of streams, &c.
14. Drains, &c. conveying water to or from railways.
15. General powers relative to making, altering, repairing, &c.
16. Remuneration to proprietors of lands, &c. taken.
17. Where no agreement can be made.
18. Benefits to proprietors from railways, to be considered by appraisers.
19. Monies paid for lands to form a county charge—how to be assessed.
20. Working of lines.
21. Inspection of contracts and proceedings of commissioners.
22. Salaries of officers.
23. Yearly expenditure limited to £200,000
24. Accounts of commissioners—audit of.

Whereas the construction and maintenance of a trunk line of railway from the harbor of Halifax to the frontier of New Brunswick, with branch lines extending to the harbor of Pictou and to Victoria Beach, will greatly facilitate the internal trade of Nova-Scotia,—will develop her resources,—enlarge her revenue, and open more frequent and easy communications with the neighbouring Provinces and States. Preamble.

Be it enacted, by the governor, council, and assembly, as follows :

1. The lines of railway to be constructed under the provisions of this act, shall be public provincial works, and shall be made public works;

grades—where to be made. on such grades and in such places as the governor in council shall determine and appoint, as best adapted to promote the general interests.

Trunk line to be completed first. 2. The line to be first completed shall be that which, beginning at the harbor of Halifax, and extending therefrom in a northerly direction, will form a common trunk for all the lines to be hereafter made under the provisions of this act.

Other lines. 3. After the common trunk shall have been so completed, the railways shall be carried on in such direction as shall be approved of by both houses of the legislature, and shall be designated by an act of the province, or by resolutions entered upon their journals, and communicated by address to the governor.

Construction, management, commissioners. 4. The construction and management of such railways shall be under the charge of six commissioners, to be appointed by the governor in council, and to hold office during pleasure: one of whom to be so named in the commission, shall be the chairman, and shall have the right of voting in all cases, with a casting vote, in addition to his own, where there would otherwise be an equality of voices: provided that not more than one of such commissioners shall at any time hold a seat in each branch of the legislature.

Lines to be built by tender and contract. 5. The commissioners shall build such railways by tender and contract, after the plans and specifications therefor shall have been duly advertised, and they shall accept the tenders of such contractors as shall appear to them to be possessed of sufficient skill, experience, and resources, to carry on the work, or such portions thereof as they may be willing to contract for. But where the commissioners, in any case, deem it for the public interest not to accept the lowest tender that may be made, it shall not be competent for them to accept a higher tender without the approval of the governor in council. And where any tender is higher than in the judgment of the commissioners, or of the governor in council, it is prudent to act on, the same shall not be accepted; and in such case the work shall be suspended for a time, and new tenders advertised for, when the legislature or the governor in council shall deem it expedient to proceed.

Contracts—conditions for performance of. 6. The contracts to be so entered into shall be guarded by such securities, and contain such provisions for retaining a proportion of the contract monies, to be held as a reserve fund for such periods of time, and on such conditions, as may appear to be necessary for the protection of the public, and securing a due performance of the contracts.

Chief Engineer—appointment and duties of. 7. The governor in council shall appoint a chief engineer, to hold office, during pleasure, who, under the instructions he may receive from the commissioners, shall have the general superintendance of the works to be constructed under this act, and whose duty it shall be to measure the work done, and for which payment shall be claimed,—to report upon the lines to be selected—the permanence of the works to be designed or executed—the strength of the rails—the sufficiency of plant and rolling stock,—and the faithful fulfilment of the contracts which may be entered into.

8. No money shall be paid to any contractor until the chief engineer shall have certified that the work for or on account of which the same shall be claimed, has been duly and faithfully executed, nor until such certificate shall have been approved of by the commissioners.

payments to  
contractors.

9. No member of the legislature shall hold, or be appointed to any office of emolument under the commissioners, or be a contractor, or party to any contract, arising out of the construction, management, or working of the road, or any part thereof.

Contractors and  
officers not to be  
members of the  
legislature.

10. The commissioners or contractors are authorized to enter upon and take possession of any lands required for the track of the railways, or for stations, and they shall lay off the same by metes and bounds, and record a description and plan thereof in the registry of deeds for the county in which the lands are situate, and the same shall operate as a dedication to the public of such lands; the lands so taken shall not be less than four rods nor more than six rods in breadth for the track, exclusive of slopes of excavations and of embankments, except where it may be deemed advisable to alter the line or level of any public or private carriage road, or divert any stream or river, in which case it shall be competent for the commissioners to take such further quantity as may be found necessary for such purposes; also, at each station a sufficient extent for depot and other station purposes: provided always, that, excepting at the termini or junction of the railways, the quantity so appropriated shall not exceed five acres.

Lands required  
for lines and  
termini.

11. The commissioners or contractors may enter with workmen, carts, carriages, and horses, upon any lands, and deposit thereon soil, earth, gravel, trees, bushes, logs, poles, brushwood, or other material found on the line of railway or works connected therewith, or for the purpose of digging up, quarrying, and carrying away earth, stones, gravel, or other material, and cutting down and carrying away trees, bushes, logs, poles and brushwood therefrom, for the making of such railway.

Powers of com-  
missioners to  
deposit soil,  
earth, &c. sup-  
ply materials.

12. It shall be lawful for the commissioners to make or construct in, upon, across, under, or over any lands, streets, hills, vallies, roads, railroads, or tramroads, canals, rivers, brooks, streams, lakes, or other waters, such temporary or permanent inclined planes, embankments, cuttings, aqueducts, bridges, roads, ways, passages, conduits, drains, piers, arches, or other works, as they may think proper.

Construction of  
roads, bridges,  
&c. over lands,  
&c.

13. They may alter the course of any river, canal, brook, stream, or water-course, and divert or alter, as well temporarily as permanently, the course of any such rivers, streams of water, roads, streets, or ways, or raise or sink the level of the same, in order to carry them over or under, on the level of, or by the side of the railway, as they may think proper.

Alteration  
of courses of  
streams, &c.

14. They shall have power to make conduits or drains into, through, or under any lands adjoining the railway, for the purpose of conveying water from or to the railway.

Drains, &c. con-  
veying water  
to or from rail-  
ways.

General power relative to making, altering, repairing, &c.

15. It shall be lawful for them, from time to time, to do all other lawful acts necessary for making, maintaining, altering, or repairing and using the railway.

Remuneration to proprietors of lands, &c. taken.

16. The commissioners or contractors may make an agreement in writing with the proprietors of lands so taken for damages and fencing, where such fencing shall be considered requisite by the commissioners, and also for materials for the roads taken from any lands, and the same shall be laid before the sessions, and, if approved of, shall be confirmed.

Where no agreement can be made.

17. Where no agreement shall be made, or the same shall not be confirmed, one appraiser shall be appointed by the sessions, a second by persons interested in the lands, and on their default, after three days notice, by the clerk of the peace, such two shall choose a third appraiser, and the appraisers shall be sworn to the faithful discharge of their duty, and they, or any two of them, shall make a valuation as to the damages for lands and fencing, when requisite, or materials taken from any land, which valuation shall be final.

Benefits to proprietors, from railways, to be considered by appraisers.

18. In making such arrangement or appraisement, the benefit likely to be derived by the proprietor, from the railway running through his land, shall be taken into consideration, and the damages thereby reduced or extinguished.

Monies paid for lands to form a county charge—how to be assessed.

19. The monies payable for such lands and fencing shall form a county charge, but in the apportionment of the assessment the sessions shall have respect to the relative benefits derived from the railway by the several sections of the county, and shall apportion the assessment accordingly.

Working of lines.

20. Whenever the railways, or any portions of them, shall be completed, it shall be lawful for the governor, in council, to make such arrangements as may be suitable for working the railways as one line by a common management, or for working the trunk line and branches by separate commissioners, such arrangement to be submitted to both branches of the legislature at the session then next ensuing.

Inspection of contracts and proceedings of commissioners.

21. The governor in council shall have power to inspect all contracts and proceedings of the commissioners, to examine their accounts at all times, and to suspend the progress of the work, until the next session of the legislature.

Salaries of officers.

22. The governor in council shall, in the first instance, fix the rate of salary or compensation for the chairman, and the other commissioners, and the chief engineer, and shall approve of all other salaries to be awarded by the commissioners, subject, in all cases, to the revision and confirmation of the legislature, at its first session thereafter.

Yearly expenditure limited to £200,000.

23. The commissioners shall draw on the receiver general, in such form as may be directed by the governor in council, for all monies that may be required for the purposes of this act, but shall not expend a larger sum, nor incur liabilities to a larger extent in any one year than £200,000.

24. The commissioners shall furnish quarterly accounts of all such expenditures and liabilities, which shall be examined and checked by the financial secretary, and presented to the general assembly in every year within the first ten days of each session, to be examined and audited by a joint committee of the legislative council and house of assembly, in the same manner as other public accounts.

Accounts of  
commissioners  
—audit of.





## CHAPTER 2.

## An Act to authorize a Loan for the construction of Railways within this Province.

[Passed the 31st day of March, 1854.]

## SECTION

1. Loan authorised; not to exceed £200,000 in one year.
2. Debentures—issue of, authorised.
3. Form of debentures, mode of issuing, amount of, interest, &c.
4. Proceeds of lines—how to be applied.
5. Pledge for redemption of debentures.

## SECTION

6. Monies raised to be paid to receiver general—application of. Management of fund.
7. Receiver general's account—audit of, &c.
8. City of Halifax to take a tenth of stock; limited to £100,000. Assessment.

Whereas an act has passed during the present session of the legislature, entitled, "an act to authorize the construction of railways in this province," and it is necessary to provide the funds which may be required by the provisions of that act. Preamble.

Be it enacted by the governor, council, and assembly, as follows:

1. From and after the passing of this act, it shall be lawful for the governor, by and with the advice of the executive council, to contract a loan on the pledge of the revenues of this province, whether arising from the duties upon imports,—the sale of crown lands,—the royalty paid by miners, or the tolls to be collected on the railways constructed with the monies to be borrowed under this act: provided that the whole sum to be borrowed shall not exceed £200,000 currency, in any one year. Loan authorised; not to exceed £200,000 in one year.

2. Certificates of debt to be called debentures, bearing interest at six per cent., may be issued from time to time, at par, or at such premium as the same may command, as the railways proceed; and the governor in council shall determine at what periods of time, in what amounts, and on what conditions, such certificates shall be issued. Debentures—issue of, authorised.

3. The debentures shall be in the form to be hereafter directed by the governor in council, with coupons annexed thereto; they shall be signed by the governor, and verified by his seal of office, and also countersigned by the receiver general; they shall be numbered consecutively, commencing with number one, and shall be issued in such sums, not less than one hundred pounds sterling, as may be deemed expedient; the interest thereon shall be paid half yearly, at such place as shall be mentioned therein; and the principal of such debentures shall be paid in full, at the expiration of twenty years from the date of their respective issues to the then holders thereof. Form of debentures, mode of issuing, amount of, interest, &c.

4. The whole of the revenues to arise from the receipt of tolls on such railways shall, after the expences of working and maintenance have been paid, be applied towards the payment of interest on the debentures, and the surplus shall form a surplus fund for the redemption of the loan. Proceeds of lines—how to be applied.

Pledge for redemption of debentures.

5. Subject to the payment of any previously existing provincial liability, and of the civil list, the faith and credit of the province, and the ordinary revenues thereof, and the amount or proceeds of any special impost which may hereafter be levied and collected for the purpose of paying off all such railway debentures, and the interest thereon, shall be and hereby are declared pledged to any and every holder of the same.

Monies raised to be paid to receiver general—application of.

6. The principal sums to be raised and borrowed shall be received from time to time as the same may be raised by the receiver general, who shall, upon the warrants of the governor, pay out of the same such sums as may from time to time be required for defraying the charges made payable out of the same by this act, and the act of this session hereinbefore referred to, and who shall also, upon the warrants of the governor, pay the dividends and interest upon the sums so raised and borrowed as the same shall become due; and such fund shall be paid and managed in such manner for the redemption and liquidation of the principal sums as the governor in council shall from time to time direct and appoint, subject however to the provisions of this act. And it is hereby declared, that the parliament of this province will confirm and carry out by such legislative enactments, if any, as may be necessary to give full effect to the same, any arrangement or agreement not inconsistent with the spirit of this act, and of the act of this session hereinbefore referred to, which may be made or authorized by the governor in council with regard to the raising and borrowing of the sums aforesaid.

Management of fund.

Receiver general's account—audit of, &c.

7. The receiver general shall quarterly transmit to the governor, for the purpose of being audited by the financial secretary, and laid before the two houses of the legislature, a correct and detailed statement and account of the sums raised under the authority of this act, and of the debentures and other securities which shall have been issued, and of the interest and dividends paid thereon, and of the redemption of the whole or any part of the principal sum, and of the expences attending the negotiation, management, payment, and redemption of the loan.

City of Halifax to take a tenth of stock; limited to £100,000.

8. The city of Halifax shall be considered as holding stock in such railways to the extent of one-tenth part of the actual expenditures thereon,—such tenth part not to exceed in the whole, the sum of one hundred thousand pounds, and shall be entitled to participate in the profits of the railways in proportion to the amount of such stock; and shall be assessed annually for the amount of interest thereon, at the same rate of interest at which the loan is obtained, and also for a proportionate amount of such sums as may be chargeable against the general revenues of this province for the redemption of the loan; such annual sums to be assessed and levied as the legislature may hereafter direct, and to be paid into the hands of the receiver general, to form a part of the general revenues of this province, and to continue to be so annually assessed, levied, and paid in, until the loan, under this act, shall become extinguished under the provisions hereof.

Assessment.

## CHAPTER 3.

An Act further to amend Chapter 38 of the Revised Statutes.

[Passed the 31st day of March, 1854.]

## SECTION

1. Further issue of treasury notes authorised.

## SECTION

2. Form, issue, and payment of.  
3. Payable in gold or silver.

Whereas acts have passed during the present session of the legislature to authorize and to provide funds for the construction of railways in this province, and it is necessary to enlarge the amount of circulating currency by a further issue of treasury notes.

Be it enacted by the governor, council, and assembly, as follows:

1. It shall be lawful for the governor, by and with the advice of the executive council, to direct, from time to time, a further issue of treasury notes, for twenty shillings each, to an amount not exceeding fifty thousand pounds.

2. Such treasury notes shall be in the form, and issued in the mode, now in use, and the same shall be received at the treasury and in payment of duties at their specified value.

3. The holders of any notes issued under the authority of this act, shall be paid the full amount thereof at the treasury, in gold or silver money on demand.

## CHAPTER 4.

An Act to amend Chapter 38 of the Revised Statutes, and the Act in amendment thereof.

[Passed the 31st day of March, 1854.]

SECTION 1. Interest on money in savings' bank.

Be it enacted by the governor, council, and assembly, as follows:

1. Depositors in the savings' bank shall be allowed four per cent. interest, and no person shall be allowed to be a depositor of more than two hundred pounds. The whole amount of deposits under the authority of this act, shall not exceed twenty-five thousand pounds.

2. Monies deposited under this act shall be applied by the governor in council, from time to time, for such uses as shall have been approved of and sanctioned by the general assembly.

## CHAPTER 5.

## An Act to establish a Normal School.

[Passed the 31st day of March, 1854.]

## SECTION

1. Normal school to be established.
2. Building for furniture, apparatus, &c.—cost of.
3. Teachers and superintendent, &c.—Salary of superintendent. Do. of Teacher.
4. Allowance to superintendent for expenses.
5. Management.
6. Common schools may be used as model schools for practicing art of teaching.
7. Course of instruction in Normal school.
8. Boards of commissioners may send pupils. Pecuniary assistance to pupils. Age of pupils, qualification, &c.

## SECTION

9. Additional pupils may be received conditionally. Licensed teacher to have access to Normal school.
10. Pupils who do not intend to teach in the province.
11. Examination of pupils, certificates, &c. Pupils found to be incompetent on examination. Pupils who have graduated may enter anew.
12. Certificate to entitle pupils to a license. Bad character.
13. Three pupils may be sent to college, &c.
14. Annual public examination.
15. Principal and assistants exempted from statute labor, &c.

Be it enacted by the governor, council, and assembly, as follows:

1. A Normal school for the training of teachers, shall be founded in a central and convenient locality.

2. A building for such purpose, provided with all necessary furniture and apparatus, shall be erected under the direction of commissioners appointed by the governor in council, upon a site, and according to plans approved of by the governor and council, and such commissioners may draw from the treasury, for the cost of the building, with its furniture and site, a sum not exceeding one thousand pounds.

3. The teachers of the Normal school shall be a principal, appointed by the governor in council, who shall superintend the Normal and model schools, and teach such classes as he may deem necessary, and shall also be superintendent of education, and shall receive a salary of three hundred pounds per annum, and two assistants, chosen by the principal, with the approval of the governor in council, and who shall respectively receive salaries of one hundred and fifty pounds per annum.

4. The superintendent may draw annually from the treasury a sum not exceeding one hundred pounds, for expenses of fuel, repairs, and books for the Normal school, and the expense of teachers' institutes, the expenditure of which he shall annually make return of to government.

5. The school shall be under the management of a board of five directors, appointed by the governor in council, who shall

Normal school to be established.

Building for, furniture, apparatus, &c.—

Cost of.

Teachers and superintendent, &c.

Salary of superintendent.

Do. of teacher.

Allowance to superintendent for expenses.

Management.

frame the bye-laws and regulations of the institution, and arrange the length of its terms of instruction.

6. The principal may enter into arrangements with the trustees of schools in the place in which the Normal school shall be situate, for the purpose of having such schools used as model schools, in which pupil teachers from the Normal school may practise the art of teaching; provided such model schools shall be maintained in the same manner as if they were ordinary schools.

Common schools may be used as model schools for practising art of teaching.

7. The course of instruction in the Normal school shall be similar to that in the Normal schools of Upper Canada, New York, and Massachusetts, or as nearly approaching thereto as circumstances will permit.

Course of instruction in Normal school.

8. Each board of commissioners shall have the right of sending to the Normal school, at the commencement of any of its terms, one pupil, either male or female, for every one hundred pounds received by the board from the provincial treasury, and if necessary, they shall aid such pupils from the provincial grant at their disposal, in paying their travelling expenses to and from the Normal school, at the rate of three pence per mile: provided that such pupils shall not be less than sixteen years of age, and of good moral character, and shall have received an ordinary common school education before the commissioners shall give any order or orders for their admission to the school—such pupils shall give to the principal a written pledge that they will teach for at least three years within this province.

Boards of commissioners may send pupils.

Pecuniary assistance to pupils.

Age of pupils, qualification, &c.

9. The principal of the school may receive an additional number of pupils not exceeding twenty in any one year, on their being examined by him and giving the necessary pledge; and all licensed teachers shall have free access to the school, either as spectators or regular pupils. Instruction and the use of text books shall be free to all pupils.

Additional pupils may be reserved conditionally.

Licensed teachers to have access to Normal school.

10. The principal may admit pupils not intending to teach in this province, at such rates of fees as he may think proper, such fees to be applied in improving the apparatus of the school; provided no greater number of such pupils than ten be in attendance on the school at any one time.

Pupils who do not intend to teach in the province.

11. All pupils shall be examined by the principal after having attended the school for a term not less than five months, and if competent, shall receive certificates as graduates of the school,—such certificates shall be of three classes, denominated, A, B, and C, according to the capacity of the graduate; and pupils, who, after having studied one year, shall be found incompetent to act as teachers, may be dismissed or receive instruction for a second term at the discretion of the principal; and such graduates as may have received certificates of the class A or B, may be admitted anew, and after attending for one or more terms shall receive a certificate of such class as upon examination they shall be found entitled to.

Examination of pupils, certificates, &c.

Pupils found to be incompetent on examination.

Pupils who have graduated may enter anew.

12. Any person holding a certificate from the principal of the normal school shall be entitled to a license from any board of commissioners, unless the holder of such certificate be of bad moral

Certificate to entitle pupils to a license.

Bad character.

character, in which case, so soon as the fact of any graduate having contracted immoral habits is made known to the principal, he shall erase the name of such person from his list of graduates.

Three pupils may be sent to college, &c.

13. The principal shall have the power of sending, as free students, to any college or academy receiving provincial aid, graduates of the normal school, who may desire instruction in mathematics and classics, with the view of becoming teachers of high schools; provided that no such institution be required to give instruction to more than three such pupils at any one time.

Annual public examination.

14. There shall be an annual public examination of such school.

Principal and assistants exempted from statute labor, &c.

15. The principal of the Normal school and his assistants, shall be exempted from the performance of statute labor on the highways,—from militia duty, and from serving in any town office, or on juries.

## CHAPTER 6.

### An Act concerning the Elective Franchise.

[Passed the 31st day of March, 1854.]

#### SECTION

1. Act to extend elective franchise repealed.
2. Privilege of voting extended to all natural born and naturalized subjects over 21 years of age.
3. Paupers and Indians disabled from voting under this act.
4. Persons offering to vote may be sworn—questions to be put. Unnecessary questions not permitted. Purport of answers to be entered. Effect of answer. Refusal to answer.

#### SECTION

5. Where qualification appears deficient. Objected votes. What oaths may be administered.
6. When unqualified persons persist in voting.
7. Voters who have been absent from their place of residence.
8. Freehold qualification.
9. So much of Revised Stat. chap. 7 not inconsistent with this act continued.

Be it enacted by the governor, council, and assembly, as follows:

Act to extend elective franchise repealed.

1. The act passed in the fourteenth year of her majesty's reign entitled "an act to extend the elective franchise" is hereby repealed.

Privilege of voting extended to all natural born and naturalized subjects over 21 years of age.

2. All natural born and naturalized subjects of the crown of Great Britain, having been and being domiciled as hereinafter limited, and being males over the age of twenty-one years, shall be entitled to vote for members to serve in general assembly, that is to say, provided they shall at the time of voting have had their usual place of abode for at least one year next before voting in the counties for which they shall vote for county members, and in the townships for which they shall vote for township members, and provided also that such naturalized subjects so voting, and such natural born subjects as were not born in Nova Scotia shall, in addition, have resided in the province for at least five years next before

voting; and provided also that persons voting under this act shall only be entitled to vote in the electoral districts in which they reside at the time of voting, and which districts must be in the counties and townships respectively, for representing which the candidates are to be elected at that election.

3. No person who shall have received aid as a pauper under any poor law in this province, or aid as poor persons from any public grant of government money, within one year before the day of polling, nor any Indian, shall be entitled to vote under this act.

Paupers and Indians disabled from voting under this act.

4. At every election, the name of each person offering to vote by virtue of residence, shall be entered by the poll clerk in the poll book, and if objection be made in relation to his right to vote at that election, by any person entitled to vote at the same poll, the presiding officer shall tender to him the following preliminary oath: "You, A B, do swear that you will fully and truly answer all such questions as shall be put to you touching your place of residence, and qualification as an elector. So help you God. The presiding officer shall then proceed to propose to the person challenged, the following questions, or such of them as shall be required by the person objecting.

Persons offering to vote may be sworn—questions to be put.

*First.* What is your name?

*Second.* What is your age?

*Third.* In what county do you reside?

*Fourth.* In what township do you reside?

*Fifth.* How long have you resided in this province?

*Sixth.* How long have you resided in this county? [or "township," if voting for a township.]

*Seventh.* Do you reside in this polling district?

*Eighth.* How long have you resided in this polling district?

*Ninth.* Are you a native born subject of her majesty?

*Tenth.* (If not a natural born subject) Have you been naturalized?

*Eleventh.* (If a naturalized subject) When and where were you naturalized?

The presiding officer shall allow no other questions to be put, nor shall any questions be put except through him, nor shall he permit the time to be unnecessarily protracted on pretence of questioning a vote, and the presiding officer shall promptly put the questions, and the poll clerk shall instantly enter in the poll book the purport of the answers, and the same being read to the voter shall be conclusive against him. If the elector shall not promptly answer the questions, his name shall be expunged, and he shall not be allowed to poll at that election.

Unnecessary questions not permitted.

Purport of answers to be entered.

Effect of answer

Refusal to answer.

5. The presiding officer shall point out to the elector, the qualification, if any, in respect to which he shall appear to the presiding officer to be deficient; and if the person so offering shall persist in his claim to vote, and the objection shall not be withdrawn, a candidate against whom the vote is given, or his agent or inspector, may then direct the vote to be marked "objected" on the poll book without requiring the elector to be sworn, or he may mark the

Where qualification appears deficient. Objected votes.



What oaths  
may be admin-  
istered.

vote "*objected*," and require the oath number one to be taken by native born Nova Scotians, the oath number two by naturalized subjects or natural born subjects born elsewhere than in Nova Scotia, and the oaths number three and four by both classes of voters; and if any of the oaths prescribed by this act be declined, the voter's name shall be immediately struck out, and that person shall not be permitted again to poll at that election.

When unquali-  
fied persons per-  
sist in voting.

6. If any person being so questioned shall persist in voting notwithstanding his answers have clearly shewn that he was not entitled to vote under the residence qualification, and shall take the final oath as aforesaid, the vote of such person shall be subject to the provisions of the thirty-sixth section of the seventh chapter of the revised statutes, in the same manner as therein is prescribed in the cases of the votes of persons having voted in a wrong district, or more than once.

Voters who  
have been ab-  
sent from their  
place of resi-  
dence.

7. No person shall lose any part of his residence by being on board ship, or in any seminary of learning, or otherwise temporarily absent for any period less than one year.

Freehold quali-  
fication.

8. Nothing in this act shall extend to limit or otherwise affect the franchise founded upon freehold as by law established, but persons not entitled to vote under the residence qualification, if possessed of the real property qualification described in chapter five of the revised statutes, may vote in the same manner, and subject to the same sanctions and formalities as by law are or hereafter may be required for electors under the real property qualification.

So much of Re-  
vised Stat. ch.  
7, not inconsis-  
tent with this act  
continued.

9. So much of chapter seven of the revised statutes as is not inconsistent with this act shall remain in force.

## SCHEDULE.

### OATH NUMBER ONE.

You, A B, do swear that you are a native born Nova Scotian of the full age of twenty-one years and upwards, and that you have had your usual place of abode, for at least one year next before this day, in the county of (or the township of as the case may be;) and that you have not been polled, nor have given a vote for any candidate at this election; and that you reside and have now your place of abode within this electoral district.— So help you God.

### NUMBER TWO.

You, A B, do swear that you are a natural born (or, as the case may be, naturalized,) subject of the crown of Great Britain, not born in Nova Scotia, of the full age of twenty-one years and upwards, and that you have resided in this province for at least five years next before this day, and that you have had your usual place of abode, for at least one year next before this day, in the county of (or township of as the case may be;) and that you have not been polled, nor have given a vote for any candidate at this election for this county, (or township, as the case may be;) and that you reside and have now your place of abode within this electoral district. So help you God.

## NUMBER THREE.

You, A B, do swear that you have not, within one year next before this day, received aid as a pauper under any poor laws in this province, or as a poor person under any public grant of the province. So help you God.

## NUMBER FOUR.

You, A B, do swear that you have not received and had, by yourself or any person whomsoever in trust for you, or for your use and benefit directly or indirectly, any sum of money, office, place, emolument, gift or reward, nor any promise or security for any money, office, place, employment, gift or reward, in order to give your vote at this election, and that you have not before this been polled, nor have given a vote for any candidate at this election for this county (or township as the case may be) and that your place of residence is at \_\_\_\_\_. So help you God.

## CHAPTER 7.

## An Act to amend the New Practice Act.

[Passed the 31st day of March, 1854.]

## SECTION

1. Return days abolished. Writs when returnable. Judgment for want of appearances, &c.
2. Form of writ altered.
3. Notice to appear, &c., form.
4. Same notice in ejectment.
5. Notice of trial.

## SECTION

6. Causes—when to be entered.
7. Judges empowered to make rules for facilitating practice.
8. Trinity term abolished.
9. Practice act where inconsistent herewith repealed.

Be it enacted by the governor, council, and assembly, as follows:

1. There shall hereafter be no special return days for writs of summons, but such writs shall be returnable within ten days after the service thereof, if the defendant shall reside in the county in which the action is brought; within twenty days after service, if he shall reside in any other county, except in the island of Cape Breton; and within thirty days if he shall reside in the island of Cape Breton, and the action is brought in any county not in the island; or if he shall reside out of the island, and the action is brought in any county within the island; and judgment may be entered against the defendant if he shall not appear and plead within four days after the expiration of the said periods of ten, twenty, or thirty days, as the case may be.
 

Return days abolished.

Writs when returnable.

Judgment for want of appearances, &c.
2. The forms of writs of summons shall be so far altered as to summon the defendant to appear "within ten, twenty, or thirty days [as the case may be] after the service of this writ," instead of on the return days hereby superseded.
 

Form of writ altered.

Notice to appear, &c.

3. The notice to be endorsed on the writs shall hereafter be as follows :—

Form.

Notice is hereby given, that if the defendant do not appear and plead, within four days after the period specified in the writ for his appearance, the plaintiff shall be at liberty to sign [judgment by default, *if there are no particulars of demand annexed, and if there be particulars of demand,*] final judgment for any sum not exceeding the sum claimed in his particulars of demand, with interest at the rate specified, and costs at the expiration of such time.

Same notice in ejectment.

4. In ejectment, the notice shall be as follows :—

Notice is hereby given, that if the defendant do not appear and defend the possession of the property claimed by the within writ, or such part thereof as he may be advised, the plaintiff will be at liberty to sign judgment at the expiration of four days after the period specified in the writ for his appearance, and the defendant may thereupon be turned out of possession.

Notice of trial.

5. Notice of trial may be endorsed on writs of summons.

Causes—when to be entered.

6. No cause shall be entered on the docket for trials wherein the period allowed for pleading shall not have expired before the first day of term in all other counties except Halifax; and before the last day of term in Halifax.

Judges empowered to make rules for facilitating practice.

7. The judges in term at Halifax, may, from time to time, make general rules for facilitating the practice of the court, and the effectual execution of this act and of the act hereby amended, but such rules shall not go into operation till they shall have been published in the royal gazette; all rules made since the passing of the said act are hereby confirmed.

Trinity term abolished.

8. Trinity term in Halifax, and the sittings thereafter, are abolished.

Practice act where inconsistent herewith repealed.

9. So much of the new practice act as is inconsistent with the provisions of this act, is hereby repealed.

## CHAPTER 8.

### An Act to facilitate Proceedings under the New Practice Act.

[Passed the 3rd day of April, 1854.]

#### SECTION

1. Power to order stay of proceedings in certain cases conferred on prothonotaries.

#### SECTION

2. Summary causes under £20, plea not necessary.

Be it enacted by the governor, council, and assembly, as follows :

Prothonotaries shall have power to grant orders for the stay of proceedings in a cause, until security for costs be filed, upon sufficient grounds laid by affidavit, in the same way such orders are now granted by the supreme court or a judge; but any party dissatisfied with a prothonotary's decision, may, at any time within twelve days thereafter, apply to the supreme court upon motion, or

Power to order stay of proceedings in certain cases conferred on prothonotaries.

a judge at chambers, by summons, upon affidavit, for a re-hearing; a plea filed in the mean time, or other proceeding taken on the part of plaintiff or defendant, shall not prejudice the party claiming a re-hearing.

2. In summary causes, where the plaintiff claims less than twenty pounds, the defendant shall not be required to file or serve a written plea, but he shall serve a written notice of appearance. Summary causes under £20, plea not necessary.

## CHAPTER 9.

An Act to continue and further amend the Laws imposing Customs Duties.

[Passed the 31st day of March, 1854.]

### SECTION

1. Revised stat. chap. 12, (except, &c.) continued to April, 1855.

### SECTION

2. Duty on salted beef and pork reduced.

Be it enacted by the governor, council, and assembly, as follows :

1. Chapter 12, of the revised statutes, "of customs duties," except as amended by sections two and three of the act passed in the fifteenth year of her majesty's reign, entitled "an act to continue and amend the revenue laws," and also, except as hereinafter amended, is continued, together with those sections, until the first day of April, in the year one thousand eight hundred and fifty-five. Rev. stat. ch. 12, (except, &c.) continued to 1st April, 1855.

2. The duty on salted beef and pork is hereby reduced from six shillings, sterling, per hundred weight, to four shillings, sterling, per barrel, on each of those articles respectively. Duty on salted beef and pork reduced.

## CHAPTER 10.

An Act to amend Chapter 18 of the Revised Statutes, "Of the Exportation of Goods and of Drawbacks."

[Passed the 31st day of March, 1854.]

SECTION 1. Revised statutes chap. 18, sec. 3, repealed.

Be it enacted by the governor, council, and assembly, as follows :

1. The third section of chapter 18 of the revised statutes, "Of the exportation of goods and of drawbacks," is repealed. Of Rev. stat. ch. 18, sec. 3, rep.

## CHAPTER 11.

An Act to alter and amend Chapter 136 of the Revised Statutes,  
"Of Juries."

[Passed the 31st day of March, 1854.]

## SECTION

1. Lists of grand and petit jurors for next ensuing two terms to be deemed correct.
2. General sessions to determine the number of jurors to be summoned annually.
3. Copies of jury lists to be posted: notice to be given thereon, &c.—errors or omissions in.
4. Corrected lists to be furnished to prothonotary—effect of omissions, &c.
5. Lists to be posted in prothonotary's office; names drawn to be marked.

## SECTION

6. Remuneration to committee revising lists.
7. Inserting names of incompetent or omitting competent persons in lists, &c.
8. Where jurors have not been drawn for the current year.
9. Form of revised lists.
10. Designation of jurors to be written upon tickets, &c.
11. Revising committee to be chosen annually—duration of.

Be it enacted by the governor, council, and assembly, as follows :

Lists of grand and petit jurors for next ensuing two terms to be deemed correct.

1. The list of grand and petit jurors for the several counties in this province, and the panels therefrom respectively drawn for the next ensuing two terms of the supreme court and general sessions, and the bills found, and all other acts and things done and transacted by the several grand and petit juries in the supreme court, drawn under the chapter hereby amended, or the laws previously in force, to which exception has not been taken, and the presentments, and all other acts done by the several grand juries in sessions, notwithstanding any objection to be hereafter taken to such lists or panels for imperfections, either as to the omission of names, or the insufficient designation of persons therein named, or otherwise, are hereby rendered as legal and valid as if the requisitions of the law, in the preparation of the lists, and the preparing and drawing the panels, and the issuing of *venires*, and summoning of jurors, had been in all respects complied with; and such lists shall continue and be considered to be correct lists, until the same shall be revised under the chapter hereby amended and this act.

General sessions to determine the number of jurors to be summoned annually.

2. The court of general sessions in every county or district of this province, shall, from time to time, as they may think requisite, fix and determine what number of such persons, qualified to serve as grand jurors for each of the townships, settlements, or electoral districts, in the county or district, shall be annually summoned to serve as such jurors.

Copies of jury lists to be posted: notice to be given thereon,

3. When the lists of jurors shall have been completed by the committee, a copy shall be given by them to the clerk of the peace, and another copy to the prothonotary, who shall forthwith post up a copy of such list in their offices, respectively, and keep the same

posted up for at least one month; and such committee, or a majority thereof, shall meet in the county or district court house, within two months from the last day of the sessions at which they were appointed to revise such lists, a notice of the time of holding such meeting to be given on such lists so posted up, and shall hear and decide upon objections to the correctness of such lists, either as to names appearing thereon, or as to names omitted therefrom.

&c.—errors or omissions in.

4. The committee shall thereupon forthwith furnish the prothonotary with a copy of such lists so corrected and signed by them, and the lists shall be held valid, notwithstanding the omission of persons qualified or the insertion of the names of persons not qualified as grand or petit jurors, respectively.

Corrected lists to be furnished to prothonotary—effect of omissions, &c.

5. The list of jurors shall be kept posted up in the prothonotary's office, and when the juries are drawn to serve for each year, the prothonotary shall mark opposite to the name of each person the year he was drawn to serve, and whether as a grand or petit juror.

Lists to be posted in prothonotary's office; names drawn to be marked.

6. The grand jury, in general sessions, shall vote annually a compensation of seven shillings and six pence to each of the committee of justices who revise the lists as aforesaid, with travelling fees at the rate of three pence per mile coming and returning; and six pence per folio for copies of the lists furnished by them.

Remuneration to committee revising lists.

7. Any justice appointed to revise such lists, who shall knowingly put any person thereon who is not qualified, or omit any person who is qualified, or who shall wilfully neglect his duty in any other respect, shall be liable to a penalty of not less than ten, nor more than fifty pounds.

Inserting names of incompetent or omitting competent persons in lists, &c.

8. In any county or district where grand or petit jurors have not been drawn for the current year, a special sessions may appoint a committee of justices to revise the lists of jurors, and after the same are revised in manner directed by this act and the chapter hereby amended, and returned by the committee to the prothonotary, he, together with the sheriff or his deputy, shall forthwith draw a jury or juries, as may be required, and the prothonotary shall issue *venires* for summoning the same; and such lists need not be drawn in open court, or signed by a judge of the supreme court.

Where jurors have not been drawn for the current year.

9. Revised lists of grand and petit jurors, hereafter to be prepared, shall be in the forms of schedule A, hereto annexed.

Form of revised lists.

10. The designations of jurors shall hereafter be written upon the tickets containing their names, and also upon the several panels and *venires* in the same way as they are upon the revised lists.

Designation of jurors to be written upon tickets &c.

11. The committee of justices to revise the lists shall be chosen annually, but shall continue in office until their successors are appointed.

Revising committee to be chosen annually—duration of.

## SCHEDULE A.

County of \_\_\_\_\_ .

*The return of revising magistrates, of persons qualified to serve as grand or petit jurors.*

Township or settlement.	Christian and surname at full length, and whether senior or junior.	Trade, calling, or employment.	Appellation—by which known.

## CHAPTER 12.

An Act relating to Proceedings before Justices of the Peace.

[Passed the 31st day of March, 1854.]

## SECTION

1. Chap. 131, sec. 1, amended. Particulars to be annexed to summons. Judgment for default of appearance.

## SECTION

2. Chap. 154 amended. {Allowance to witnesses. Constables fees for serving subpoenas.

Be it enacted by the governor, council, and assembly, as follows :

1. The first section of chapter one hundred and thirty-one of the revised statutes, "of the jurisdiction of justices of the peace in civil cases," is hereby amended, as follows :

A statement in writing of the particulars of the plaintiff's claim, shewing both debits and credits, shall be annexed to the original summons, and a copy thereof to be prepared by the justice issuing the writ shall be annexed to the copy of such summons, and served therewith ; and in case of the defendant not appearing, the plaintiff shall be entitled to a judgment on default for the amount of his particulars.

2. So much of chapter one hundred and fifty-four of the revised statutes, as relates to fees in magistrates courts, is hereby amended, as follows :

Witnesses shall be allowed four pence per mile travel from the residence of the witness to the place of trial, instead of three pence per mile, both going and returning, as heretofore.

Where subpoenas are served by a constable, travel shall not be charged for serving each witness, but only so much travel as may be actually and necessarily performed by the constable in serving all the subpoenas.

Chap. 131, sec. 1, amended.

Particulars to be annexed to summons.

Judgment for default of appearance.

Chap. 154 amended.

Allowance to witnesses.

Constables fees for serving subpoenas.

## CHAPTER 13.

An Act to amend Chapter 91 of the Revised Statutes, "Of the maintenance of Bastard Children."

[Passed the 31st day of March, 1854.)

SECTION 1. Where reputed father not found, &c., is in another jurisdiction, warrant may be endorsed over.

Be it enacted by the governor, council, and assembly, as follows:

1. If the person against whom any warrant shall issue under the provisions of chapter 91 of the revised statutes, shall not be found within the jurisdiction of the justice or justices issuing the same, or if he shall be suspected to be in any place within this province, a justice of the county or place where such person shall be, or be suspected to be, upon proof made upon oath of the handwriting of the justice or justices issuing the warrant, may make an endorsement (as nearly as may be in the form of schedule A, here-to annexed,) upon such warrant, signed with his name, and authorizing the execution thereof as thereon endorsed, and the carrying of the person therein named, when apprehended, before the justice or justices who first issued the warrant.

Where reputed father not found &c. is in another jurisdiction, warrant may be endorsed over.

## SCHEDULE A.

*Endorsement backing a warrant.*

County of

Whereas proof upon oath has this day been made before me a justice of the peace for the county of that the name of to the within warrant subscribed, is the handwriting of the justice of the peace within mentioned: I do therefore hereby authorize A. B., who bringeth me this warrant, and all other persons to whom the same was originally directed, or by whom it may be lawfully executed, and also all constables and other peace officers in this county, to execute the same within this county, and to take the said C. D., if apprehended within this county, before the justice (or justices, as the case may be,) who issued such warrant, to be further dealt with according to law.

Given under my hand, this day of A.D. 18

E. F., justice of the peace for



## CHAPTER 14.

### An Act to amend Chapter 78 of the Revised Statutes.

[Passed the 31st day of March, 1854.]

SECTION 1. Schedule of fees to be taken at Bridgeport harbor, repealed. Schedule for Sydney, extended to Bridgeport.

Be it enacted by the governor, council, and assembly, as follows:

1. The fees in schedule B, annexed to chapter 78 of the revised statutes, for the harbour of Sydney, in the county of Cape Breton, shall be extended to the harbour of Bridgeport, in the same county; and the table of fees relating to the harbour of Bridgeport, in such schedule, are hereby repealed.

Schedule of fees to be taken at Bridgeport, repealed. Schedule for Sydney, extended to Bridgeport.

## CHAPTER 15.

### An Act to amend Chapter 113 of the Revised Statutes, "Of the Registry of Deeds, and Incumbrances affecting Lands."

[Passed the 31st day of March, 1854.]

#### SECTION

1. Future grants of land to be recorded in Registry of deeds.
2. When original grant lost.
3. Duplicate originals of grants to be kept in surveyor general's office.
4. Separate books for grants to be furnished to registrars; and grants in duplicate to be forwarded. Fees.

#### SECTION

5. Registrar at Halifax may keep as many contemporaneous books as may be necessary.
6. Plans of partition of townships.
7. Registry books to be kept in safes, except in Halifax. Penalty.

Be it enacted by the governor, council, and assembly, as follows:

1. Grants of land, made after the passing of this act, shall not be recorded in the office of the provincial secretary; but instead thereof, shall be recorded in the office of registry of deeds of the county in which the lands lie.

2. When the original grant has been lost, a copy from the books of registry, certified under the hands of the registrar, or proved to be a copy therefrom, shall be received as evidence.

3. The duplicate originals of grants kept in the office of the surveyor general, signed by the governor, shall hereafter be signed also by the provincial secretary, and a copy of any such duplicate original, certified by the surveyor general, shall be received as evidence.

4. Books similar to those now in use in the secretary's office for the registry of grants, shall be furnished to the various regis-

Future grants of land to be recorded in registry of deeds.

When original grant lost.

Duplicate originals of grants to be kept in surveyor general's office.

Separate books for grants to be

trars of deeds throughout the province; and grants when completed shall be transmitted, with a duplicate plan, by the surveyor general, to the registrars of deeds, who shall record the same in the books so furnished, and attach thereto the duplicate plan, and shall keep an index of the records thereof in the name of each grantee and shall be entitled to receive from the general revenues a fee of two shillings and six pence for each grant so recorded, payable on or after the thirty-first day of December in each year, on their accounts being duly attested to and audited by the surveyor general.

furnished to registrars; and grants in duplicate to be forwarded.

Fees.

5. In the county of Halifax the registrar of deeds shall keep as many contemporaneous registry books as he may find necessary to enable him to register, without delay, the deeds and certificates presented for registration; and he shall not be obliged to record in one book the deeds and certificates in the order in which they are presented.

Registrar at Halifax may keep as many contemporaneous books as may be necessary.

6. The plans of partition of any township, which, on the execution of any writ of partition, were returned to the office of the prothonotary at Halifax, shall be transmitted to the registrar of deeds of the counties in which such townships are situate, such plans shall be certified by the prothonotary at Halifax to be the original plans so returned, and on any such plan being offered in evidence, such certificate shall be *prima facie* evidence that the same is the original plan which it is alleged to be in such certificate, and such plan shall thereupon be received in evidence as such.

Plans of partition of townships.

7. In all the counties except Halifax the registry books shall be kept at all times, except when in actual use, or when required in any court for the purposes of justice, in the safes provided for the office, and any registrar of deeds who shall offend against this provision, shall incur a penalty of twenty pounds for each offence, and on a second conviction shall be ever after incapable of holding the office of registrar of deeds in any county or district of this province.

Registry books to be kept in safes, except in Halifax.

Penalty.

## CHAPTER 16.

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

[Passed the 31st day of March, 1854.]

SECTION 1. Assessors and collectors of county rates need not be freeholders.

Be it enacted by the governor, council, and assembly, as follows:

1. The 7th and 8th sections of chapter 46 of the revised statutes, "of county assessments," are hereby amended so as to permit the grand jury to present and the sessions to appoint persons who are not freeholders to be assessors and collectors of county rates.

Assessors and collectors of county rates need not be freeholders.

## CHAPTER 17.

An Act to amend Chapter 154 of the Revised Statutes, "Of Costs and Fees."

[Passed the 31st day of March, 1854.]

SECTION 1. Fees prescribed to be taken at provincial secretary's office by Revised statutes, chap. 154, abolished, and schedule herein, substituted.

Be it enacted by the governor, council, and assembly, as follows:

Fees prescribed to be taken at provincial secretary's office, by Rev. stat. chap. 154, abolished, and schedule herein, substituted.

1. The fees to be taken at the provincial secretary's office, and paid into the provincial treasury, shall be as follows:

For each certificate, under the hand of the governor and the great seal of the province, one pound.

Each certificate, under the hand of the governor and the seal at arms, ten shillings.

Each certificate, under the hand and seal of the provincial secretary, five shillings.

Every search, one shilling.

Copies of grants, proceedings in council, or other papers, per folio, six pence.

2. The fees specified in chapter 154, to be taken at the provincial secretary's office, shall no longer be demanded.

## CHAPTER 18.

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

[Passed the 31st day of March, 1854.]

SECTION

1. Recovery of fines incurred by minors.

SECTION

2. Sec. 4 chap. 63, not to extend to seamen on board coasting and fishing vessels.

Be it enacted by the governor, council, and assembly, as follows:

Recovery of fines incurred by minors.

1. All fines and forfeitures incurred by minors under chapter sixty-three of the revised statutes, "of surveys of highways and highway labour except in Halifax," may be recovered from the parents, masters, or guardians of such minors, with whom such minors reside, or who have a right to receive their wages, in the manner provided in the last section of the chapter hereby amended, and applied as therein mentioned.

Sec. 4, chap. 63, not to extend to seamen on board coasting & fishing vessels.

2. The fourth section of the chapter hereby amended shall not hereafter extend to masters or seamen on board coasting or fishing vessels.

## CHAPTER 19.

An Act to remove all disability to take and hold Real Estate by reason of Alienage.

[Passed the 31st day of March, 1854.]

### SECTION

1. Aliens may hold and convey real estate.
2. Titles not invalid on account of alienage.

### SECTION

3. Foregoing provisions not retrospective.

Be it enacted by the governor, council, and assembly, as follows:

1. Aliens may take, hold, convey, and transmit real estate.
2. No title to real estate shall be invalid on account of the alienage of any former owner or holder thereof.
3. Nothing in this act shall have the effect of confirming or rendering valid the title or claim of any alien now invalid or incapable of being enforced on account of alienage.

Aliens may hold and convey real estate. Titles not invalid on account of alienage. Foregoing provisions not retrospective.

## CHAPTER 20.

An Act to authorize Special Sittings of the Supreme Court for the Trial of Criminals.

[Passed the 31st day of March, 1854.]

### SECTION

1. Governor may order special sittings for trial of felonies.
2. Particular day to be appointed—notice of.
3. Summoning jurors and necessary officers.

### SECTION

4. Presiding judge—proceedings to have same force as if had at ordinary terms or sittings.
5. Judge may adjourn sittings.
6. Duration of act.

Be it enacted by the governor, council, and assembly, as follows:

1. The governor in council may order a special sitting of the supreme court in any of the counties of this province, for the trial of prisoners charged with felonies.
2. Such order shall appoint a particular day when the court shall be held, and shall be published in the royal gazette for at least three weeks before the day appointed for opening the court—immediately upon the order being made, the clerk of the executive council shall transmit copies thereof to the chief justice, and to the prothonotary and sheriff of the county wherein the special sitting of the court is to be held.
3. Upon the receipt of the order by the prothonotary, he shall issue venires for the grand and petit jury to meet at the time specified therein, and the sheriff shall immediately summon such juries, with constables and other officers whose attendance is required at such sitting, who shall be liable for the same penalties

Governor may order special sittings for trial of felonies.

Particular day to be appointed—notice of.

Summoning jurors and necessary officers.

for non-attendance as when summoned to attend the ordinary terms or sittings of the court.

Presiding judge—proceedings to have same force as if had at ordinary terms or sittings.

4. Any judge of the supreme court may preside at such special sitting, and all trials, judgments, and proceedings thereat shall have the same force and effect as if such trials, judgments, and proceedings had taken place at one of the ordinary terms or sittings of the court.

Judge may adjourn sittings.

5. The presiding judge may adjourn the sittings from day to day as occasion may require.

Duration of act.

6. This act shall continue in force for three years, and thence to the end of the then next session of the general assembly.

### CHAPTER 21.

An Act to extend the provisions of Chapter 103 of the Revised Statutes, "Of the conveying of Timber and Lumber on Rivers, and the removal of Obstructions therefrom."

[Passed the 31st day of March, 1854.]

SECTION 1. Sessions may make regulations regarding refuse from saw mills, &c., being thrown into rivers, &c.

Be it enacted by the governor, council, and assembly, as follows :

Sessions may make regulations regarding refuse from saw mills, &c. being thrown into rivers, &c.

1. The provisions of the revised statutes, chapter 103, section second, are extended so as to enable the commissioners or sessions to make regulations to prevent obstruction to rivers by the throwing into them of slabs and other refuse wood from saw mills, and the sessions may impose penalties for the violation of such regulations, and may direct the method of recovering the same.

### CHAPTER 22.

An Act to further amend the Jury Law.

[Passed the 3rd day of April, 1854.]

SECTION 1. Jury panels drawn last term—defects in, &c. Special juries ordered, but undrawn, to be drawn from revised lists.

Jury panels drawn last term—defects in, &c.

Be it enacted by the governor, council, and assembly, as follows :

Special juries ordered, but undrawn, to be drawn from revised lists.

1. All jury panels, whether grand or petit, drawn from any jury lists at the last sittings of the supreme court in the several counties, and all venire and other proceedings connected therewith, are hereby declared legal and valid, notwithstanding the lists from which such panels were drawn may have been from any cause whatever, informally or illegally made up. But special juries already ordered and undrawn, or to be hereafter ordered, shall be drawn from any revised or corrected lists prepared since such last sittings in each county.

## CHAPTER 23.

### An Act to amend Chapter 27 of the Revised Statutes, "Of the Coal Mines."

[Passed the 31st day of March, 1854.]

#### SECTION

1. Juries under chap. 29 revised statutes, not authorized to determine disputed titles.
2. The bond to be made to the queen; person entitled to rent need not be designated.
3. When the title to receive the damages, &c., is in dispute.
4. Payment to wrong parties.

#### SECTION

5. Payment of damages in cases of disputed title.
6. Parties to whom lands are laid off not to be implicated in the controversy.
7. Costs on conflicting claims.
8. Appeals.
9. Bonds—proceedings under; costs.
10. Errors and informalities in proceedings.

Be it enacted by the governor, council, and assembly, as follows :

1. The jury, under the twenty-seventh chapter of the revised statutes, are not authorized to determine the title to lands laid off under that chapter, when the title shall be in dispute or unsettled.

2. The bond mentioned in the third section shall be made to the queen for the payment of the annual rent assessed to the person who may be from time to time entitled to the same, without designating such person by name.

3. When the right shall be in dispute, or the persons entitled be unknown or uncertain, the party to whom the lands shall be laid off shall pay the damages assessed to the county treasurer, and the rent annually to such persons as the court of sessions may determine; such payment to the county treasurer shall be equivalent to the payment directed in the third section of the chapter.

4. Payment by the party to whom the lands shall be laid off of the damages or annual rent assessed to the persons designated by the verdict as entitled thereto, or if the verdict shall not designate the persons entitled, to such persons, as in the absence of any dispute, shall be ostensibly entitled thereto, shall exonerate the party making the payment; but any persons subsequently claiming to have been entitled to the damages or rent so paid, may prosecute their claim by action for money had and received against the persons to whom the payment shall have been made.

5. In case of disputed or unknown title, the court of sessions, on application of the claimant, shall order the damages paid to the county treasurer, and the annual rent, so often as the annual rent shall become the subject of controversy, to be paid to the persons who, on due investigation by the court, shall have established their right; but no order shall be made until it shall be shewn to the court that notice has been given, sufficient, in the judgment of the court, to protect the rights of all persons who may be or may claim to be interested,

Juries under chap. 29 rev. stat. not authorized to determine disputed titles.

The bond to be made to the queen; person entitled to rent need not be designated.

When the title to receive the damages, &c. is in dispute.

Payment to wrong parties.

Payment of damages in cases of disputed title.

Parties to whom lands are laid off not to be implicated in the controversy.

6. The party to whom the lands shall be laid off shall not be implicated in controversies between persons contesting title to the damages or annual rent.

Costs on conflicting claims.

7. The costs on conflicting claims before the sessions, and on appeal to the supreme court, shall be the same, and governed by the same rules as apply to summary applications in the supreme court.

Appeals.

8. All decisions in the sessions shall be subject to appeal to the supreme court, which the sessions shall grant on the applicant entering into a bond to the queen, with sufficient sureties, in forty pounds, conditioned for the payment of all such costs as may be ordered by the court of appeal.

Bonds—proceedings under; costs.

9. The bonds to the queen required by the chapter amended and this act, shall be available as security to be enforced for the benefit of the persons entitled; such persons shall be liable to costs in the same manner as if suits on the bond had been prosecuted in their own names.

Errors and informalities in proceedings.

10. In no case in which the verdict shall find the amount of damages and the amount of annual rent with sufficient certainty, shall the proceedings for laying off lands under the chapter amended and this act be refused confirmation, or be set aside because the persons entitled to damages or annual rent are not designated by name, or sufficiently designated; or by reason of irregularity in the finding as to the persons entitled, or of any matter of form; but the sessions, subject to appeal, and the supreme court, on appeal, shall rectify any error or informality, or shall adopt such proceedings as may be necessary for determining to whom the damages or rent shall be paid, or for otherwise carrying into effect the provisions and intent of this act.

## CHAPTER 24.

### An Act relating to the River Fisheries.

[Passed the 3d day of April, 1854.]

#### SECTION

1. Where provisions of chap. 95, sections 2, 3, 4, and 5, cannot be carried into effect without damage to mill property.
2. Sess. may exempt particular streams,

#### SECTION

- or parts of streams, from operation of such sections.
3. Expenses—how taxed and borne.
  4. Section 1, of act to amend chap. 95 revised statutes, repealed. Time for taking salmon.

Be it enacted by the governor, council, and assembly, as follows:

Where provisions of chap. 75, sections 2, 3, 4, and 5, cannot be carried into effect without damage to mill property

1. The sessions, on application by petition of twenty freeholders of the county, stating that the provisions of sections two, three, four and five, of chapter ninety-five of the revised statutes, cannot be carried out in reference to any particular stream or part of a stream, without destruction of or the most serious damage to mill

property situate thereon, and praying exemption as regards such stream, or part of a stream, from the provisions of such sections, may appoint three disinterested freeholders of the county to repair to the spot and examine into the truth of the allegations of such petition; such freeholders before acting shall be sworn by a justice to the faithful discharge of their duty, and on making their report shall file the same with the clerk of the peace for the county, who shall, if the same be favorable to the prayer of the petition, post notices containing the substance of the report in at least six public places in the county, for the space of thirty days before the next sessions.

2. At the next sessions the proceedings may be considered and objections heard, if any shall be made thereto, and the sessions shall disallow or confirm the report, which, if confirmed, shall be recorded, and thereafter the stream, or part of stream, to which such proceedings relate, shall be exempt from the operation of the sections in the last clause named.

Sessions may exempt particular streams, or parts of streams, from operation of such sections.

3. The expenses of the freeholders appointed by the sessions shall be taxed by the court, and borne by the petitioners.

Expenses—how taxed & borne.

4. Section first of the act to amend chapter ninety-five of the revised statutes is hereby repealed, and hereafter the time for the taking of salmon in any of the rivers of this province, except in salt water, below low water mark, shall be regulated by the sessions. Until the next general sessions meet such regulations may be made at a special session convened for the purpose.

Sec. 1, of act to amend chap. 95 rev. stat. rep.

Time for taking salmon.

## CHAPTER 25.

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

[Passed the 3d day of April, 1854.]

### SECTION

1. Chap. 60 revised statutes, and 13 Vic. chap. 36, continued.
2. £100 granted to academy at Arichat, in lieu of grammar schools.

### SECTION

3. A school district may lie in two counties.

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

1. Chapter sixty of the revised statutes, "of public instruction," and also the act thirteenth Victoria, chapter thirty-six, entitled, "an act relating to the Pictou academy," are hereby respectively continued until the first day of May, in the year one thousand eight hundred and fifty-five.

Chap. 60 rev. stat. & 13 Vic. chap. 36 cont'd.

2. The sum of one hundred pounds per annum shall be set apart and paid annually for the maintenance of an academy at Arichat, in the county of Richmond, in lieu of grammar schools for the county.

£100 granted to academy at Arichat, in lieu of gram. schools.

3. A school district may lie in two counties, and be partially assisted by the commissioners of both counties, and the trustees of the schools in such district shall account to both boards of commissioners, if they receive aid from both, otherwise to the board granting aid.

A school district may lie in two counties.



## CHAPTER 26.

An Act to amend Chapter 140 of the Revised Statutes, "Of Forcible Entry and Detainer."

[Passed the 31st day of March, 1854.]

SECTION 1. Revised statutes, chap. 140, sec. 3, repealed. Complaint to be tried summarily. Possession—when to be given. Damages. Jury.

Be it enacted by the governor, council, and assembly, as follows :

Rev. stat. chap.  
140, sec. 3, rep.

1. The third section of chapter 140 of the revised statutes, is hereby repealed, and the following clause substituted in the place thereof :—

Complaint to  
be summarily  
tried.

Possession—  
when to be  
given.

Damages.

Jury.

"Such complaint shall be tried in a summary way, and, if proved to the satisfaction of the court, a writ of possession shall issue, and the party complaining be put in possession of the land and premises within ten days thereafter. The court shall have power, at the same time, to award damages for such forcible entry, and, in case of a tenant overholding, treble rent, at the rate previously paid; but the court may, if they think fit, order that the cause may be tried, or the rent or damages assessed by a jury."

## CHAPTER 27.

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

[Passed the 31st day of March, 1854.]

SECTION 1. Remuneration to grand jurors.

Be it enacted by the governor, council, and assembly, as follows :

Remuneration  
to grand jurors.

1. The grand jury, in any presentment made in pursuance of the second section of the chapter hereby amended, may include for their own remuneration while actually attending the court of sessions, such sum as they may judge necessary, so as the same shall not exceed two shillings and six pence per day for each juror actually attending, and six pence per mile travelling expenses, the distance to be counted from the residence of the juror to the place where the court is held.

## CHAPTER 28.

An Act to amend Chapter 49 of the Revised Statutes, "Of Fences, Fence Viewers, and Impounding of Cattle."

[Passed the 31st day of March, 1854.]

## SECTION

1. Obligation of owners of land adjoining improved lands.
2. Sufficiency of fences—how determined.

## SECTION

3. Appeal.
4. Titles to land not affected by this act.

Be it enacted by the governor, council, and assembly, as follows :

1. Where the owner of land, improved or cultivated, shall have made, or hereafter shall make, his proportion or one-half part of the fence separating his land from the improved or cultivated land of the adjoining proprietor, of permanent or durable materials or growth, to be determined as hereinafter provided, he shall not, nor shall any person claiming under him, be required to erect or repair the fence in any other place; as between his land and that of such adjoining proprietor, or any person claiming under him, in case of sale or change of occupancy of any part of the land of the latter so long as such portion of fence of the kind above mentioned shall be maintained by the person first above referred to or some person claiming under him.

Obligation of owners of land adjoining improved lands.

2. Any two justices of the peace of the county in which the lands referred to lie (due notice in writing for at least three days being first given to the proprietor of the adjoining land) may repair to the land and examine the fence, and pronounce the same by any instrument in writing under their hands to be made of permanent or durable materials or growth within the meaning of this act, and such instrument in writing shall thereupon be deposited with the clerk of the peace of the county in memorial, and as evidence of the matters therein stated.

Sufficiency of fences—how determined.

3. Any person feeling aggrieved by the decision of the justices may appeal to the next general court of sessions for the county, whose decision, affirming or reversing the decision of such justices, shall be final.

Appeal.

4. Nothing herein contained shall be construed to affect the title to the lands on which the fences are erected.

Titles to lands not affected by this act.

**CHAPTER 29.**

An Act to amend chapter 14 of the Revised Statutes, "Of Officers of the Customs."

[Passed the 31st day of March, 1854.]

SECTION 1. Appointment and remuneration of additional officers authorized.

Be it enacted by the governor, council, and assembly, as follows:

1. The governor, in council, may appoint so many additional officers in any port or place within this province as shall, from time to time be deemed necessary for the due security of the colonial revenue, and for the prevention of frauds thereto; and such officers shall be paid by warrant on the treasury at such rates as shall be fixed by the governor in council, subject to the revision of the legislature at the first ensuing session.

Appointment & remuneration of additional officers authorized.

**CHAPTER 30.**

An Act in addition to the Act relative to the Crown Land Department.

[Passed the 31st day of March, 1854.]

SECTION 1. Returns of deputy surveyors.

Be it enacted by the governor, council, and assembly, as follows:

Returns of deputy surveyors.

1. Every deputy surveyor at the expiration of each quarter of the year shall make and transmit with a return or list of surveys to the crown lands commissioner, an affidavit in the following form:

I, \_\_\_\_\_, deputy surveyor for the county of \_\_\_\_\_, do swear, that the several lots of land described in the above list have been actually surveyed in accordance with the plans thereof, that all the corner bounds have been set up and that the lines have been well marked.

So help me God.

Sworn to before me at (place) }  
this (date). }

J. P. }

## CHAPTER 31.

An Act to amend Chapter 61 of the Revised Statutes, "Of laying out certain Great Roads."

[Passed the 31st day of March, 1854.]

SECTION 1. Revised statutes, chap. 61, to extend to road from Kempt road, county of Richmond, to West Bay, &c.

Be it enacted by the governor, council, and assembly, as follows:

1. The provisions of chapter sixty-one of the revised statutes "of laying out certain great roads" shall, in addition to the roads mentioned and designated in the first section thereof, extend to the road leading from the Kempt road, in the county of Richmond, to West Bay, thence by the same road to Saint Peters, thence to Grand River, thence to Louisburg by Saint Esprit, as fully as if such road had been designated in the chapter hereby amended.

Rev. stat. chap. 61 to extend to road from Kempt road, county Richmond, to West Bay, &c.

## CHAPTER 32.

An Act to amend Chapter 105 of the Revised Statutes, "Of Public Exhibitions."

[Passed the 31st day of March, 1854.]

SECTION	
1. License fees altered; to be paid in advance.	2. City of Halifax exempted.

Be it enacted by the governor, council, and assembly, as follows:

1. Chapter 105 of the revised statutes, "of public exhibitions," is hereby amended so as to permit licenses to be issued upon payment of a sum not exceeding twenty-five shillings nor less than five shillings per day, at the discretion of the officer granting the license, the money to be paid for such license before the granting thereof.

License fees altered; to be paid in advance.

2. Nothing in this act shall extend to the city of Halifax.

City of Halifax exempted.

## CHAPTER 33.

An Act to amend Chapter 76 of the Revised Statutes "Of Shipping and Seamen."

[Passed the 31st day of March, 1854.]

SECTION 1. Seamen's wages to be recoverable before two justices.

Be it enacted by the governor, council, and assembly, as follows:

Seamen's wages to be recoverable before two justices.

1. The powers and jurisdiction conferred upon a justice of the peace relative to the collection of seamen's wages by the 76th chapter of the revised statutes, sections 14 and 15, shall hereafter be vested in and exercised by two justices of the peace, instead of one justice only, as heretofore.

## CHAPTER 34.

An Act to continue and amend Chapter 29 of the Revised Statutes "Of the Militia."

[Passed the 31st day of March, 1854.]

SECTION

1. Revised statutes, chap. 29, amended and continued.
2. Adjutants—appointment and duties of.
3. Remuneration of Adjutants.
4. Adjutant general—salary, exemptions.

SECTION

5. Governor empowered to provide fire-arms, &c., on emergency.
6. Money payable under this act—when to be drawn.

Be it enacted by the governor, council, and assembly, as follows:

Rev. stat. chap. 29 amended and continued.

1. Chapter twenty-nine of the revised statutes, "of the Militia," as hereinafter amended, is continued in force until the first day of April in the year one thousand eight hundred and fifty-five.

Adjutants—appointment and duties of.

2. A fit and proper person shall be appointed adjutant of every regiment, who shall attend meetings for drill or training of his regiment, or of any company or detachment of such regiment then and there under the directions of the colonel of the regiment or commanding officer of such detachment, and shall inspect the arms, accoutrements and ammunition of the men, superintend their exercises and manœuvres, and introduce a proper system of discipline, agreeably to orders received from the colonel of the regiment, and perform all other duties appertaining to the office of adjutant as the colonel of the regiment shall direct.

Remuneration of Adjutants.

3. Every such adjutant shall receive ten shillings per day for his services for every day he shall be employed, but the whole sum to be received by any adjutant not on actual service shall not exceed ten pounds in any one year. The governor shall draw a warrant on the treasury for the amount due on the certificate of a

colonel and the majority of the captains of the regiment that the adjutant is duly qualified, has attended all meetings of the regiment, and of the companies thereof for training and discipline, distributed orders and made up returns, and in all other respects performed his duties.

4. The adjutant general shall receive a salary of eighty pounds, and the quarter master general a salary of forty pounds per annum. They shall be exempt from serving on juries and from serving in any civic office in Halifax, and their correspondence on militia duty shall be exempt from postage.

Adjutant general—salary, exemptions.

5. The governor in council may, in case of any emergency, provide such additional number of fire arms and accoutrements for the use of the militia as shall be deemed advisable at the expense of the province.

Governor empowered to provide fire-arms, &c., on emergency.

6. Nothing herein contained shall be construed to authorize the payment of any money out of the treasury under the provisions of this act until the governor, in consequence of an invasion made or threatened, or of any other emergency, shall have issued a proclamation for the enrolment of the militia.

Money payable under this act—when to be drawn.

## CHAPTER 35.

### An Act to continue the License Law.

[Passed the 31st day of March, 1854.]

SECTION 1. Revised statutes, chap. 22, continued to 1st April, 1855.

Be it enacted by the governor, council, and assembly, as follows:

1. Chapter twenty-two of the revised statutes, "of licenses for sale of intoxicating liquors," is continued until the first day of April in the year one thousand eight hundred and fifty-five.

Rev. stat. chap. 22 continued to 1st April, 1855.

## CHAPTER 36.

### An Act to continue the Act for regulating Distilleries.

[Passed the 31st day of March, 1854.]

SECTION 1. Fifteen Vic. chap. 10, continued to 1st April, 1855.

Be it enacted by the governor, council, and assembly, as follows:

1. The act fifteenth Victoria, chapter ten, entitled "an act for regulating distilleries," is continued until the first day of April in the year one thousand eight hundred and fifty-five.

15 Vic. chap. 10 continued to 1st April, 1855.

## CHAPTER 37.

## An Act relating to Disorderly Persons.

[Passed the 31st day of March, 1854.]

## SECTION

1. Disturbing religious, and other, meetings or congregations.
2. Loosing or injuring horses, &c., in vicinity of such meetings.

## SECTION

3. Riotous, or disorderly conduct, in streets or highways.
4. Arrest and punishment of offenders.

Be it enacted by the governor, council, and assembly, as follows:

Disturbing religious, and other meetings or congregations.

1. If any person shall, by riotous or disorderly conduct or language, or by discharging fire-arms, or by fire-works, or by cries or other noises, wantonly or maliciously disturb the peace and quiet of any assemblage of persons lawfully convened for any religious, moral, social, or benevolent purpose, he shall, for every offence, forfeit a sum not less than ten shillings nor more than forty shillings.

Loosing or injuring horses, &c., in vicinity of such meetings.

2. If any person shall wilfully or wantonly untie, remove, or let loose, disfigure, or injure any horse, or remove or meddle with, injure or destroy any vehicle, or cut, injure, or destroy any harness connected with such horse or vehicle, while the same are in the vicinity of any place where such meeting may be in the act of being held, he shall, for every offence, forfeit a sum not less than ten shillings nor more than forty shillings.

Riotous, or disorderly conduct, in streets or highways.

3. If any person shall, by discharging fire-arms, or by riotous or disorderly conduct in any street or highway, wantonly or maliciously disturb the peace and quiet of the inmates of any dwelling house near such street or highway, he shall, for every offence, forfeit a sum not less than ten shillings nor more than forty shillings.

Arrest and punishment of offenders.

4. Any person offending against the provisions of the first and second clauses of this act, may be arrested on view by any peace officer present at such meeting, or by any other person thereto verbally authorized by any justice of the peace present thereat, and such offender shall thereupon be committed to the county gaol until he shall find security, to the satisfaction of a justice, for his good behaviour, and to pay any fine or penalty that may be imposed upon him on any prosecution for such offence.

## CHAPTER 38.

An Act to alter and amend Chapter 73 of the Revised Statutes,  
 “Of Commissioners of Sewers and the regulating of Dyked and  
 Marsh Lands.”

[Passed the 31st day of March, 1854.]

SECTION

1. Making, altering, &c., private roads,  
 &c., through dyked lands.

SECTION

2. Flowing dyked lands.  
 3. Expenses—how borne.

Be it enacted by the governor, council, and assembly, as follows :

1. Two-thirds in interest of the proprietors of any body of marsh, dyked or undyked, may, on application in writing, specially require the commissioners of sewers having such land in charge, or in case there be none, may select any other commissioner for the purpose of making, repairing, or altering any private roads or bridges leading through or across the same—which such majority of two-thirds in interest may deem expedient or advantageous; and the commissioners so appointed or required may call upon the proprietors of such lands to furnish men, teams, tools, and materials to carry on such works, and may assess the owners or occupiers of such lands according to the benefit to be derived, and collect such rates in the same way as ordinary dyke rates.

Making, altering, &c., roads &c. thro' dyked lands.

2. On application in writing, two-thirds in interest of the proprietors of any part or portion of any dyked, marsh, or meadow land, desiring to flow the same, may direct the commissioner in whose jurisdiction such lands may lie, or in case there is none, any commissioner selected by themselves from the same county or town, to proceed immediately and set off such part or portion into a separate body, and dyke out such part or portion for the purpose of flowing the same; and such commissioner may require the proprietors or occupiers of such lands to furnish their proportions of labour and materials necessary to erect a division dyke for that purpose, and shall assess them for the expenses and damages thereof according to the benefit to be received by such flowing: provided always, that whenever it shall appear to any commissioner of sewers adjoining such flowed lands, that such division dyke is insufficient, and such lands adjoining are endangered thereby, it shall be lawful for such commissioner to repair such division dyke, and collect the expenses thereof from the proprietors of the land so dyked out.

Flowing dyked lands.

3. The expenses of repairing the dyke cut for such flowing shall be borne by the proprietors of the land so dyked out and flowed.

Expenses—how borne.



**CHAPTER 39.**

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

[Passed the 31st day of March, 1854.]

SECTION 1. Sessions empowered to regulate the going at large of asses and mules.

Be it enacted by the governor, council, and assembly, as follows:

Sessions em-  
powered to re-  
gulate the  
going at large  
of asses & mules

1. The first, second, and third sections of chapter 147 of the revised statutes, are hereby amended so as to enable the sessions to make regulations respecting the going at large of asses and mules, and the prevention and punishment of trespasses committed by them.

**CHAPTER 40.**

An Act to continue the Law imposing Light House Duties.

[Passed the 31st day of March, 1854.]

SECTION 1. Revised statutes, chap. 21, continued to 1st April, 1855.

Be it enacted by the governor, council, and assembly, as follows:

Rev. stat. chap.  
21 continued to  
1st April, 1855.

1. Chapter twenty-one of the revised statutes, "of light house duties," is continued until the first day of April in the year one thousand eight hundred and fifty-five.

## CHAPTER 41.

An Act for applying certain Monies therein mentioned for the service of the year one thousand eight hundred and fifty-four, and for other purposes.

[Passed the 3rd day of April, 1854.]

MAY IT PLEASE YOUR EXCELLENCY :

We, her majesty's dutiful and loyal subjects, the house of assembly of her majesty's province of Nova Scotia, towards appropriating the supplies granted to her majesty, and for supplying the exigencies of her majesty's government, do humbly besecch that it may be enacted; and

Be it enacted by the governor, council, and assembly, as follows :

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

Two hundred pounds to the speaker of the house of assembly, £290 speaker. for his salary as speaker, for the present year.

Two hundred pounds to the clerk of the house of assembly, for 200 clerk H. A. his services for the same year.

Twenty-five pounds to the chaplain of the house of assembly, 25 chaplain. for his services during the present session.

One hundred pounds to the clerk assistant of the house of assembly, 100 asst. clerk. for his services for the same session.

Fifty pounds to the sergeant at arms to the house of assembly, 50 sergeant at arms. for his services for the same session.

Thirty pounds to the assistant sergeant at arms to the house of assembly, for his services for the same session. 30 asst. sergt. at arms.

Forty pounds to the messenger of the governor, and the executive and legislative councils, for the present year. 40 messenger of governor.

Thirty pounds to John Fitzgerald, for his services as messenger to the house of assembly during the present session. 30 John Fitzgerald

Eighty pounds to the clerk of the board of revenue, for his services for the present year. 80 celrk board of revenue

Such further sum to be paid on the certificate of the board of revenue as may be sufficient to pay at the rate of seven shillings and six pence a day, such persons as shall be employed by the receiver general as extra waiters for the port of Halifax during the present year—five shillings a day to such extra waiters when unemployed, and at the rate of five shillings a day to temporary waiters. Allowance to waiters

Sixty pounds to the keeper of the assembly house, council chamber and law library, for the present year. 60 keeper of assembly.

£400 Sable Island.

Four hundred pounds, at the disposal of the governor, for the support of the establishment at Sable Island for the present year.

20 E. Crowell.

Twenty pounds to Edmund Crowell, to enable him to keep his establishment at Seal Island for the present year.

50 packet, Guysborough.

Fifty pounds to such persons as will run a proper packet between Guysborough and Arichat, touching occasionally at Fox Island and Canso, under the regulations of the sessions for the counties of Guysborough and Richmond, to be paid on the certificate of such sessions, that the packet has been properly kept and run during the present year: provided that the judges of the supreme court shall be taken without charge, if required, from Guysborough to Arichat, and from Arichat to Guysborough, on their circuit to Cape Breton, and that the packet shall also carry the mail between Guysborough and Arichat, if required.

20 ferry, Douglas.

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, such boat or scow to be run under the regulations of the sessions for the county of Hants, to be paid upon the certificates of three justices of the peace residing in Douglas, that such boat has been running at least twice a week for six months to their satisfaction, under the regulations aforesaid.

30 ferry, Cape Breton.

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, such boat or scow to be placed under the regulations of the sessions for the county of Inverness.

10 ferrymen, Shubenacadie.

Ten pounds to each of the licenced ferrymen at the mouth of the Shubenacadie, in the counties of Colchester and Hants, for the transportation of horses and carriages across that river, to be paid on the certificate of the general or a special sessions of each county, respectively, that such ferry has been duly attended, and proper boats procured and used.

10 Joseph Pernette.

Ten pounds each to Joseph Pernette and Charles Pernette, for keeping up the ferry over La Have river.

10 Cornelius Craig.

Ten pounds to Cornelius Craig, to enable him to keep up a ferry across the Narrows at the entrance of Sable river, in the county of Shelburne, under the regulations of the sessions, and to be paid upon their certificate.

10 to John Carter.

Ten pounds to John Carter, or such other person as shall run a ferry boat or scow between Carter's landing, on the western side of the Gut of Canso, and Alexander McPherson's, on the eastern side thereof, to be paid on the certificate of the sessions for the county of Guysborough that such boat or scow has been provided and run under their regulations, and to their satisfaction.

10 to A. McPherson.

Ten pounds to Alexander McPherson, to enable him to run a suitable ferry boat or scow between his landing, on the eastern side of the Gut of Canso, and John Carter's on the western side thereof—to be paid on the certificate of the sessions for the county

of Richmond, that such boat or scow has been provided and run under their regulations and to their satisfaction.

Ten pounds each, to such persons as shall respectively keep up <sup>£20 ferry, Port L'Herbert.</sup> a ferry at the mouth of the harbor of Port L'Herbert—provided a boat be kept to convey horses and cattle across the harbor—to be paid on the certificate of the sessions for the county of Shelburne, that such boat has been properly kept and run under their regulations.

Ten pounds to Duncan McPhee, to enable him to maintain a <sup>10 Duncan McPhee.</sup> 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 three of the justices of the peace for the county of Cape Breton, that he has faithfully discharged the duties assigned him by the sessions.

Fifteen pounds to William Cunningham and John Knowles, or <sup>15 W. Cunningham.</sup> such persons as shall keep a ferry across the narrows of the passage between Cape Sable Island and the Main—such persons being furnished with suitable boats for the accommodation of passengers—to be paid on the certificate of the sessions for Shelburne, that such boats have been properly kept and run under their directions.

Fifteen pounds to aid in maintaining a ferry, during the present year, between Amherst and Minudie—such ferry to be under the <sup>15 ferry, Amherst.</sup> regulations of the sessions for the county of Cumberland—and the foregoing sum to be paid on their certificate that the same has been conducted to their satisfaction.

Ten pounds each to the two licensed ferrymen at the mouth of the Grandique River, in the county of Richmond—to be paid on the <sup>10 ferrymen, Grandique River.</sup> certificate of the sessions of the county that the work has been faithfully performed, and the public properly accommodated.

Twenty pounds, to be at the disposal of the governor, to provide <sup>20 ferries, Sheet harbor, &c.</sup> for the maintenance of ferries across Sheet Harbour and the mouth of the North West Arm, in the county of Halifax.

Five pounds each, to such persons, one on each side of Liscomb's <sup>5 ferry, Liscomb's Harbor.</sup> Harbour, in the county of Guysborough, as shall maintain a ferry across the harbour during the present year, to be paid on the certificate of three justices of the peace for the county, that suitable boats have been provided, that the ferry has been conducted under the regulations of the sessions, and that the public have been properly accommodated.

Five pounds to John Leary, the ferryman at Basin Gut, Sam- <sup>5 John Leary.</sup> bro, in the county of Halifax.

Ten pounds each to the two ferrymen at Big Harbour, Bras <sup>10 ferrymen, Big harbor.</sup> d'Or Lake, in the county of Victoria—to be paid on the certificate of the sessions, that the ferry has been properly kept up for the accommodation of the public.

Seven pounds and ten shillings to C. Smith, to enable him to <sup>7 10s. C. Smith.</sup> keep a ferry over Necum Teuch river, eastern shore, in the county of Halifax.

Seven pounds and ten shillings to aid in establishing a ferry <sup>7 10s. ferry, Liscomb harbor.</sup> during the present year over Liscomb Harbor, opposite the highway

at Clare Head, in the county of Guysborough—such ferry to be under the regulation of the sessions, and the amount to be paid on their certificate that the same has been conducted to their satisfaction.

£10 ferry, Ship  
harbour.

Ten pounds to aid in establishing a ferry during the present year between Milford and Ship Harbour, in the county of Guysborough, and to aid in providing suitable boats for the purpose—such ferry to be under the regulation of the sessions and the amount to be paid on their certificate that the same has been conducted to their satisfaction.

20 ferry, Bad-  
deck.

Twenty pounds to aid in procuring a more efficient and comfortable boat to run as a ferry boat between Baddeck in the county of Victoria, and Messrs. Gammell's in the county of Cape Breton—such ferry to be under the regulation of the sessions for both said counties; and the amount to be paid on their joint certificate that the boat has been run twice a week, and the ferry conducted to their satisfaction.

5 ferryman,  
Bear river.  
25 packet, Horton.

Five pounds to the ferryman at Bear River.

Twenty-five pounds in aid of the packet between Horton and Parrsborough, and between Windsor and Parrsborough, such packet to make two trips each week and carry the mails.

25 W. Chappell.

Twenty-five pounds to William Chappell, to encourage him to run a packet between the Bay Verte and Charlotte Town; Provided such packet shall run at least once a week, from the first day of May until the first day of November, under the regulations of the sessions for Cumberland.

75 steam boat,  
St. Peters.

Seventy-five pounds, to be at the disposal of the governor, to be paid to any person who will run a suitable steamboat during the present year from St. Peter's, through the Bras d'Or Lake, to Sydney once a fortnight, and in the interval to ply as a passage boat regularly between Sydney and the North Bar.

375 steam boat,  
Halifax and  
Newfoundland.

Three hundred and seventy-five pounds to such person as shall run a suitable steamboat between Halifax and St. John's, Newfoundland, touching at Cape Breton going and returning, to be paid when it shall appear to the governor in council that the service has been properly discharged.

2 10s. each, fer-  
rymen at the  
Grand Passage.

Two pounds ten shillings each, to two ferrymen, one on each side of the Petite passage, and five pounds to the ferrymen at the Grand Passage, in the county of Digby, to be paid on the certificate of three justices of the peace for the county, that suitable boats have been provided, that the respective ferries have been conducted under the regulation of the sessions, and that the public have been properly accommodated.

50 Dr. Grigor.

Fifty pounds to the Honorable Doctor Grigor, and his associates, in aid of the Halifax Dispensary for the present year, provided they keep during the year a sufficient quantity of vaccine matter.

25 commission-  
ers of poor.

Seventy-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.

Three hundred pounds, to be at the disposal of the governor for £300 Indians the benefit of the Indians for the present year.

A sum not to exceed one thousand pounds, to be at the disposal of the governor, to further the objects contemplated by the executive committee of the Nova Scotia Industrial Exhibition; to be drawn and applied in the proportion of one pound for each pound subscribed in aid of such industrial exhibition. 1600 industrial exhibition.

A sum not to exceed three thousand pounds, to be at the disposal of the governor, to be expended in such manner as may be found most effectual for the protection of the fisheries. 3000 protection of fisheries.

The sum of seven hundred and fifty pounds eighteen shillings be granted and placed at the disposal of the governor, to be applied, together with the sum of two hundred and forty-nine pounds two shillings remaining undrawn of former grants, to defray the expenses of the penitentiary for the present year. 750 18s. &c. penitentiary.

The sum of five hundred and sixty-five pounds nineteen shillings and ten pence to be at the disposal of the governor, to defray the amount still due for public printing, pursuant to the report of the committee on that subject: 565 19s. 10d. public printing.

The Queen's Printer,	£406	9	8
Richard Nugent,	95	8	8
William Annand,	30	4	3
English & Blackadar,	5	18	9
A. Grant,	7	2	6
E. M. McDonald,	4	10	0
James Barnes,	0	16	0
E. G. Fuller,	4	11	0
William Gossip,	0	14	0
Christian Messenger,	1	0	0
J. P. Ward,	4	7	6
John Boyd,	4	17	6

£565 19-10.

Thirteen pounds and fifteen shillings to David Scott, pursuant to the report of the committee on sick immigrants. 13 15s. sick emigrants.

Fourteen pounds to Lauchlin McDonald, pursuant to the report of the same committee; the same not to be paid until the accounts, attested according to the resolution of 24th March, 1849, are produced to the financial secretary. 14 Lauchlin McDonald.

Fifteen pounds to Dr. James Allan, pursuant to the report of the same committee. 15 Dr. J. Allan.

Three pounds and fifteen shillings to the representatives of the late Doctor Sawyers, deceased, pursuant to the report of the same committee. 3 15s. rep. of Dr. Sawyers.

Seventeen pounds seven shillings and five pence, currency of the Bahamas, to be at the disposal of the governor, to discharge a demand against the province, for relief extended by the public authorities of the Bahamas, to certain shipwrecked seamen of the "Fanny Heron," pursuant to the report of the committee on shipwrecked seamen. 17 7s. 5d. shipwck'd. seamen.

£16 19s. 6d.  
John and Jas.  
Yorston.

Sixteen pounds nineteen shillings and six pence, to John and James Yorston, of Pictou, and others, for supplies and advances made by them in endeavoring to rescue the passengers of the steamer "Fairy Queen," pursuant to the report of the same committee.

6 Os. 9d. ship-  
wreck'd. seamen.

Six pounds and nine pence, being for the expence of conveying shipwrecked seamen from Canso to Buctouche, pursuant to the report of the same committee, to be applied as follows: Three pounds and nine pence to Mr. Bigelow; and three pounds to James Publicover.

2000 com. of  
poor, Halifax.

Two thousand pounds to the commissioners of the poor in Halifax, for the support of the transient paupers for the present year.

500 do.

Five hundred pounds to the commissioners of the poor, in Halifax, to defray the debt now due by them on account of the poor asylum, pursuant to the report of the committee on that subject.

50 infant sch'l.

Fifty pounds to the managers of the infant school, at Halifax, in support of that institution during the present year.

219 10s. 3d.  
transient  
paupers.

Two hundred and nineteen pounds ten shillings and three pence, to defray the several amounts following, pursuant to the report of the committee on the subject of expences incurred for the support of transient paupers:

To overseers of the poor for the township of Yarmouth,	£4	5	3
“ Dr. Farish, in full for his account,	15	2	6
“ the overseers of the poor for Clements, Annapolis,	27	15	11
“ “ “ Douglas,	2	8	0
“ John Johnson, Truro,	2	5	0
To overseers of poor, first section, Pictou:			
For Catharine Gunn,	2	7	10
“ Margaret Berrigan,	2	0	0
“ Jane Geror,	2	18	3
“ Nancy White,	4	15	1
“ Gregor Urquhart,	2	10	0
“ Doctor Kirkwood,	3	7	6
To overseers for township of Maxwellton, Pictou,	1	12	6
“ of Granville,	1	12	6
“ Doctor Forsythe,	1	6	9
“ overseers of Dorchester, Sydney,	17	18	8
“ “ township of Horton,	5	11	7
“ Doctor Brown,	0	10	0
“ overseers of township of Barrington,	14	13	8
“ “ for township of Annapolis,	12	8	0
“ Miner Lupper,	4	19	10
To overseers of the district of Liverpool:			
For E. Anderson, at 10s. per week,	26	6	5
“ Thomas Clarke, “	13	11	3
“ Doctor Farish,	1	0	0
To overseers of River Philip,	6	6	5
“ “ Saint Andrew's, Sydney,	28	2	6
“ Doctor Madden, in full,	10	0	0
“ overseers of Township of Digby,	3	14	10

£219 10 3

One hundred pounds, to be at the disposal of the governor, to be expended in affording relief to the colored population in the county of Halifax, by purchasing seed or provisions as circumstances may require.

£100 col'd population, Hfx.

Two hundred pounds, to be at the disposal of the governor, to purchase seed for distribution among the colored population in the counties of Hants, Queen's, Yarmouth, Guysborough, Annapolis, Sydney, Shelburne, Digby, King's, and Cumberland, to the amount of twenty pounds in each county.

200 col'd population, Hants, Queen's, Yarmouth, Guysboro', Annapolis, Sydney, Shelburne, Digby, Kings, and Cumberland.

One hundred pounds, to be at the disposal of the governor, to be expended in relieving distress at Main-a-dieu, in the island of Cape Breton.

100 distress Cape Breton.

A sum not to exceed nine hundred pounds, to be at the disposal of the central board of agriculture, to be applied at the rate of fifty pounds for each county, in manner prescribed by the fourth section of chapter ninety-six of the revised statutes.

900 cen. board of agriculture.

Two hundred pounds to the central board of agriculture, to be applied, one half in paying their officers and such incidental expenses as shall be absolutely necessary, and the other half, with the balance in their hands, in such way as they shall deem best for promoting agricultural improvement; but including therein an expenditure of fifty-four pounds, for the purpose set forth in the report of the committee on agriculture.

200 do.

A sum not to exceed two thousand pounds, to be at the disposal of the governor, to be expended in the importation of nine entire horses from Canada, the New England States, or New York, and to defray the expense of importing swine ordered from England, the balance, if any, to be expended in the purchase of neat cattle—such stock to be purchased, imported, and disposed of as recommended in the report of the same committee.

2000 importation of stock.

A sum not to exceed seventy-five pounds, to be at the disposal of the governor, to be applied in paying the reasonable expenses of some person of local experience and judgment, to be selected by his excellency the governor, for the purpose of purchasing stock for importation, as in the last clause mentioned—pursuant to the report of the same committee.

75 sel. of stock.

Such sum to be at the disposal of the governor as will defray the expense of printing and circulating in the several counties five thousand copies of a work upon Agriculture, now in course of publication—pursuant to the report of the same committee.

Agricultural publication.

A sum not to exceed five hundred and forty pounds, to be at the disposal of the governor, to aid in the erection of oat mills and kilns, in the different counties, during the present year; provided no greater amount than thirty pounds be allowed for any one county; that no person who has heretofore received aid for such purpose shall be entitled to any participation in the grant; that no more than fifteen pounds be applied in aid of any one oat mill and kiln, and only to that amount in cases where the kiln is at least fourteen feet in diameter; that no aid be granted where the kiln shall not be eleven feet in diameter; and only ten pounds

540 oat mills.



where the kiln shall be eleven feet but not fourteen feet in diameter; and that no sum shall be paid hereunder, until it shall appear by certificate, to the satisfaction of the governor in council, that the oat mill and kiln, for which any such aid shall be claimed, are ready to be put in operation; which certificate shall also state the diameter of the kiln,—and that the person claiming aid has never before received any grant for the purpose.

Eighty pounds sterling to the clerk of the crown in the supreme court of this province, for his services for the present year.

Seven hundred pounds, to be at the disposal of the governor, to pay a sum not exceeding twenty pounds each, for their services during the present year, to the controllers of customs at the different ports;—and such further sum as shall be required to pay at the same rate, such other controllers as may be appointed during the present year.

A sum not to exceed two hundred pounds, to be at the disposal of the governor, to be appropriated in paying seizing officers in various parts of this province, for more effectually protecting the revenues; provided no such officer shall receive more than fifteen pounds.

Fifty pounds one shilling and eight pence to the following persons, being a return of duties paid by them on machinery imported, to be distributed as follows:

Watson Eaton, and William Rockwell,	£9	10	0
Theodore S. Harding,	24	18	3
John Bergman,	2	10	0
E. Albro & co.	13	3	5

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£50 1 8

Four pounds five shillings and six pence to the following persons, being a return of light duties paid on their vessels, lost on their first voyage, to be distributed as follows:

To William Creighton,	£1	10	6
“ Cyrus S. Card,	- 2	15	0

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£4 5 6

Six pounds five shillings to Ambrose Bent, for duties paid by him on Canada flour, imported by way of the United States.

One pound three shillings and four pence to the compeer division of the sons of temperance, return of duties paid on musical instruments to form a band.

Forty-six pounds thirteen shillings and four pence to James Wilson, junior, being the amount paid by him for one month's license of distillery, during which the distillery was not in use.

Thirteen pounds eight shillings and nine pence to Samuel Cupples, for return of duties on articles consumed by fire.

Fifty pounds to David McCulloch, principal clerk in the financial secretary's office, for extra services performed by him during the present year, pursuant to the report of the committee on trade:

Three hundred pounds to such person as the governor shall ap-

£80 st'g, clerk of crown.

700 controllers of customs.

200 protection revenue.

50 1s. 8d. return of duties.

4 5s. 6d. return of light duties.

6 5s. Ambrose Bent.

1 3s. 4d. return of duties.

46 13s. 4d. Jas. Wilson, junr.

13 8s. 9d. S. Cupples.

50 D. McCulloch.

300 gauger, &c.

point, to discharge the duties heretofore performed by the gauger, weigher, and proof officer, for the port of Halifax, pursuant to the report of the same committee.

Four hundred and sixty pounds, sterling, for the salaries of the clerks in the provincial secretary's office, for the present year; to be appropriated and applied by the provincial secretary. £460 stg. clerks secy's. office.

A sum, not to exceed one hundred pounds, sterling, for stationery, and other contingencies of the provincial secretary's office, for the present year; the expenditure to be accounted for at the next session of the general assembly. 100 sterling secy's. office.

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. 30 stg. master of the rolls, &c.

Three hundred pounds to be at the disposal of the governor, to pay for reporting and publishing the proceedings of the house of assembly, during the present session; to be applied under the direction of a committee to be appointed for that purpose. 300 rep. and pub. debates.

Fifteen pounds to the honorable the speaker, to enable him to purchase books and publications necessary for conducting the business of the assembly. 15 speaker to purchase books.

Ten pounds each to the two chairmen of the committee of bills and supply, for their services for the present session. 10 each, chairmen of com. of bills & supply.

One hundred pounds each to the clerk and clerk assistant of the house of assembly, for their extra services during the present session. 100 each, to clerk and clerk assistant.

Two hundred pounds to Joseph Whidden, esquire, the clerk of this house, now absent from this province in consequence of ill health. 200 Joseph Whidden.

Thirteen pounds to George R. Grassie, esquire, serjeant-at-arms to the house of assembly, in addition to his salary for the present session. 13 G. R. Grassie.

A sum not to exceed two thousand pounds, to be at the disposal of the governor, for the purpose of having erected during the present year, or so soon as the necessary arrangements can be made for so doing, light houses at the following places: 2000 light houses.

A light house at Margaree island, on the north coast of the island of Cape Breton.

A light house on Iron Bound island, mouth of La Have river, county of Lunenburg.

A light house on Boar's Head, at the north east extremity of Long island, in the county of Digby.

A light house on Isle Haut, in the Bay of Fundy.

A light house on the western end of Scatarie island.

Two hundred pounds, to be at the disposal of the governor, to aid in the erection of an additional block, and extension of Arisaig pier, in the county of Sydney, when it shall appear to the governor in council that the sum of two hundred pounds has been raised and expended in the work, so that the whole expenditure shall amount to four hundred pounds. 200 Arisaig pier.

Twenty pounds, to be at the disposal of the governor, to be expended in building a breakwater at Freeman's landing, in the county of Cumberland, on the usual terms. 20 Freeman's breakwater.

- 550 pub. wharf at Tuell's Islands. Fifty pounds, to be at the disposal of the governor, to aid in building a public wharf and landing at Tuell's islands, in the county of Colchester, upon the usual terms.
- 20 public wharf Tatamagouche. Twenty pounds, to be at the disposal of the governor, to aid in building a public wharf and landing at Tatamagouche, in the county of Colchester, at the site reserved for that purpose, upon the usual terms.
- 50 breakwater, Yarmouth. Fifty pounds, to be at the disposal of the governor, to aid in building a breakwater at Short Beach, in the county of Yarmouth, upon the usual terms.
- 100 breakwater, Pomket island. One hundred pounds, to be at the disposal of the governor, to aid in building a breakwater at Pomket island, county of Sydney, upon the usual terms.
- 100 breakwater, Tancook. One hundred pounds, to be at the disposal of the governor, to aid in building a breakwater at the island of Tancook, county of Lunenburg—to be drawn and applied when it shall appear to the governor in council that two hundred pounds have been raised and expended in the work, so that the whole expenditure shall amount to three hundred pounds, and that the site has been conveyed to the use of the public.
- 35 public landing, Digby. Thirty-five pounds, to be at the disposal of the governor, to further extend and improve the public slip or landing, at Digby.
- 100 breakwater, Clements. One hundred pounds, to be at the disposal of the governor, to aid in opening up the harbor and erecting a breakwater at Clements Port, in the county of Annapolis, upon the usual terms of grants to breakwaters.
- 50 breakwater, Digby neck. Fifty pounds, to be at the disposal of the governor, to aid in erecting a breakwater at the sea wall, Digby Neck, upon the usual terms.
- 20 public wharf at Porter's point, Cornwallis. A sum, not to exceed twenty pounds, to be at the disposal of the governor, to aid in extending a public wharf and landing at Porter's point, Cornwallis, when it shall appear to the governor in council that the sum of sixty pounds has been raised and expended on the work, or in that relative proportion.
- 50 breakwater, Groscoque. Fifty pounds to be at the disposal of the governor, to be applied in extending the breakwater at Groscoque, in the county of Digby, on the usual terms.
- 50 breakwater, Cape Cove. Fifty pounds to be at the disposal of the governor, to be applied in aid of the extension of the breakwater at Cape Cove, in the township of Clare, upon the usual terms.
- 100 Breakwater, Bellevue cove. One hundred pounds to be at the disposal of the governor, to be applied towards extending the breakwater at Bellevue's cove, in the township of Clare, upon the usual terms.
- 100 Tracadie harbor. One hundred pounds to be at the disposal of the governor, for the further improvement of Tracadie harbor, in the county of Sydney, when it shall appear to the governor in council that two hundred pounds have been raised and expended in the work, so that the whole expenditure shall amount to three hundred pounds.
- 300 Mabou harbor. Three hundred pounds for the improvement of Mabou harbor, to be drawn when it shall appear to the satisfaction of the governor

in council that the sum of nine hundred pounds has been expended thereon.

Three hundred pounds, to be at the disposal of the governor, to aid in opening the channel and deepening the harbor of Antigonishe, in the county of Sydney, when it shall appear to the governor in council that the sum of six hundred pounds has been subscribed and expended on the work, so that the whole expenditure shall amount to nine hundred pounds. £300 Antigonishe harbor.

Twenty-five pounds, to be at the disposal of the governor, to aid in clearing out obstructions, and improving Clyde river, in the county of Shelburne, when it shall appear to the governor in council that the sum of fifty pounds has been raised and expended on the work, so that the whole expenditure shall amount to seventy-five pounds. 25 Clyde river.

Thirty pounds, to be at the disposal of the governor, to be applied towards clearing out obstructions, and improving Jordan river, in the county of Shelburne, when it shall appear to the governor in council that the sum of sixty pounds has been raised and expended in the work, so that the whole expenditure shall amount to ninety pounds. 30 Jordan river.

Twenty-five pounds, to be at the disposal of the governor, to be applied in clearing out, and opening the navigation in Bear river, county of Digby, when it shall appear to the governor in council that the sum of fifty pounds has been raised and expended in the work, so that the whole expenditure shall amount to seventy-five pounds. 25 Bear river.

Fifty pounds, to be at the disposal of the governor, to be applied in removing obstructions in the St. Mary's river, when it shall appear to the governor in council that the sum of seventy-five pounds has been raised and expended for that purpose, so that the whole expenditure shall amount to one hundred and twenty-five pounds. 50 St. Mary's river.

Five pounds to John Young, of Lingan, in the county of Cape Breton, to enable him to keep a ferry across the strait or passage between Lingan and Bridgeport. 5 John Young.

Five pounds, to be at the disposal of the governor, to be applied to keeping up a ferry across St. Ann's harbor, in the county of Victoria. 5 ferry, St. Ann's harbor.

Seven pounds and ten shillings, to be at the disposal of the governor, five pounds to be expended for a ferry across the mouth of Margaree river, in the county of Inverness, and two pounds ten shillings to aid in procuring a boat for that purpose. 7 10s. Margaree river.

Five pounds, to be at the disposal of the governor, to be applied in maintaining a ferry at the Grand Narrows, in the county of Cape Breton. 5 ferry, Grand Narrows.

Ten pounds, to be at the disposal of the governor, for the ferry between the North Bar and the town of Sydney, in the county of Cape Breton, five pounds of such sum to be applied for the purchase of a more efficient boat, and the remaining sum of five pounds for keeping the ferry. 10 ferry, North Bar.

5 ferry boat,  
Baddeck.

Five pounds, to be at the disposal of the governor, in addition to the sum of twenty pounds granted last year, to be expended in procuring a more efficient and comfortable boat to run as a packet or ferry boat twice a week between Baddeck, in the county of Victoria, and messrs. Gammel's, in the county of Cape Breton.

7 10s. ferry,  
Great Bras  
d'Or.

Seven pounds and ten shillings, to be at the disposal of the governor, to establish a ferry across the entrance of the Great Bras d'Or, in the county of Victoria.

7 10s. Andrew  
Malone.

Seven pounds and ten shillings, to be at the disposal of the governor, to pay Andrew Malone for furnishing of boats and keeping a ferry across Sydney river, in the county of Cape Breton, on the post road from Halifax, in consequence of the bridge being carried away by a freshet.

5 ferry, St.  
Mary's.

Five pounds, to be at the disposal of the governor, to be applied towards maintaining a ferry across the St. Mary's river, near Jacob Knauff's.

15 ferry, Shu-  
benacadie.

Fifteen pounds, to be at the disposal of the governor, to enable Isaiah Smith to provide or build a sufficient ferry boat to run across the mouth of the Shubenacadie river, between Douglas and Truro, and Douglas and Londonderry.

10,000 great  
roads.

The sum of ten thousand pounds for the great roads of this province, to be at the disposal of the governor, to be applied and expended agreeably to resolutions of the house of assembly, passed on the thirtieth day of March, 1854, and agreed to by the legislative council:—

In the county of Halifax,	£1,213	0	0
“ “ Hants,	933	0	0
“ “ Colchester,	773	0	0
“ “ Pictou,	640	0	0
“ “ Cumberland,	640	0	0
“ “ Cape Breton,	626	0	0
“ “ Inverness,	560	0	0
“ “ Digby,	476	0	0
“ “ King's,	476	0	0
“ “ Annapolis,	476	0	0
“ “ Lunenburg,	530	0	0
“ “ Yarmouth,	400	0	0
“ “ Shelburne,	400	0	0
“ “ Sydney,	400	0	0
“ “ Guysborough,	400	0	0
“ “ Victoria,	380	0	0
“ “ Richmond,	360	0	0
“ “ Queen's,	317	0	0

£10,000 0 0

30,000 Roads  
and bridges.

The following sums for the several roads and bridges in the several counties of this province, to be applied and expended agreeably to resolutions of the house of assembly, passed on the thirtieth day of March, 1854, and agreed to by the legislative council:—

For the county of Halifax,	£2,208	0	0
“ “ Picton,	2,160	0	0
“ “ Inverness,	1,980	0	0
“ “ Hants,	1,800	0	0
“ “ Lunenburg,	1,800	0	0
“ “ Colchester,	1,752	0	0
“ “ Cumberland,	1,752	0	0
“ “ Cape Breton,	1,704	0	0
“ “ King's,	1,620	0	0
“ “ Annapolis,	1,560	0	0
“ “ Yarmouth,	1,464	0	0
“ “ Shelburne,	1,464	0	0
“ “ Digby,	1,464	0	0
“ “ Sydney,	1,464	0	0
“ “ Richmond,	1,464	0	0
“ “ Victoria,	1,464	0	0
“ “ Guysborough,	1,464	0	0
“ “ Queen's,	1,416	0	0

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£30,000 0 0

Three thousand pounds, to be at the disposal of the governor, to 3,000 special be applied in accordance with the report of the committee upon grant for roads, special grants to roads and bridges, as follows, viz:— &c.

For opening a new line of road from Ponhook lake to Mill's village, to be drawn when it shall be shewn to the financial secretary that four hundred pounds have been raised by subscription, and that sum, together with £100 from the county road grant, expended on the road,	£400	0	0
To be expended on the road from Philip's harbor to Fox island, in the county of Guysborough,	200	0	0
To be expended on the road from Saint Ann's to Bay St. Lawrence, in the county of Victoria,	300	0	0
To assist in building a bridge over Kennetcook river, in the county of Hants,	300	0	0
To erect a bridge over Sydney river, in the county of Cape Breton,	150	0	0
To erect a bridge at French river, in the county of Colchester,	200	0	0
For two bridges over the north east branch of Margaree river, in the county of Inverness,—one hundred pounds each,	200	0	0
To be expended on the road from Kentville, through Sherbrooke, to Lunenburg,	50	0	0
To assist in draining a lake, in order to make a road at Barrington, in addition to fifty pounds to be appropriated out of the county road grant,	50	0	0
To be expended on the road from Annapolis, by Maitland, to Queen's county line,	100	0	0

To be expended on the road from Albany to the Queen's county line,	50	0	9
To be expended on the road from Liverpool cross to King's county line,	50	0	0
To be expended on the road from Musquodoboit to Sheet harbor,	200	0	0
To be laid out towards paying the balance due on bridge at river Philip, in the county of Cumberland,	200	0	0
To be expended on the road from New Glasgow to Antigonishe, by Marshy Hope,	450	0	0
For the alterations and improvements on the Black Rock mountains, on the great post road, to Canada Creek harbor, bay shore,	50	0	0
Towards building a bridge over Gilbert's Creek, in the county of Digby,	50	0	0
	£3,000 0 0		

£75 road, Shelburne to Annapolis.

A sum, not to exceed seventy-five pounds, to be at the disposal of the governor, to be expended in surveying a new line of road from Shelburne to Annapolis county.

5000 St. Peters canal.

The sum of five thousand pounds, in addition to the sum of twelve thousand pounds already appropriated, to be at the disposal of the governor, to be expended in constructing the St. Peter's canal, on the terms prescribed in the act sixteenth Victoria, chapter thirty-five.

Indexing books of registry.

Such sum to be at the disposal of the governor, as will suffice to defray the expense of binding and indexing the books of registry of grants in the provincial secretary's office, pursuant to the report of the committee upon that subject.

16 R. A. Kaulback.

Sixteen pounds, to be at the disposal of the governor, to be paid to Robert A. Kaulback, in full for his claim for damage done by opening a road through his land.

25 educating deaf and dumb girl.

Twenty-five pounds, to be at the disposal of the governor, to be applied towards defraying the expense of educating a deaf and dumb girl, the daughter of Mercy Goreham, of Ragged Islands, in an asylum in the United States.

15 Rebecca Langley.

Fifteen pounds to Rebecca Langley, to assist her in keeping a house of entertainment for travellers, on the road between Musquodoboit and St. Mary's.

50 adjutant genl. and Q. M. genl. militia.

Fifty pounds to be at the disposal of the governor, to enable him to pay the adjutant general of the militia thirty pounds, and to the quarter master general twenty pounds, for their services for the past year.

100 reporting and publication of the decisions of sup. court.

A sum not to exceed one hundred pounds per annum be granted and placed at the disposal of the governor, to be expended in providing for the reporting and publication of the decisions of the supreme court.

250 stg. private secretary to the governor.

Two hundred and fifty pounds, sterling, to be at the disposal of the governor, for a private secretary for the present year.

Fifty pounds to David McCulloch, clerk in the financial secretary's office, in addition to his salary for the present year. £50 D. McCulloch.

Ten pounds each, additional, to the two chairmen of the committees of bills and supply in the house of assembly. 10 each, additional, chairmen H A.

Two hundred and fifty pounds, to be paid by quarterly payments, to the board of managers of the free church academy at Halifax, for the present year, upon the same terms as those imposed upon grants to similar institutions in the year one thousand eight hundred and forty-five. 250 free church academy.

The allowances now made to the other collegiate and academical institutions, including King's college, Windsor, shall be continued under the existing regulations for one year only—the grant to the Pictou academy to be on condition that no sale or mortgage of the lands or property vested in the trustees thereof, shall be made after the passing of this grant. Allowances to collegiate and academical institutions.

Such sum to be at the disposal of the governor as will be sufficient to defray the expenses of the post office department for the present year, pursuant to the report of the post office committee. Expenses of post office department.

Twenty-four pounds to the courier between Canso and Guysborough for extra trips last year, pursuant to the report of the post office committee. 24 courier Canso.

Ten pounds, to be at the disposal of the governor, to pay C. A. Martin, post master at Sydney, Cape Breton, a sum abstracted from a money letter in his office—to be paid upon the certificate of the post master general that the loss did not result from negligence or improper conduct. 10 C. A. Martin

Two hundred and sixty-two pounds eight shillings and eleven pence, to be at the disposal of the clerk of the house of assembly, to defray the expenses of extra messengers, and other services; and to pay for fuel, and other articles for the house, during the present session, pursuant to the report of the committee on contingencies. 262 8s. 11d. extra messengers, &c.

Eight hundred and eighty-four pounds thirteen shillings and eight pence, to defray the expenses of the legislative council for the present year. 884 13s. 8d. expenses legislative council.

Ten pounds to doctors Anderson and Johnston, health officers of the port of Pictou, pursuant to the report of the special committee on that subject, for services rendered to sick Emigrants. 10 Drs. Anderson & Johnston.

A sum, not to exceed one hundred pounds, to be at the disposal of the governor, to be expended in procuring a report upon the condition and requirements of the fisheries, in all the principal rivers of this province, to be laid before the house of assembly at its next session, pursuant to the report of the committee on the subject of the river fisheries. 100 report upon river fisheries.

Two hundred and thirty-one pounds seventeen shillings and eleven pence, to A. & W. McKinlay, in full of their account for stationery and binding for the house of assembly, during the last year. 231 17s. 11d. A. & W. McKinlay.

Three thousand four hundred and eighty-nine pounds seven shillings and four pence, to be at the disposal of the governor, to repay the following advances made from the provincial treasury:— 3,489 7s. 4d. advances from treasury.



Sykes & co., for survey of railway line from Windsor to Victoria beach,	£500	0	0
Board of health, Pictou, on account of expenses incurred in cases of small pox,	66	17	2
The attorney general, amount required to perfect the title to Shubenacadie canal property,	212	15	0
Nathan Pushee, expence of bringing horse "Norfolk," from Antigonishe to Halifax,	8	10	0
This sum to be at the disposal of the Governor, to aid in importing improved stock,	100	0	0
The attorney general, amount required to perfect the title to the site for the new court house, Halifax,	149	6	10
M. H. Perley, for five hundred copies of report on fisheries of New Brunswick,	26	12	11
J.B. McDonald, to re-pay charitable irish society expenses of passengers in American ship "Winchester,"	67	8	3
Board of Works, for purchase of site for lunatic asylum,	1750	0	0
Wallace and Allan, arbitrator's fees and expenses in the matter of H. A. Gladwin,	9	2	1
American consul, for services of American ship "Wave" for conveying the crew of British ship "Friendship," foundered at sea, from Cape Sable bank to Halifax,	50	0	0
William Anderson, for survey, plan, and report on road through Stephen's and Gladwin's property, Musquodoboit,	4	0	0
J. R. Forman, on account of salary as government consulting engineer,	362	2	7
E. Rushworth, salary as private secretary to the governor, from 5th August to 30th September,	47	10	0
J. B. McDonald, for relief of Indians at Tatamagouche,	4	10	0
Provincial secretary, to re-pay amount advanced to relieve two Nova-Scotians picked up at sea,	30	12	6
B. Wier & co., for supplies furnished to inhabitants of Ingonish, Victoria county,	100	0	0
	£3,489	7	4

£3,833 1s. 1d.  
board of works.

Three thousand eight hundred and thirty three pounds one shilling and one penny, to the board of works, to defray the balance of expenditure incurred by them during the last year.

Postage public  
departments.

Such sum to be at the disposal of the governor as will be sufficient to re-pay the amount advanced from the treasury to defray the expense of postage of the public departments during the past year.

40 revenue boat  
Cape Breton.

Forty pounds to be at the disposal of the governor, to enable him to continue a suitable revenue boat at Cape Breton.

A sum, not to exceed two hundred pounds, to be at the disposal of the governor, to aid in running a steam boat between Pictou and Prince Edward's island, and to carry the mails; to be drawn and applied when it shall appear to the governor in council that an equal sum, for the same purpose, has been granted by the legislature of Prince Edward's island.

200 steamboat  
between Pictou  
and P E Island.

Five pounds in aid of the ferry across Pugwash harbor.

5 ferry, Pug-  
wash harbor.

Two hundred pounds, to be at the disposal of the governor, to aid in erecting a bridge over Tusket river, in the county of Yarmouth, on the post road.

200 bridge, Tus-  
ket river.

Twenty-five pounds to be at the disposal of the governor, to aid in maintaining a packet or ferry boat between Westport and Montegan, in the county of Digby.

25 ferry, West-  
port.

One pound and four shillings to George Gerroir, to reimburse him for money paid as light duties, last spring, he having lost his vessel on her first voyage.

1 ls. G. Gerroir

Five pounds to Richard Meagher, for a chair furnished by him to the house of assembly.

5 R. Meagher.

Thirty pounds, to be at the disposal of the governor, to be applied in circulating among the commissioners of schools a work published by Mr. William Cunnabell, called the "Youth's Preceptor," pursuant to the report of the committee on education.

30 circulation of  
Youth's Pre-  
ceptor.

Eighty-nine pounds and four pence to John H. Crosskill, as a final settlement of his claim for public printing, pursuant to the report of the committee on that subject.

89 4d. J. H.  
Crosskill.

2. One hundred pounds granted to the managers of the infant school, Halifax, for the support of that institution, for the years 1852—53, and remaining undrawn from the treasury, shall be applied to the support of schools in the city of Halifax, to be drawn by the school commissioners, and appropriated by them for that purpose.

100 Commis-  
sioners Schools.

3. Out of the grammar school monies belonging to the county of Annapolis, there shall be paid, on the 1st day of May next, to William Shipley, twenty-five pounds; William Calnek, twenty-five pounds; Thomas Hardy, twelve pounds ten shillings; and to George Munro, twelve pounds ten shillings.

25 W. Shipley,  
25 W. Calnek,  
12 10s. T. Har-  
dy, 12 10s. G.  
Munro.

4. The sum of twelve pounds ten shillings of the grammar school money for the county of Halifax, remaining undrawn, shall be paid to Alexander Russell, a licensed teacher, pursuant to the report of the committee on education.

12 10s. A. Rus-  
sell.

5. The sum of fifteen thousand pounds, appropriated to the erection of a lunatic asylum, by the act. 15 Vic. chap. 13, instead of being borrowed by the commissioners in manner prescribed by the 5th and 6th sections of the act, may be paid to the commissioners, from time to time, by warrants on the treasury, in such amounts as the governor in council may direct.

15,000 Lunatic  
Asylum.

6. The following sums, granted for the service of the roads and bridges in the counties hereinafter mentioned, in previous years, and remaining undrawn, shall be applied pursuant to resolutions of

Undrawn road  
monies.

the house of assembly, passed during the present session, and agreed to by the legislative council:—

County of Halifax,	£81	1	7
“ Halifax,	69	14	9
“ Colchester,	15	0	0
“ Pictou,	91	3	11
“ Guysborough,	50	0	0
“ Cumberland,	21	10	0
“ Cumberland,	75	0	0
“ Cape Breton,	20	17	9
“ Lunenburg,	18	17	6
“ King's,	7	10	0

Regulations  
cerning steam  
boats and pack-  
ets.

7. The owners or agents of all steam boats and packet boats, and all ferrymen or owners of ferry boats, shall, before receiving any grants made from the public revenues of this province, have performed a full year's service for which such grant is claimed, and shall have made a return to the government of the number of passengers, quantity of merchandize, cattle, horses, or other articles transported by their conveyances—the amount received for such service, and the number of times they have been obliged to cross and re-cross their respective ferries or routes by the regulations of the sessions, or otherwise, during the year—which return shall be certified to the satisfaction of the governor. All persons receiving grants of money from the revenues of this province for ferries, shall be obliged to convey her majesty's mails, and, before receiving their grants, shall procure and transmit to the financial secretary a certificate of the sessions for the county; or, if such ferry be under the regulation of the sessions of two counties, a certificate of the sessions of both counties, that the service has been performed under their regulations and to their satisfaction.

Sums allowed  
to breakwaters,  
&c.

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

Casualty vote.

9. If any of the bridges on the main post roads of this province, shall be unexpectedly destroyed or obstructed by any unforeseen accident or obstacle, it shall be lawful for the governor to order a commissioner to rebuild or repair such bridge, or to remove such obstructions; and it shall be lawful further for the governor to draw warrants, and in favor of such commissioner, provided the sum so to be drawn shall not exceed, for the year, one thousand pounds, and the respective sums so drawn shall be charged at the next session of the assembly as against the several counties in which the same shall be respectively expended.

10. The sum of one pound per day shall be granted and paid to each member of the legislative council, for his attendance in parliament, with the same travelling fees as are received by members of the house of assembly—provided that no member be paid for more than forty days attendance in any one session. Councillor's pay.

11. The sum of one pound per day, shall be granted and paid to every member of the house of assembly, for his attendance in general assembly, for the present session, to be paid on the certificate of the speaker; also, the travelling charges as heretofore—but no member shall receive pay for more than forty days attendance. H. A. Members pay.

## CHAPTER 42.

### An Act to authorize a Provincial Loan.

(Passed the 31st day of March, 1854.)

#### SECTION

1. Loan, not to exceed £10,000, authorised.
2. Money—how drawn.
3. Re-payment secured.

#### SECTION

4. Accounts—audit of.
5. Any balance due thirty-first December, 1854, to be discharged before thirty-first March, 1855.

Be it enacted by the governor, council, and assembly, as follows:

1. The governor may cause a cash account to be opened at one or more of the banks in the city of Halifax, and may borrow and receive from such banks such sum of money as may be necessary for the use of the Province, in such amounts as may, from time to time, be required, and under such conditions and upon such terms, agreements, and stipulations for the payment and re-payments of such monies, and for the management of such accounts as by the governor in council may be established, prescribed, and directed, with the consent of the directors of the bank; or otherwise, may borrow and receive from any other persons, corporations, or companies, a sum not exceeding ten thousand pounds, at the lowest interest at which such loan can be effected. Loan, not to exceed £10,000, authorised.

2. The money may be drawn for and received from time to time in such sums and under such restrictions and regulations as may be prescribed by the governor in council with the consent of the lenders thereof. Money—how drawn.

3. For the re-payment of all monies borrowed under this act, and for the final payment and discharge of the balance which shall be remaining due and unpaid on the final closing of the accounts with such lender with interest: the public funds, monies, and credits of this province are hereby pledged and rendered liable. Re-payment secured.

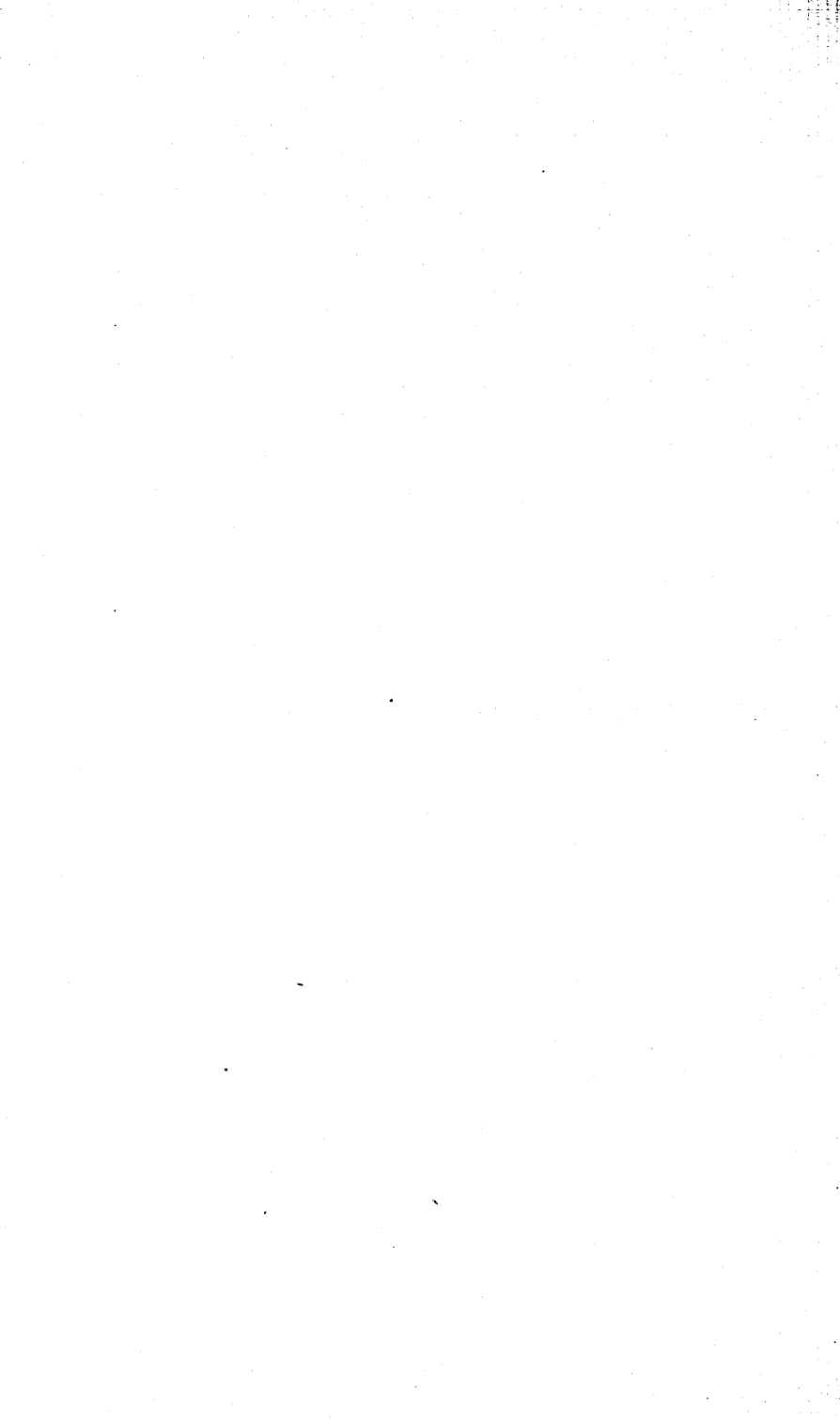
4. An account of all sums borrowed or re-paid under this act, with the date of the loans and re-payments respectively, shall be laid before the joint committee of the legislature appointed to ex- Accounts—audit of.

amine the public accounts, together with the drafts and vouchers relating to the same, at the next session.

5. The balance due for such loans, on the thirty-first day of December, in the year one thousand eight hundred and fifty-four, shall be paid off and discharged on or before the thirty-first day of March next thereafter.

Any balance  
due 31st Dec.  
1854, to be dis-  
charged before  
31st Mar. 1855.

**LOCAL ACTS.**



## CHAPTER 43.

### An Act for Settling Titles to Lands in the Island of Cape Breton.

[Passed the 31st day of March, A. D. 1854.]

SECTION 1. Persons in possession, who have applied for grants, and paid fees, entitled to grants without further charge for survey.

Be it enacted by the governor, council, and assembly, as follows :

1. All persons who are in undisputed possession of any lands and tenements in the island of Cape Breton, for which application has been made for a grant, either joint or several, and on which the fees have been paid, shall, on proof thereof, and with the approval of the governor in council, be entitled to a separate grant of the lands for which such fees were paid, without any further charge for survey or otherwise.

Persons in possession, who have applied for grants, and paid fees, entitled to grants without further charge for survey.

## CHAPTER 44.

### An Act to authorize the Board of Works to Lease or Sell certain Public Property.

[Passed the 31st day of March, 1854.]

SECTION

1. Title to governor's farm vested in board of works, with power to sell, &c.

SECTION

2. Board to expend not more than £200 a year in warming, lighting, &c., government house.

Be it enacted by the governor, council, and assembly, as follows :

1. On the passing of this act, the title to the governor's farm and to one hundred and twenty feet in depth from Spring Garden road, of the land known as the governor's field, shall be vested in the board of works for the benefit of the province, with power to use, lease, or sell the same in fee simple, at their discretion.

Title to governor's farm vested in board works, with power to sell, &c.

2. Out of any funds now, or to be hereafter at their disposal, the board of works shall pay for the lighting, water, and warming of government house : provided that the sum so expended shall not, in any one year, exceed two hundred pounds.

Board to expend not more than £200 a year, in warming, lighting, &c. government house.



## CHAPTER 45.

## An Act to amend the Act concerning the City of Halifax.

[Passed the 3d day of April, 1854.]

## SECTION

1. Qualification to vote at civic elections.
2. Where to vote.
3. Mayor's qualification.

## SECTION

4. Elector's oath.
5. Act of incorporation altered.
6. Aldermen may resign after two years.

Be it enacted by the governor, council, and assembly, as follows:

Qualification  
to vote at civic  
elections.

1. In order to qualify a citizen to vote at any election of mayor, aldermen, or ward assessors, he must be a natural born or naturalized male subject of her majesty of the full age of twenty-one years, not attainted of treason or felony, and must also have resided in the city of Halifax for one year at least next previous to the election, and shall have been assessed for poor and city rates therein for the year ending on the thirty-first day of December next preceding the election, and paid such rates during the year ending on the last mentioned date; but no payment of rates during the current year of our Lord in which such election shall take place shall qualify any person to vote.

Where to vote.

2. Any person having a shop, store, or office in the city, and conducting a business therein on his own account solely, or as a recognized partner in business for three years next previous to any election shall, although his residence be out of the city, be deemed to dwell in the ward in which he conducts his business, and being otherwise qualified shall have the right of voting therein, but it shall not be necessary that the person voting shall have occupied the same shop, store or office, nor a shop, store or office in the same ward only during such period of three years.

Mayor's qualifi-  
cation.

3. To qualify a citizen to be eligible as mayor, it shall not hereafter be necessary that he shall have previously served as a member of the city council provided he shall possess all the other qualifications required by law, and the mayor may be re-elected from year to year, not exceeding three successive years.

Elector's oath.

4. The form of the elector's oath shall be as follows:

I do swear that I have resided in this city for one year or upwards now next preceding, unless temporarily absent, (or have carried on business in this city for three years previous to this election, as the case may be,) and that I am of the age of twenty-one years or upwards, and am a subject of our lady the queen, and that in the assessment payable during the year ending on the thirty-first day of December last I was rated in this ward No. — for poor and city rates, and that I paid the same in full previous to the thirty-first day of December last, and that I have not before voted at this election or any other election which is at this time

being held for any other ward, and that I am the person named in the receipt of the city treasurer now produced. So help me God.

5. So much of the "act concerning the city of Halifax" as is inconsistent with this act is hereby repealed.

Act of incorporation altered.

6. An alderman may resign his office at the expiration of two years service, if he shall have given one month's notice in writing to the mayor of his intention of so doing, previous to the month of October, and the vacancy so occasioned shall be filled up as other vacancies now are.

Aldermen may resign after two years.

### CHAPTER 46.

#### An Act to enable the City of Halifax to erect a City Prison.

[Passed the 31st day of March, 1854.]

SECTION

- 1. Site of new prison.
- 2. Loan authorised.
- 3. Tenders for loan to be advertised for.
- 4. Certificate to lenders. Interest—payable half-yearly.

SECTION

- 5. Re-payment.
- 6. Security.
- 7. Prisoners to be sent from bridewell.
- 8. Committal of prisoners to new prison.

Be it enacted by the governor, council, and assembly, as follows:

1. The city of Halifax is authorized to erect a city prison on the land belonging to the city, situate in ward number six, and called the Rock Head farm.

Site of new prison.

2. The city of Halifax shall have power to borrow, on the credit of the city, a sum or sums of money, not to exceed in the whole three thousand pounds, at a rate of interest not exceeding six per cent. per annum, to be expended by the city council, or under their directions, in building the prison.

Loan authorised.

3. The loan may be obtained at once, or in portions from time to time, as the city council may decide. Tenders for the money required shall be advertised for in two or more of the newspapers published in the city, for one month; and the tender expressing the lowest rate of interest shall be preferred.

Tenders for loan to be advertised for.

4. The lenders shall receive, for every one hundred pounds so lent, a certificate under the city seal, signed by the mayor, and countersigned by the city clerk, drawn in favor of such lenders, their indorsees or assigns, specifying the terms of loan and rate of interest—such interest to be payable half yearly. The certificates shall be transferable by an indorsement of the holder's signature, in the same manner as promissory notes.

Certificate to lenders.

Interest—payable half-yearly.

5. The principal monies of such loan shall be re-paid to the lender or lenders within twenty years from the date of the loan; but the city may, at its option, pay off such certificates, in whole or in part, at the end of the first three years, and after that period, at any time, on six months notice, may pay off the whole or any part thereof.

Re-payment.

Security.

6. The loan hereby authorized, and interest, shall be a charge on the funds, revenues, and property of the city, generally, until the same is fully satisfied and discharged.

Prisoners to be sent from bridewell.

7. When the city prison is completed, all prisoners then in the bridewell shall be transferred to it, and all persons who may lawfully be sent to bridewell may thereafter be sent to the city prison, and therein, or in such portion thereof as the city council may designate for that purpose, shall be kept for the terms of their sentences, subject to all the laws, bye-laws, and ordinances in force regarding bridewell.

Committal of prisoners to new prison.

8. The city courts and officers may, under such regulations as the city council may make on the subject, commit any prisoners to the city prison who may become liable to be sent to gaol under the present laws and ordinances; but prisoners so committed shall be kept in a separate place from those held under bridewell regulations, and shall not be subjected thereto.

## CHAPTER 47.

### An Act respecting Assessments in the City of Halifax.

[Passed the 31st day of March, 1854.]

## SECTION

1. What sum may be assessed. May be increased.

## SECTION

2. Section 1, chapter 2, of act concerning the city of Halifax, repealed.

Be it enacted by the governor, council, and assembly, as follows:

What sum may be assessed.

1. The city council shall have power to assess on the inhabitants and on the property within the city of Halifax, annually, such sum of money, not exceeding eight thousand pounds, as may be necessary to defray the expenses which they are by law authorized to incur on behalf of the city. The amount may be increased in any year by permission of the governor in council to the extent of two thousand pounds additional, provided such increase be requested by a vote in which at least twelve members of the city council concur.

May be increased.

2. The first section of the second chapter of the act entitled "an act concerning the city of Halifax" is repealed.

Sec. 1, chap. 2, of act concerning the city of Halifax, rep.

## CHAPTER 48.

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

[Passed the 31st day of March, 1854.]

## SECTION 1. Powers of commissioners.

Be it enacted by the governor, council, and assembly, as follows:

1. The fourth section of the act passed in the fourteenth year of her majesty's reign to provide for the erection of a court house in Halifax is hereby amended by adding the following words:

"But the commissioners may, with the approval of the governor in council, omit or leave unfinished such of the above apartments, in selecting a plan and erecting the building, as they may consider expedient."

Powers of commissioners.

## CHAPTER 49.

An Act to amend the Act relating to the Onslow Burial Ground.

[Passed the 31st day of March, 1854.]

## SECTION

1. Exemptions from assessment.
2. Exempted persons to lose all right, &c., in burial ground.

## SECTION

3. Expenses of repairs, &c.—how borne.
4. Act to be published.

Be it enacted by the governor, council, and assembly, as follows:

1. The act relating to the Onslow burial ground is hereby amended, so far as to exempt from assessment thereunder any inhabitant who may have been accustomed to bury the deceased members of his family in, or who may be a proprietor of or shareholder in any other burial ground, so as such inhabitant shall, within three months after the passing of this act, give to the trustees appointed under the act hereby amended, notice of his claim in writing to be exempted from such assessment.

Exemptions from assessment

2. The trustees shall file and preserve all such notices, and thereafter the party giving the same, if entitled to exemption under the preceding clause, shall cease to have any right or interest in the burial ground.

Exempted persons to lose all right, &c., in burial ground.

3. The expenses of repairing and improving the Onslow burial ground shall be borne by and assessed upon the inhabitants of the township not exempted under the provisions of this act, and shall form a separate assessment, but shall be raised and collected as provided in the act hereby amended.

Expenses of repairs, &c.—how borne.

4. No rate shall be assessed hereunder until this act shall have been published for at least three months in some public newspaper circulating in the county of Colchester.

Act to be published.

## CHAPTER 50.

An Act to amend the Act to provide for the erection of a Bridge over the West River of Pictou.

[Passed the 31st day of March, 1854.]

SECTION 1. Members may arrange for extension of credit.

Be it enacted by the governor, council, and assembly, as follows:

Members may  
arrange for ex-  
tension of credit.

1. The members of the county and township of Pictou may arrange with the creditors from whom the amount in the act whereof this is an amendment, was borrowed for an extension of the credit thereof for one year and no more.

## CHAPTER 51.

An Act to increase the number of Polling Places in the County of Lunenburg.

[Passed the 31st day of March, 1854.]

SECTION

1. Electoral districts increased.
2. New electoral district of Tancook.

SECTION

3. New district of St. Margaret's Bay.
4. Electors at the "Grant," Chester.

Be it enacted by the governor, council, and assembly, as follows:

Electoral dis-  
tricts increased.

New electoral  
district of Tan-  
cook.

New district of  
St. Margaret's  
Bay.

Electors at the  
"Grant" Ches-  
ter.

1. There shall be eleven electoral districts in the county of Lunenburg, instead of nine as now by law provided.

2. One of the additional districts shall be the island of Tancook, and the islands adjoining called Little Tancook, Iron-bound and Flat Islands. The poll shall be held at or near the school house on the island of Tancook.

3. The other electoral district shall be comprised within the following limits, that is to say, from David Rafuse's following the line of the road to Halifax, and embracing all the electors on both sides of the road until it strikes the county line; thence from the head of Saint Margaret's Bay to the south side of North West Cove, and embracing all the electors on the west side of Saint Margaret's Bay. The poll for the last mentioned district shall be held at or near Mill Cove on the West side of Saint Margaret's Bay.

4. The electors living at the Grant, so called, in Chester township, shall poll at the Lock-up house in Chester, instead of Sherbrooke as heretofore.

## CHAPTER 52.

## An Act relating to certain Public Lands in the Town of Lunenburg.

[Passed the 31st day of March, 1854.]

## SECTION

1. Appointment, &c., of Trustees, &c.
2. May lease land; application of rents.

## SECTION

3. Vacancies.
4. Accounts.
5. Exceptional clause.

Whereas a certain piece of land, situate in the town of Lunenburg, extending from the street to the westward of the school house to the street to the westward of the county jail, was granted, in the year of our Lord one thousand seven hundred and eighty-five, to John Creighton, Dudliet Christopher Jessen, John Christopher Rudolf, Casper Wollenhaupt, Andrew Jung, Philip Herman, Snr., and Henry Ernst, their heirs and assigns, in trust for public uses. Preamble.

And whereas those trustees have long since departed this life, and many inconveniences have arisen from the trust devolving on the heirs of such deceased trustees, and the land has become neglected and deteriorated in value. Do.

Be it therefore enacted by the governor, council, and assembly, as follows :

1. The governor may appoint three fit persons to be trustees of such piece of ground, who shall have all the powers conferred by the grant on the original trustees; and who may sue, commence and prosecute any actions respecting encroachments on such land, and may also defend any actions that may be brought against them in respect thereof. Appointment, &c., of trustees, &c.

2. The trustees may lease such portions of the land as they may deem advisable, for any period not exceeding twenty-one years, and may apply the rents arising therefrom in cultivating, fencing, ornamenting, and improving the land, establishing the boundaries thereof, and defending the title thereto. May lease land; application of rents.

3. The governor may, from time to time, fill up any vacancy in the number of trustees, occasioned by death, or otherwise. Vacancies.

4. The trustees shall account, annually, to the general sessions of the peace for the county, for the rents and profits of the land, and expenditure thereof. Accounts.

5. Nothing herein contained shall be construed to interfere with, alter, or affect the rights of her majesty, or any body corporate, or private individuals. Exceptional clause.

## CHAPTER 53.

An Act to provide for the completion of the Road from Mahone Bay to Bridgewater.

[Passed the 31st day of March, 1854.]

## SECTION

1. Members for Lunenburg may borrow £400. Re-payment.

## SECTION

2. Commissioners.

Preamble.

Whereas it is expedient to borrow, on the credit of the county of Lunenburg, a sum of money to complete the new road from Mahone Bay to Bridgewater :

Be it enacted by the governor, council, and assembly, as follows :

Members for Lunenburg may borrow £400.

Re-payment.

1. The members of the county of Lunenburg may borrow, on the pledge of the road monies of the county and the security of this act, a sum not to exceed four hundred pounds, to aid in completing the new road from Mahone Bay to Bridgewater, such loan to be repaid by annual instalments of one hundred pounds out of the road grants for one thousand eight hundred and fifty-four, one thousand eight hundred and fifty-five, one thousand eight hundred and fifty-six, and one thousand eight hundred and fifty-seven, with interest, at a rate not exceeding six per cent. until the whole sum borrowed has been repaid.

Commissioners.

2. The money borrowed under this act shall be expended by commissioners, to be appointed by the governor in council.

## CHAPTER 54.

An Act to divide the Township of Saint Andrews, in the County of Cape Breton.

[Passed the 31st day of March, 1854.]

## SECTION

1. St. Andrews to be divided into three Townships.  
2. Township of Louisbourg.

## SECTION

3. Township of Mire.  
4. Township of St. Andrews.

St. Andrews to be divided into 3 Townships.

Township of Louisbourg.

Be it enacted by the governor, council, and assembly, as follows :

1. The township of Saint Andrews, in the county of Cape Breton, shall be divided into three townships, to be called respectively the townships of Louisbourg, Mire, and Saint Andrews.

2. The township of Louisbourg shall be bounded as follows : commencing at the mouth of Kennington brook, to the eastward of Gabarus Bay ; thence running north by the magnet to the Mire river ; thence following the windings of the river to its mouth ; and thence along the sea coast, southerly and westerly, to the place of beginning, and to include the island of Scatarie.

3. The township of Mire shall be bounded as follows: commencing at the mouth of Kennington brook aforesaid, and running along the sea coast until it strikes the line dividing the counties of Richmond and Cape Breton; from thence along the county line until it strikes the water of East Bay; from thence along the shore of East Bay to its head; thence in an easterly direction along the southern side of the main post road until it strikes the western boundary line of the township of Sydney; and from thence to Salmon river; thence across the Salmon river to the opposite shore; thence down stream until it strikes the north-west corner of the western boundary line of the township of Louisburg; and thence southerly along such line to the place of beginning.

4. The township of Saint Andrews shall be bounded as follows: commencing on the western boundary line of the township of Sydney, near the East Bay, at the intersection of such boundary line with the northern line of Mire township, thence westerly along such line to the head of East Bay, thence westerly along the northern side of East Bay to the strait of Barra, thence easterly along the shore to the western boundary line of the county of Cape Breton, thence along such line northwardly and eastwardly to a large stream that falls into the sea about three miles to the westward of Point Anconi at the eastern extremity of the Island of Boulardarie, thence along shore southwardly and westwardly to the entrance of the Barrasoi, being the western boundary of the township of Sydney, thence southwardly along such boundary line to the place of beginning.

## CHAPTER 55.

### An Act concerning the County of Shelburne.

[Passed the 31st day of March, A. D. 1854.]

#### SECTION

1. County divided into two districts.
2. Definition.
3. Sittings of supreme court.
4. Jurors—where to serve.
5. New custos to be appointed.
6. Sessions—jurisdiction of.

#### SECTION

7. Monies assessed—where to be expended.
8. Jury lists to be revised. Juries—when to be drawn.
9. Appointment of district and township officers.

Be it enacted by the governor, council, and assembly, as follows:

1. The county of Shelburne shall be divided into two districts, the district of Shelburne, and the district of Barrington. County divided into 2 districts.
2. The district of Shelburne shall comprise the township of Shelburne, and the district of Barrington shall comprise the township of Barrington. Definition.
3. The supreme court shall hereafter be holden in the county of Shelburne, as follows—at Barrington, in the district of Barrington, on the second Wednesday after the fourth Tuesday of April; Sittings of supreme court.



and at Shelburne, in the district of Shelburne, on the second Wednesday after the last Tuesday of September; but this alteration of the supreme court shall not take place until May term one thousand eight hundred and fifty-five.

Jurors—where to serve.

4. The inhabitants qualified to serve as jurors in such county shall only be liable to serve in the district in which they reside; and the jury lists shall be revised and amended accordingly.

New custos to be appointed.

5. A custos rotulorum shall be appointed for the district of Barrington.

Sessions—jurisdiction of.

6. The sessions for each district shall have the same powers within their respective districts as if the same were a separate county, but shall exercise no control over the affairs of any other district but that within which they reside.

Monies assessed—where to be expended.

7. All monies assessed and collected in such districts respectively shall be laid out and expended solely within the limits of such district.

Jury lists to be revised.

8. The justices in session in the several districts shall appoint a committee to revise the grand and petit jury lists in their respective districts. The juries for the first term of the supreme court at Barrington shall be drawn at the next autumn term of the supreme court at Shelburne. On all subsequent occasions the juries for the terms at Shelburne and Barrington shall be drawn at those places respectively.

Juries—when to be drawn.

9. In case there shall not be a sufficient grand jury in attendance at the court of sessions at Barrington in the next ensuing May term, the justices may appoint district and township officers to serve for the year then next ensuing.

Appointment of district & township officers.

## CHAPTER 56.

### An Act to legalize certain Proceedings of the Sessions of the County of Shelburne.

[Passed the 31st day of March, 1854.]

#### SECTION 1. Proceedings of sessions rendered valid.

Be it enacted by the governor, council, and assembly, as follows:

Proceedings of sessions rendered valid.

1. The proceedings of the general sessions for the county of Shelburne, held at Shelburne, on the Monday after the last Tuesday of September, one thousand eight hundred and fifty-three, are hereby declared legal and valid, notwithstanding that the grand jury did not attend such sessions; and all town officers, and other officers appointed at such sessions, are hereby declared duly appointed, and are authorized to perform the duties of their respective offices, although the requisites of the law, as respects their nomination and appointment, were not complied with, at such sessions, in consequence of the absence of the grand jury.

## CHAPTER 57.

An Act to provide for improving the Road from Antigonishe towards Sherbrooke.

[Passed the 31st day of March, 1854.]

**SECTION**

1. Three hundred pounds may be borrowed.

**SECTION**

2. Re-payment.  
3. Commissioners.

Be it enacted by the governor, council, and assembly, as follows:

1. The members of the county of Sydney may borrow, on the pledge of the road monies of the county, and the security of this act, a sum, not exceeding three hundred pounds, to aid in improving the road from Antigonishe towards Sherbrooke, in the district of Saint Mary's. £300 may be borrowed.

2. Such loan shall be repaid by annual instalments of one hundred pounds each, out of the road grants for the present year, and the two next subsequent years, with interest, at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid. Re-payment.

3. The monies borrowed shall be expended by commissioners, to be appointed by the governor in council. Commissioners.

## CHAPTER 58.

An Act to amend the Act, entitled, An Act to authorize an Assessment on the Township of Sydney.

[Passed the 31st day of March, 1854.]

SECTION 1. Victoria 11, chapter 49, amended.

Be it enacted by the governor, council, and assembly, as follows:

1. The act passed in the eleventh year of her majesty's reign, chapter 49, entitled, "an act to authorize an assessment on the township of Sydney," is hereby amended by adding the following clause:— Vic. 11, chap. 49, amended.

"The monies so assessed, may be sued for, and collected from the parties assessed, severally, as an ordinary debt, in the name of John Ferguson, the party for whose benefit the assessment has been made."

## CHAPTER 59.

An Act to provide for building a Bridge at Barney's River, in the County of Pictou.

[Passed the 31st day of March, 1854.]

### SECTION

1. £300 may be borrowed.
2. Money to be expended by commissioners.

### SECTION

3. Portion of road money to be appropriated.

Be it enacted by the governor, council, and assembly, as follows:

1. The members of the county of Pictou may borrow on the pledge of the road monies of the county and the security of this act, a sum not exceeding three hundred pounds to aid in building a bridge at Barney's River, in the same county, such loan to be repaid by annual instalments of one hundred pounds out of the road grants for the three next subsequent years, with interest at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid.

2. The monies borrowed under this act shall be expended by commissioners to be appointed by the governor in council.

3. One hundred pounds at least shall be appropriated towards the erection of the bridge out of the road monies of the county of Pictou for the present year.

£300 may be borrowed.

Money to be expended by commissioners.

Portion of road money to be appropriated.

## CHAPTER 60.

An Act relating to the erection of a Bridge at Barney's River.

[Passed the 3d day of April, 1854.]

SECTION 1. Bridge and road may be commenced before damages to private lands assessed.

Be it enacted by the governor, council, and assembly, as follows:

1. The commissioners to be appointed to expend the sum of three hundred pounds in the erection of a bridge over Barney's river, in the county of Pictou, and to open the new line of road connected therewith, respectively, may proceed to erect the bridge, and to open the road for the use of the public at such time as they shall see fit during the ensuing summer, on the line of road laid out and confirmed, notwithstanding the damages for the land over which the line of road passes may not have been assessed or paid; but the parties entitled to such damages may have the same assessed in the same manner as if the road had not been opened to public use, or the bridge erected.

Bridge and road may be commenced before damages to private lands assessed.

**CHAPTER 61.**

An Act to provide for constructing Bridges at Kenetcook and Saint Croix, in the County of Hants.

[Passed the 31st day of March, 1854.]

**SECTION**

- 1. Members for Hants may contract a loan. Re-payment. Interest.
- 2. Commissioners.

**SECTION**

- 3. Portion of road money to be appropriated.

Be it enacted by the governor, council, and assembly, as follows:

- 1. The members of the county of Hants may borrow, on the pledge of the road monies of the county, and the security of this act, a sum, not exceeding four hundred and fifty pounds, to aid in constructing bridges at Kennetcook and Saint Croix, in the same county; such loan to be re-paid by instalments of one hundred and fifty pounds each, out of the road grants for the three years next, subsequent to the present year, with interest, at a rate not exceeding six per cent., until the whole sum borrowed shall have been repaid. Members for Hants may contract a loan.  
Re-payment.  
Interest.
- 2. The monies borrowed under this act, shall be expended by commissioners, to be appointed by the governor in council. Commissioners.
- 3. The sum of one hundred and fifty pounds, at least, shall be appropriated towards the erection of the bridges above mentioned, out of the road monies of the county of Hants for the present year. Portion of road money to be appropriated.

**CHAPTER 62.**

An Act relating to the Chesley Aboiteau.

[Passed the 31st day of March, 1854.]

**SECTION**

- 1. Water passage may be opened. To be closed in fifteen years.
- 2. Overseers. To be arbitrators.

**SECTION**

- 3. Vacancies.
- 4. Duration of office.
- 5. Bridge to be erected, &c.

Be it enacted by the governor, council, and assembly, as follows:

- 1. Joseph Clark, Thomas W. Chesley, Phineas L. Chesley, Benjamin Chesley, Charles Hill, Jacob H. Troop, and Charles J. Troop, or any of them, within one year after the passing of this act, may open a sufficient water passage through the highway in Granville, at the Chesley aboiteau, so called, for the purpose of overflowing their meadow and swamp lands lying to the northward of the highway, with the tide water from the Annapolis river, and may keep such passage open for fifteen years; when it shall be Water passage may be opened.  
To be closed in fifteen years.

by them, and at heir expence, or that of their heirs, or assignees, owners of such land, closed up, and put in the same condition, for the convenience and use of the public, as it now is.

Overseers.

To be arbitrators.

2. Thomas G. Walker, William Clark, and Benjamin Fellows, shall be a board of overseers to protect the public interest, in reference to such passage across the highway, and also to protect the interests of the individual and collective proprietors of such lands, and to arbitrate and determine all questions of damage to the public interest, by the opening of such passage-way, and also all questions and matters of dispute which may arise, in reference to the undertaking, whether between the public and the collective proprietors of the lands, or between the individual proprietors thereof, or any number of them, and the award or decision of the overseers, given in writing, and signed by any two of them, shall be final and decisive; and all amounts, whether of money or labor, so awarded, may be sued for and collected by the parties entitled thereto as in the case of ordinary debts.

Vacancies.

3. When any vacancy shall occur in the number of the overseers, by resignation, death, or otherwise, the vacancy shall be filled up in the same manner in which town officers are appointed.

Duration of office.

4. The powers vested in the overseers shall continue in operation until the passage shall be closed up, as is enacted by the first section of this act, and the tide-water shut off from the meadow and swamp lands, and all questions pertaining to the undertaking finally settled.

Bridge to be erected, &c.

5. The proprietors of such lands shall, at their own cost and charges, erect and keep in a good state of repair, a good, safe and sufficient bridge over the passage so made until the same shall be closed up, and the highway placed in the same state of repair as at present, and if the public are put to any expense in erecting or maintaining such bridge, or in restoring the highway to its present condition, at the expiration of such period of fifteen years, the expense shall be paid by a rate on such meadow and swamp lands, to be imposed by the nearest commissioner of sewers, in conformity with the present law which regulates the collection of the like rates by commissioners of sewers.

## CHAPTER 63.

### An Act relating to the Court House at Liverpool.

[Passed the 31st day of March, 1854.]

SECTION

1. Old court house may be sold.

SECTION

2. But not the land it stands on.

Be it enacted by the governor, council, and assembly, as follows:

Old court house may be sold.

1. The committee appointed, or to be appointed, by the sessions of Queens county for that purpose shall have power to sell

the building heretofore used as a court house and apply the proceeds to the erection of a new building to be used for a similar purpose; and shall account to the sessions for the disposal of the proceeds.

2. Nothing herein contained shall authorize the committee to sell or convey the land on which the court house stands. But not the land it stands on.

## CHAPTER 64.

An Act to alter certain Electoral Districts in the County of Shelburne.

[Passed the 31st day of March, 1854.]

### SECTION

1. District No. 1, altered.

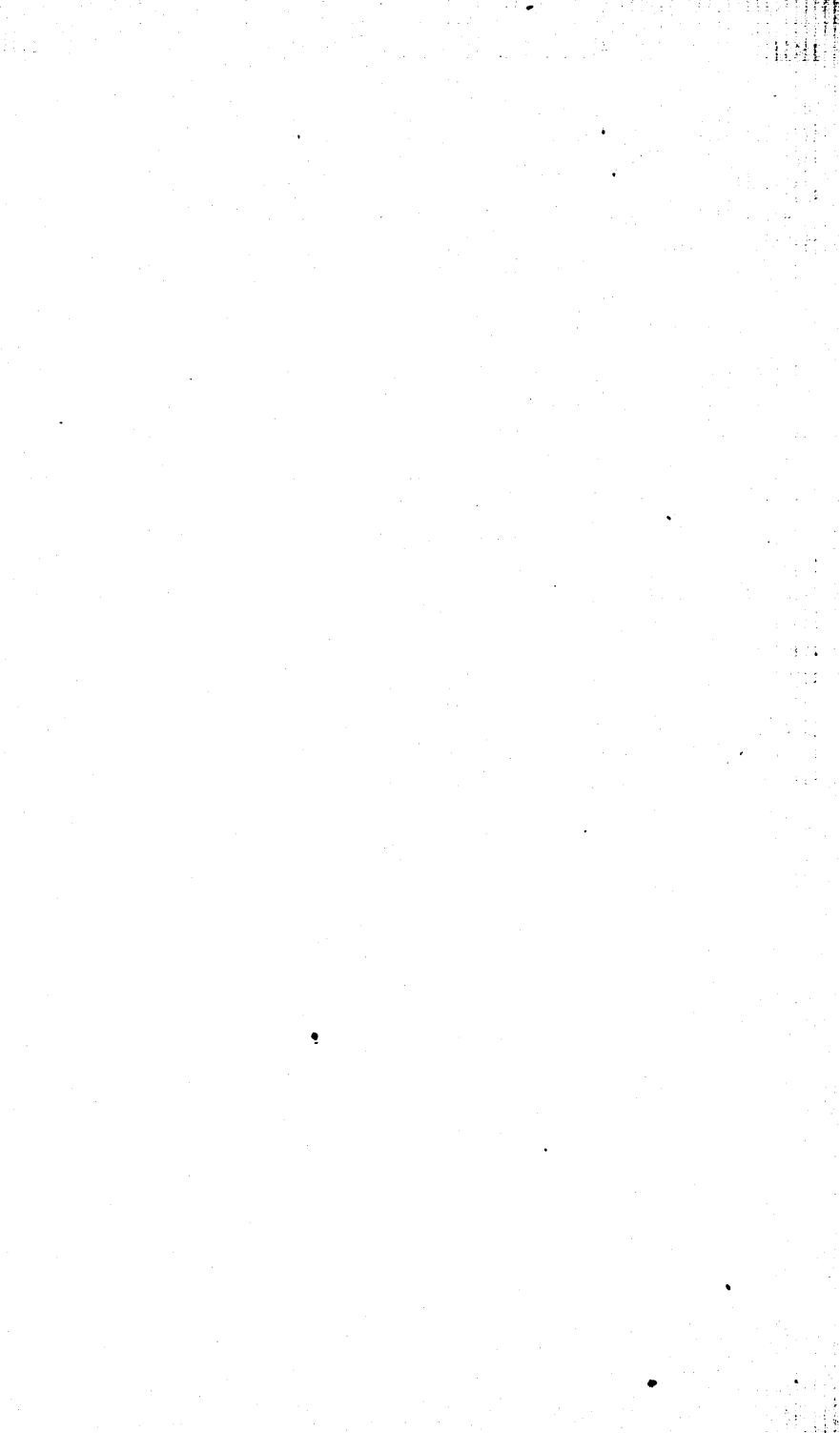
### SECTION

2. Boundary of districts Nos. 2 & 3.

Be it enacted by the governor, council, and assembly, as follows:

1. The electoral district, number one, in the county of Shelburne, shall extend to the east brook, at Birch Town, and embrace the western poor district, as set off by the court of sessions in October term, one thousand eight hundred and fifty-one. District No. 1, altered.

2. The Jordan river shall form the boundary line between districts number two and number three, so that the boundary between such districts shall correspond with the present dividing line between the Ragged Island poor district and the middle district. Boundary of districts Nos 2 & 3.



**PRIVATE ACTS.**





## CHAPTER 65.

## An Act to Incorporate the New Glasgow Steam Boat Company.

[Passed the 31st day of March, 1854.]

## SECTION

1. Names of members.
2. Company may build, &c. one or more steam boats.
3. Capital; shares.

## SECTIONS

4. Real estate limited.
5. Liability of shareholders.
6. Operation—when to commence.

Be it enacted by the governor, council, and assembly, as follows:

1. George McKenzie, William H. Davis, James Fraser, James Carmichael, Roderick MacGregor, and Alexander Fraser, and such other persons as now are or from time to time may become shareholders in the company hereby established, their successors or assigns, shall be a body corporate, by the name of the "New Glasgow steam boat company." Names of members.

2. The company may build, purchase, or employ one or more steam boats, of such size and power as they may see fit, as ferry boat packets or tug boats, in and about the East River and the harbour of Pictou—such boats shall have liberty to touch at every public wharf and landing in the harbour and river, subject to the regulations of the court of sessions. Company may build, &c. one or more steam boats.

3. The capital stock of the company shall be two thousand five hundred pounds, which may be increased from time to time by the bye-laws to any sum not exceeding eight thousand pounds, to be divided into shares of five pounds each. Capital: shares.

4. The company may hold real estate not exceeding the value of one thousand pounds. Real estate limited.

5. No member of the company shall be liable, in his person or separate estate, for a greater amount in the whole than double the sum held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of shareholders.

6. The company shall not go into operation until three hundred shares shall have been subscribed, and the sum of six hundred pounds actually paid in on account thereof. Operation—when to commence.

## CHAPTER 66.

### An Act to Incorporate the Atlantic Mutual Marine Insurance Company.

[Passed the 3rd day of April, 1854.]

**SECTION**

1. Name and business of corporation.
2. Management.
3. Capital; shares.
4. Interest on shares.

**SECTION**

5. Profits—application of.
6. Scrip.
7. Real estate.
8. Loss, mismanagement, liability, &c.

Be it enacted by the governor, council, and assembly, as follows:

Name and business of corporation.

1. George C. Whidden, George H. Starr, Thomas C. Kinnear, Jonathan C. Allison, John Duffus, Nachaniel L. West, Joseph Wier, Robert Boak, junior, and such other persons as are or may become shareholders in the company hereby established, their successors and assigns, shall be a body corporate, by the name of the "Atlantic mutual marine insurance company," for the purpose of carrying on the business of marine insurance.

Management.

2. The business of the company shall be under the management of a president and such number of directors as the company, at any general meeting of the stockholders, shall appoint, and such other officers as may be found necessary.

Capital; shares.

3. The capital of the company shall consist of forty thousand pounds, which shall be divided into one thousand shares of forty pounds each, of which ten pounds per share shall be paid up, and the balance of such capital shall be secured by bonds, with approved sureties.

Interest on shares.

4. After the payment of the annual expenses of the company, the shareholders shall receive interest out of the first profits, at the rate of six per cent. per annum, on the amount of stock actually paid in by them respectively.

Profits—application of.

5. The profits of the company, after the payment of interest to the shareholders, shall be applied as follows, that is to say: one-third thereof to the shareholders, and the remaining two-thirds to those persons who, during the year, shall have insured with the company, in proportion to the amount of premiums actually paid by them respectively; but no such parties insured or policy holders, shall be entitled to participation in the profits of the company, who shall not, during the year, have paid ten pounds at least in premiums to the company.

Scrip.

6. The company shall issue scrip, bearing interest at the rate of six pounds per cent. per annum for the amount of the proportion of profits payable, as well to the shareholders as to the parties insured as aforesaid, and the same shall be redeemable in five years, and shall be transferable by a memorandum of assignment

thereon signed by the holder thereof or his attorney, and countersigned by the president or other officer designated in the bye-laws of the company; but it shall nevertheless be in the power of the company to call in and pay off such scrip within the period of five years; but no party holding such scrip shall be obliged to receive on account thereof a less payment than twenty per cent.

7. The company shall not hold at any time real estate of greater value than five thousand pounds. Real estate.

8. In case of any loss or deficiency which may hereafter occur in the capital or joint stock of the corporation, whether arising from the official mismanagement of the directors or from any other cause, the shareholders, at the time of such loss or deficiency occurring, shall, in their private individual capacities, be respectively liable to make good any such loss or deficiency, so far as may be necessary to discharge any claims or demands against the corporation then existing; but in no case shall any shareholder be liable to pay a sum exceeding the amount of the stock held by him in addition to the amount of such stock. Nothing herein contained shall limit or apply to the liability of the president, directors, or other officers of the company, for official misconduct or mismanagement, or to render any policy holder or party insured liable for the debts of the company in respect of his participation in the profits of the company. Loss, mismanagement, liability, &c.

### CHAPTER 67.

#### An Act to Incorporate "the Union Mutual Marine Insurance Company."

[Passed the 3rd day of April, 1854.]

SECTION	SECTION
1. Name of corporation, its business, &c.	6. Scrip.
2. Management.	7. Real estate.
3. Capital; shares.	8. Risks limited.
4. Interest on shares.	9. Losses, mismanagement, &c., liability.
5. Profits—how applied. Reserve fund.	10. Operation.

Be it enacted by the governor, council, and assembly, as follows:

1. That M. B. Almon, T. C. Kinnear, David Allison, Benjamin Wier, John Strachan, William Stairs, Benjamin W. Salter, J. G. A. Creighton, George P. Mitchell, George H. Starr, William Full, and such other persons as are or may become shareholders of the company hereby established, their successors and assigns, shall be a body politic, by the name of the "union mutual marine insurance company," for the purpose of making assurance against the dangers of the seas and navigation. Name of corporation, its business, &c.

2. The business of the company shall be under the management of a president and six directors; and such other officers as Management.

may be found necessary, and shall be specified in the bye-laws of the company.

Capital; shares.

3. The capital of the company shall consist of forty thousand pounds, which shall be divided into one thousand shares of forty pounds each, of which ten pounds per share shall be paid up, and the balance thereof shall be secured by the bonds of the holders of such shares with approved sureties.

Interest on shares.

4. Out of the first profits of the company the shareholders shall be paid six per cent. interest on the amount of capital paid up on their respective shares.

Profits—how applied.

5. The profits of the company, after the payment of interest to the shareholders, shall be applied as follows: one-third thereof shall belong to the shareholders, to be apportioned among them according to the amount of stock held by them, respectively, and two-thirds of each year's profits shall belong to the parties who shall have insured in the company during that year, according to the amount of premiums actually paid by them, respectively. No such policy holder or party insured shall, however, be entitled to participate in the profits of the company, who shall not have paid ten pounds, at least, in premiums in the course of one year; but such profits shall not be payable to the shareholders or to the parties insured, or policy holders, until after five thousand pounds thereof shall have accumulated: and when the sum of five thousand pounds shall have so accumulated, the same shall be reserved by the directors, to meet the losses of the company; and no part of the capital of the company shall be applied to, or towards the payment of any losses, until such reserved fund shall be expended: and after the sum of five thousand pounds shall have been reserved, as aforesaid, the surplus shall be applied, by the directors, towards the redemption of scrip, as hereinafter mentioned.

Reserve fund.

Scrip.

6. For all sums over ten pounds, reserved as profits, as well to stock holders as policy holders, the company shall issue scrip, redeemable as soon as there shall be funds on hand, after the sum of five thousand pounds shall have been reserved, as aforesaid, and bearing interest at six per cent. per annum, the interest thereon to be paid annually, and to be the next charge on the profits of the company, after the payment of the interest to the shareholders on their paid up stock; the scrip issued from year to year, and then outstanding, shall be paid off,—that first issued being entitled to priority of payment. Where the sums due are less than ten pounds, the parties entitled thereto shall be credited therewith by the company, in a book to be kept for the purpose, and they shall bear the same interest, and be payable at the same time, as if scrip had been issued therefor.

Real estate.

7. The company shall not hold, at any time, real estate of greater value than five thousand pounds.

Risks limited.

8. No greater risk than five thousand pounds shall be taken by the company, at one time, upon any vessel, her cargo and freight.

Losses, mismanagement, &c., liability.

9. In case of any loss or deficiency which may hereafter occur in the capital or joint stock of the corporation, whether arising from

the official mismanagement of the directors, or from any other cause, the shareholders, at the time of such loss or deficiency occurring, shall, in their private individual capacities, be respectively liable to make good any such loss or deficiency, so far as may be necessary to discharge any claims or demands against the corporation then existing; but in no case shall any shareholder be liable to pay a sum exceeding the amount of the stock held by him in addition to the amount of such stock. Nothing herein contained shall limit or apply to the liability of the president, directors, or other officers of the company, for official misconduct or mismanagement, or to render any policy holder, or party insured, liable for the debts of the company, in respect of his participation in the profits of the company.

10. This act shall not go into operation till the union marine insurance company of Nova-Scotia shall have been dissolved. Operation.

## CHAPTER 68.

### An Act to Incorporate the "Nova-Scotia Mutual Marine Insurance Company."

(Passed the 4th day of April, 1854.)

#### SECTION

1. Name of corporation, purpose, &c.
2. Management.
3. Capital; shares.
4. Interest on shares.
5. Profits—application of.

#### SECTION

9. Scrip.
7. Risks limited.
8. Real estate.
9. Loss, mismanagement, &c.

Be it enacted by the governor, council, and assembly, as follows:

1. That the honorable Mather B. Almon, Thomas S. Tobin, Jonathan C. Allison, William Pryor, Junior, Esquires, and such other persons as are or may become shareholders in the company hereby established, their successors and assigns, shall be a body politic, by the name of the "Nova-Scotia mutual marine insurance company," for the purpose of carrying on the business of marine insurance. Name of corporation, purpose, &c.

2. The business of the company shall be under the management of a president, and such number of directors as the company, at any general meeting of the stock holders, shall appoint, and such other officers as may be found necessary. Management.

3. The capital of the company shall consist of forty thousand pounds, which shall be divided into one thousand shares of forty pounds each, of which ten pounds per share shall be paid up, and the balance of such capital shall be secured by bonds with approved sureties. Capital; shares.

4. After the payment of the annual expences of the company, the shareholders shall receive interest out of the first profits, at the rate of six per cent. per annum on the amount of stock actually paid in by them, respectively. Interest on shares.

Profits—appli-  
cation of.

5. The profits of the company, after the payment of interest to the shareholders, shall be applied as follows, that is to say:—one-third thereof to the shareholders, and the remaining two-thirds to those persons who, during the year, shall have insured with the company, in proportion to the amount of premiums actually paid by them, respectively: but no parties so insured, or policy holders, shall be entitled to participate in the profits of the company, who shall not, during the year, have paid ten pounds, at least, in premiums to the company.

Scrip.

6. The company shall issue scrip, bearing interest at the rate of six pounds per cent. per annum for the amount of the proportion of profits, payable as well to the shareholders as to the insurers, and the same shall be redeemable in five years, and shall be transferable by endorsement: but the company shall have power to call in such scrip, and pay the same within that period, if the directors shall think fit to do so.

Risks limited.

7. No greater risk than five thousand pounds shall be taken by the company at one time upon any vessel, her cargo and freight.

Real estate.

8. The company shall not hold, at any one time, real estate of greater value than five thousand pounds.

Loss, misman-  
agement, &c.

9. In case of any loss or deficiency which may hereafter occur in the capital or joint stock of the corporation, whether arising from the official mismanagement of the directors, or from any other cause, the shareholders, at the time of such loss or deficiency occurring, shall, in their private individual capacities, be respectively liable to make good any such loss or deficiency, so far as may be necessary to discharge any claims or demands against the corporation then existing; but in no case shall any shareholder be liable to pay a sum exceeding the amount of the stock held by him, in addition to the amount of such stock. Nothing herein contained shall limit or apply to the liability of the president, directors, or other officers of the company, for official misconduct or mismanagement, or to render any policy holder, or party insured, liable for the debts of the company, in respect of his participation in the profits of the company.

## CHAPTER 69.

### An Act to Incorporate the Clements-Port Wharf Company.

[Passed the 31st day of March, 1854.]

#### SECTION

1. Name of corporation. Real estate.
2. Bye-laws.
3. Management. Capital; shares.
4. Wharves—where to be built, &c.  
Wharffage and dockage.

#### SECTION

5. Names of shareholders to be registered.
6. Who to be deemed shareholders. Votes.
7. Private rights, &c. not affected.
8. Duration of act.

Be it enacted by the governor, council, and assembly, as follows:

1. The following persons residing in the township of Clements, in the county of Annapolis, namely: William Harris, John K. Milner, James Balcomb, Jacob Potter, Isaac Vroom, Ephraim Larkins, William H. Ray, and such other persons as shall become proprietors of shares in the company hereby established, are hereby constituted a body corporate, by the name of "the Clements Port wharf company," and may hold real estate not exceeding in value two thousand pounds.

Name of corporation.

Real estate.

2. The bye-laws of the company shall not come into operation until they have been approved by the court of sessions for the county of Annapolis, nor until they shall have been registered in the office of the registrar of deeds for the county.

Eye-laws.

3. The affairs of the company shall be under the management of a president and such other officers as shall be designated by the bye-laws, and the capital stock of the company shall be limited to two thousand pounds, to be divided into shares of one pound each.

Management.

Capital; shares.

3. The company, when formed, may build a public wharf or wharves at Moose River or Clements Port, Bear River, and Newfoundland creek, upon the land reserved for the use of the public; under a grant passed in the year one thousand eight hundred and three, granting one thousand four hundred and thirty acres of beach and flats in the township of Clements, the southern boundary of which is the line of the Dyson grant: which wharf or wharves shall be open and free for the use of all ships, vessels, and persons, subject to such rates of dockage and wharfage as shall be fixed by the company from time to time, with the approbation of the court of sessions for the county.

Wharves—where to be built, &amp;c.

Wharfage and dockage.

5. The names of all the members of the corporation and the number of shares held by them respectively, shall be registered in the office of the registrar of deeds in the county, in order that it may be publicly known who are the persons composing the corporation; and no transfer of any share in the company shall be effectual until the certificate shall be registered in the same office.

Names of shareholders to be registered.

6. Every person who has actually contributed and paid the sum of one pound or upwards towards the undertaking hereby established, before the passing of this act, shall be deemed a shareholder in the corporation, and be entitled to one share for every pound by him so actually contributed. Every shareholder shall be entitled to one vote for every share held by him.

Who to be deemed shareholders.

Votes.

7. Nothing herein contained shall be construed to interfere with, alter, or affect the rights of her majesty, or any body corporate or private individuals; and nothing herein shall be construed to authorise any interference with mills, wharves, or erections now existing, nor to shut up or prevent the full use of the passage or water-way from Annapolis river up Moose River, and up Newfoundland creek and stream.

Private rights, &amp;c. not affected.

8. This act shall continue in force for twenty years, and thence to the end of the then next session of the general assembly.

Duration of act.



## CHAPTER 70.

## An Act to amend the Act to Incorporate the Nova-Scotia Horticultural Society.

[Passed the 31st day of March, 1854.]

## SECTION

1. 12 Vic. c. 40, and 13 Vic. c. 62, repealed, with exceptions.
2. Capital—shares—votes.
3. Bye-laws, management, &c.

## SECTION

4. Liabilities of old concern not affected.
5. 7 Wm. 4, c. 7, to extend to corporation.

Be it enacted by the governor, council, and assembly, as follows :

Vic. 12 chap. 40  
& Vic. 13 chap.  
62 rep. with ex-  
ceptions.

1. The acts twelfth Victoria, chapter forty, and thirteenth Victoria, chapter sixty-two, in relation to the society, are hereby repealed; but the society and the shareholders therein, notwithstanding such repeal, shall be liable for any debts or obligations contracted under and by virtue of such acts, until the same shall be fully paid off.

Capital; shares;  
votes.

2. The capital or joint stock of the society shall hereafter be three thousand pounds, and shall be divided into shares of twenty-five pounds each, and at any annual or special meeting of the society the proprietor shall be entitled to have a vote for each one of such shares which they may respectively own and have fully paid up.

Bye-laws, ma-  
nagement, &c.

3. A majority of the shareholders present at any general or special meeting, shall have power to make, vary, or alter any bye-laws, rules, and ordinances for the government of the society and the management of its business; and it shall not be necessary to submit the same for the approval of the governor in council.

Liabilities of old  
concern not af-  
fected.

4. Nothing herein contained shall be taken as affecting the lien held upon the property of the society by the parties who have claims thereon for the sum of six hundred pounds, bearing interest, and redeemable in the year one thousand eight hundred and fifty-five.

7 Wm. 4 chap.  
7 to extend to  
corporation.

5. The act seventh William fourth, chapter seven, and the privileges and benefits conferred thereby for the encouragement of the society, shall extend to and be enjoyed and used by the corporation.

## CHAPTER 71.

### An Act to Incorporate the Halifax Marine Railway Company.

[Passed the 31st day of March, 1854.]

## SECTION

1. Name of corporation, its objects.
2. Real estate.
3. Capital.

## SECTION

4. Operation—when to commence.
5. Liability of shareholders.

Be it enacted by the governor, council, and assembly, as follows:

1. Michael Tobin, William B. Fairbanks, Benjamin Wier, Thomas C. Kinnear, John L. Barry, and such other persons as now are or shall hereafter become shareholders in the company herein-after mentioned, are hereby created a body corporate, by the name of the "Halifax marine railway company," for the purpose of erecting and employing a patent slip or other marine railway, in the city of Halifax or its vicinity, for facilitating the repairs of vessels.

Name of corporation; its objects.

2. The company may hold real estate not exceeding in the whole the value of five thousand pounds.

Real estate.

3. The capital stock of the company shall be five thousand pounds, to be divided into shares of fifty pounds each; but whenever it shall become necessary the company may, at any general meeting regularly called, by a bye-law to be sanctioned by the governor in council, increase the capital stock of the company to a sum not exceeding thirty thousand pounds.

Capital.

4. The company may go into operation as soon as fifty shares shall have been subscribed, and one thousand pounds actually paid in to the persons hereinbefore named on account thereof.

Operation—when to commence.

5. No shareholder shall be liable for the debts of the company, in his person or separate estate, for a greater amount in the whole than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account thereof, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

Liability of shareholders.

## CHAPTER 72.

### An Act to Incorporate the Pictou Water Company.

[Passed the 31st day of March, 1854.]

## SECTION

1. Shareholders incorporated.
2. Capital; shares. Operation—when to commence.
3. Shares to be held by one person, limited.
4. Real estate.

## SECTION

5. Opening streets, &c.
6. Capital may be increased. New shares.
7. Liability of shareholders.
8. Water rates may be assessed on streets &c.
9. Operation.

Be it enacted by the governor, council, and assembly, as follows:

Shareholders  
incorporated.

1. Alexander Peter Ross, James Fogo, William James Anderson, and all other persons who shall become shareholders in the corporation hereby established, their successors and assigns, are created a body politic, by the name of "the Pictou water company," for the purpose of supplying the town of Pictou with water.

Capital; shares.  
Operation—  
when to com-  
mence.

2. The capital stock shall be three thousand pounds, to be divided into six hundred shares of five pounds each; and the corporation may go into operation when two thousand pounds shall be subscribed, and six hundred pounds shall be paid up.

Shares to be  
held by one  
person, limited.

3. No person shall take more than one hundred shares, till after public notice, for the period of thirty days, shall have been given in the newspapers of Pictou, that a book has been opened for subscription for shares in the company.

Real estate.

4. The corporation may hold real estate to the extent of five thousand pounds.

Opening streets  
&c.

5. The company may open, and keep open for a reasonable time, the streets and roads of Pictou, and place pipes thereunder, and place and erect hydrants therein, and place thereon such other erections and other appurtenances as may be necessary for supplying the inhabitants of the town of Pictou with water; but the company shall not break up or open any road or street, until after ten days notice shall have been given to the commissioners of streets of the town of Pictou; and the company shall carefully close up and repair the said streets and roads at their own cost and charges, and if they shall neglect to do so, or shall do so insufficiently, the commissioners may recover from the company, in an action for work and labor done for them, all expense incurred by such commissioners in making or perfecting such repairs, with costs.

Capital may be  
increased.

New shares.

6. The company may, at any of its general meetings, increase the stock to any extent not exceeding three thousand pounds; and the new shares shall be sold at public auction, after notice in the public newspapers of Pictou for at least thirty days: and any profit or premium thereon shall be divided rateably amongst the proprietors of shares, including as well those of the original as of the increased capital.

Liability of  
shareholders.

7. No member of the corporation shall be liable, in his person or separate estate, for a greater amount, in the whole, than double the amount of stock held by him, deducting any sum paid by him to the company on account of such stock, unless he shall have become surety for the debts of the company.

Water rates  
may be assessed  
on streets, &c.

8. When the majority of householders in any street, block, or square in the town of Pictou, or a majority of a meeting of the inhabitants of the said town, called for that purpose, shall desire that such street, block, square, or town may be furnished with public hydrants on any of the streets thereof, and the company shall agree to provide the same, the sessions shall cause a fair rate to be made on the said street, block, square, or town, by three sworn appraisers, to be appointed and sworn by the said court; and when the same shall be returned and approved of by the justices in session, they shall order such street, block, square, or town, to

be supplied with water by such hydrants, and the company shall be entitled to recover the amount of the rates imposed on each of the householders within such street, block, square, or town.

9. If the company shall not go into operation within five years, this act shall be of no effect.

CHAPTER 73.

An Act to Incorporate the Liverpool Steam Boat Company.

[Passed the 31st day of March, 1854.]

SECTION

- 1. Shareholders to be a body corporate.
- 2. Steam Boats.
- 3. Capital; shares.
- 4. Real estate.

SECTION

- 5. Liability of Shareholders.
- 6. Operation of act.
- 7. To commence within two years.

Be it enacted by the governor, council, and assembly, as follows:

1. James Park, John Boyd, Edward Dawson, and Francis O'Neil, and such other persons as now are or shall, from time to time, become shareholders in the company hereby established, their successors and assigns, shall be a body corporate, by the name of "the Liverpool steam boat company." Shareholders to be a body corporate.

2. The company may build, purchase, and employ one or more steam boats, of such size and power as they may see fit, as ferry boats, packets, freight boats, or tug boats. Steam Boats.

3. The capital stock of the company shall be one thousand five hundred pounds, which may be increased, from time to time, by the bye-laws, to any sum not exceeding five thousand pounds, to be divided into shares of five pounds each. Capital; shares.

4. The company may hold real estate not exceeding the value of one thousand pounds. Real estate.

5. No member of the company shall be liable, in his person or separate estate, for a greater amount in the whole than double the stock held by him, after deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company. Liability of shareholders.

6. The company shall not go into operation until one hundred shares shall have been subscribed, and three hundred pounds actually paid in on account thereof. Operation of act.

7. If the company shall not go into operation within two years, this act shall become void. To commence within 2 years.

## CHAPTER 74.

## An Act to Incorporate the Roman Catholic Bishop in Arichat.

[Passed the 31st day of March, 1854.]

## SECTION

1. Name of corporation—object of.
2. Real estate.
3. Persons holding real estate for benefit, &c. may convey to corporation.

## SECTION

4. Leases.
5. Incapacity of the bishop.
6. Rights of her majesty, &c. not affected.
7. Ecclesiastical jurisdiction.

Be it enacted by the governor, council, and assembly, as follows :

Name of corporation—object of.

1. The right reverend Colin F. McKinnon, and his successors, being the Roman catholic bishops, from time time, of the diocese of Arichat, in Nova-Scotia, and being natural born or naturalized subjects of her majesty, shall be a body corporate. by the name of "the Roman catholic episcopal corporation of Arichat," for the purpose of holding real estate within the counties of Pictou, Sydney, Guysborough, Inverness, Victoria, Cape Breton, and Richmond, for religious purposes.

Real estate.

2. The corporation may hold real estate for the eleemosynary, ecclesiastical, and educational uses of the Roman catholic church within the diocese, or of any portion thereof, not to exceed the annual value of four hundred pounds in each of the counties above enumerated; but the funds or property belonging to or held in trust for one county or parish shall not be expended for the benefit of any other county or parish.

persons holding real estate for benefit, &c. may convey to corporation.

3. Persons now or hereafter holding real estate within the counties enumerated, in trust or otherwise, for the benefit of the Roman catholic church or institutions in such counties, may, from time to time, convey the same to the ecclesiastical corporation hereby established, to be held by him for the same uses or trusts.

Leases.

4. The corporation shall not sell such real estate, but may demise the same or any part thereof by lease, under the corporate seal, and signed by the bishop, his vicar general and another Roman catholic clergyman within the diocese; or, in the absence or other incapacity of the vicar general, by two Roman catholic clergymen within the diocese; but such lease shall not be for a longer period than twenty-one years, nor wholly nor in part in consideration of a sum in gross, nor without impeachment of waste, but the full rent shall be reserved and payable annually or at shorter periods to the corporation for the time being; and any lease made contrary to the provisions of this section shall be utterly void.

Incapacity of the bishop.

5. In case the present bishop, or his successors, being such body corporate, shall be incapacitated from performing his duties within the diocese, then his vicar general, or the clergyman administering the affairs of the diocese, being natural born, or natu-

ralized subjects of her majesty, shall exercise the powers conferred by this act.

6. Nothing herein contained shall be construed to affect the rights of her majesty, or of any body corporate, or private individuals, or of any church wardens, or auditors of accounts in any Roman catholic church or chapel within the diocese, further than is herein expressly provided. Rights of her majesty, &c. not affected.

7. Nothing in this act shall be construed to confer ecclesiastical jurisdiction upon the corporation hereby established. Ecclesiastical jurisdiction.

## CHAPTER 75.

### An Act to authorize the dissolution of the Nova-Scotia Marine Insurance Company.

[Passed the 31st day of March, 1854.]

#### SECTION 1. Dissolution—how to be affected.

Be it enacted by the governor, council, and assembly, as follows :

1. It shall be lawful for the stockholders of the Nova-Scotia marine insurance company to dissolve that company at a general meeting to be called for the purpose, twenty days notice of which meeting shall be given, which notice shall express the object thereof—provided a majority of the shareholders, present at such meeting, shall deem such dissolution expedient, and shall pass a resolution to that effect, which resolution shall express a day on which such dissolution shall take place, on which day the said company shall cease ; but the board of directors, and officers, shall continue in office as long as it shall be necessary to wind up the affairs of the company ; and all corporate powers, necessary for this purpose, shall remain in force until the whole affairs of the company shall be settled, and its business closed ; and the said directors shall, without delay, collect the assets, pay the liabilities of the company, and distribute the residue among the shareholders according to their respective shares and interest in the said company. Dissolution—how to be affected.

## CHAPTER 76.

### An Act to Incorporate the Trustees of the Baptist Meeting House at Hantsport.

[Passed the 31st day of March, 1854.]

#### SECTION

1. Name of corporation. Rent and personal estate.

#### SECTION

2. Real estate vested in trustees.  
3. Powers of Trustees.

Be it enacted by the governor, council, and assembly, as follows :

Name of corporation.

1. The present trustees for managing the affairs of the baptist meeting house at Hantsport, in the county of Hants, that is to say : Kendal Holmes, Robert Davison, Edward Davison, William Davison, Daniel W. Falkner, and their successors in office, to be elected according to the rules of the church, are created a body corporate, by the name of "the trustees of the baptist meeting house at Hantsport," and may purchase, take, and hold real and personal estate, and improve and use the same for the benefit of such meeting house; but they shall not hold, at any one time, real estate to a greater amount than two thousand pounds.

Rent and personal estate.

Real estate vested in trustees.

2. All the real estate in which the congregation may be interested is hereby vested in the trustees, saving to all parties interested in such real estate their present legal rights.

Powers of trustees.

3. The trustees may sell, mortgage, or lease the real estate in which such congregation may be interested; but whenever any sale, mortgage, or lease of such real estate shall be intended, thirty days public notice shall be given in the meeting house on some Sabbath day, immediately after divine service, of a meeting of the congregation, to consider such proposition; and no such sale, mortgage, or lease, shall be valid, unless sanctioned by a majority of those of such congregation present at the meeting so called, and a declaration that such majority have given such sanction entered on the minutes of the meeting, shall be presumptive evidence of the fact.

**CHAPTER 77.**

**An Act to Incorporate the Truro Temperance Hall Company.**

[Passed the 31st day of March, 1854.]

SECTION

- 1. Name and purpose of company.
- 2. Real estate; capital; shares.

SECTION

- 3. Liability of members.

Be it enacted by the governor, council, and assembly, as follows:

Name and purpose of company

1. Charles Tucker, Hiram Hyde, George Reading, Charles Blanchard, and such other persons as are now, or hereafter may become, shareholders in the company hereby established, their successors and assigns, are created a body corporate, by the name of "the Truro temperance hall company," for the purpose of erecting a temperance hall at Truro, in the county of Colchester.

Real estate; capital; shares.

2. The company may hold real estate, not exceeding in value two thousand pounds; and the capital stock of the company shall be limited to two thousand pounds, to be divided into shares of five pounds each.

Liability of members.

3. No member of the company shall be liable, in his person or separate estate, for a greater amount, in the whole, than double the amount of the stock held by him, deducting therefrom the amount actually paid to the company on account of such stock, unless he shall have rendered himself liable for a greater amount by becoming surety for the debts of the company.

## CHAPTER 78.

## An Act to Incorporate a Company to establish a Steam Boat Ferry across the Harbor of Pictou.

[Passed the 31st day of March, 1854.]

## SECTION

1. Shareholders incorporated; object of corporation.
2. Capital; shares; operation.
3. Boats—where to run.
4. Real estate.

## SECTION

5. Privileges of company; time of running boats.
6. Discontinuing running.
7. Fares.
8. Liability of shareholders.
9. Operation—when to commence.

Be it enacted by the governor, council, and assembly, as follows:

1. John Curry, Samuel Taylor, James Crichton, Daniel Dickson, William Gorden, Daniel Hockin, J. W. Dawson, and such other persons as now are, and shall hereafter become, shareholders in the company hereby established, their successors and assigns, shall be a body corporate, by the name of "the Pictou steam ferry-boat company," for the purpose of establishing an efficient communication between the town of Pictou and Fisher's Grant, on the south side of the harbor of Pictou.

Shareholders incorporated; object of corporation.

2. The capital stock of the company shall be three thousand pounds, to be divided into six hundred shares of five pounds each, and may be increased, if necessary, by a vote of the company, to a sum, not to exceed five thousand pounds, but the company may go into operation so soon as two thousand pounds are subscribed, and six hundred pounds actually paid on account thereof.

Capital; shares; operation.

3. The boat or boats of the company shall run from the public landing at the foot of Colrairie street, in the town of Pictou, to the public landing at Fisher's Grant, with liberty to touch at every public wharf and landing in the harbor of Pictou, subject to the regulations of the sessions.

Boats—where to run.

4. The company shall not hold real estate to a greater value than the sum of three thousand pounds.

Real estate.

5. As soon as the company shall procure a good steam ferry-boat, sufficient for the safe transportation of passengers, carriages, horses, cattle, and other property, and shall commence to run the same regularly from the town of Pictou to Fisher's Grant, agreeably to the provisions of this act, at least once an hour, from six of the clock in the morning to eight of the clock in the evening, from the first day of May to the last day of September; and from seven of the clock in the morning to six of the clock in the evening during the remainder of the year; they shall have and enjoy the sole and exclusive right of steam ferrying between these places for the term of ten years thence next ensuing, during the hours and times herein specified,—but such hours may be regulated by order of the governor in council.

Privileges of company; time of running boats.



Discontinuing running-

6. If the company shall discontinue to run their boat on the ferry, for the space of one month at one time, during the open navigation of the harbor, unless prevented by unavoidable accident, the sole and exclusive right or privilege to carry on such ferry, shall cease and determine.

Fares.

7. The rates of ferriage and freight shall be fixed and determined, from time to time, by the company; but the same shall not at any time exceed the sum of four pence for each adult passenger, and two pence for children under twelve years of age; one shilling for each horse, cow, steer, heifer, or bull; two pence for each sheep or pig; one shilling and six pence for each carriage, wagon, or other vehicle with horse; and the rate of one penny for every hundreded weight of other property: provided that the governor in council may, from time to time, by an order in council, authorize the rates of ferriage and freight, or either of them, to be increased or diminished to such an amount as to them may seem advisable.

Liability of shareholders.

8. No shareholder shall be liable, on account of the debts of the company, for a greater amount than double the amount of the stock held by him, deducting therefrom the amount paid to the company on account of such stock, unless he shall have rendered himself liable therefor, by becoming security for the debts of the company to a greater amount.

Operation—when to commence.

9. If the company shall not go into operation within two years, this act shall be void.

**CHAPTER 79.**

**An Act to authorize the sale of the old Presbyterian Meeting House at Tatamagouche.**

[Passed the 31st day of March, 1854.]

**SECTION 1. Committee to sell—how appointed.**

Be it enacted by the governor, council, and assembly, as follows:

Committee to sell—how appointed.

1. A majority of the proprietors of the old presbyterian meeting house at Tatamagouche, in the county of Colchester, present at any meeting held, after public notice thereof given in three of the most public places of Tatamagouche, at least ten days previously, may appoint a committee of three of their number to make sale of the meeting house, and the committee shall sell the same conformably to the directions given at the meeting, and cause the removal thereof; and shall apply the proceeds arising from such sale to and among the proprietors of such meeting house, in the proportions in which such proprietors are justly entitled to the same.

## CHAPTER 80.

An Act to revive and continue the Act to Incorporate the Avon Marine Insurance Company.

[Passed the 3rd day of April, 1854.]

SECTION 1. Act revived for three years.

Be it enacted by the governor, council, and assembly, as follows :

1. The act to incorporate the Avon marine insurance company is hereby revived and continued for three years. Act revived for three years.

## CHAPTER 81.

An Act to Naturalize the Reverend John Goudot, and others therein named.

[Passed the 31st day of March, 1854.]

SECTION 1. Names of persons naturalized.

Be it enacted by the governor, council, and assembly, as follows :

1. The reverend John Goudot, Roman catholic clergyman, at present residing in the county of Yarmouth; John B. Philips, of Halifax, piano forte manufacturer; Samuel Gamage, of LaHave, in the county of Lunenburg, merchant; and Gregory Mayhew, of Shelburne, in the county of Shelburne, yeoman, as soon as they shall, respectively, take and subscribe the oath of allegiance, in manner prescribed by chapter thirty-two of the revised statutes, shall, within this province, become naturalized subjects of her majesty, entitled to all the rights conferred by the act of the imperial parliament, passed in the tenth and eleventh year of her majesty's reign, entitled, "an act for the naturalization of aliens." Names of persons naturalized

## CHAPTER 82.

An Act respecting the Presbyterian Meeting House at Upper Stewiacke.

[Passed the 31st day of March, 1854.]

SECTION

1. Committee to sell.

SECTION

2. Meeting to be attended by majority of proprietors.

Be it enacted by the governor, council, and assembly, as follows :

Committee to  
sell.

1. A majority of the proprietors of the presbyterian meeting house at Upper Stewiacke, in the county of Colchester, present at any meeting held, after public notice thereof given in three of the most public places within the settlement, at least ten days previously, may appoint a committee of three of their number to make sale of the meeting house, and the committee shall sell the same conformably to the instructions given at the meeting, and cause the removal thereof, and shall apply the proceeds as directed by the meeting.

Meeting to be  
attended by  
majority of  
proprietors.

2. No meeting shall be valid for the purposes of this act unless a majority of the proprietors are present; and nothing herein contained shall authorize the sale of the land on which the building stands.