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THE  
**STATUTES AT LARGE,**  
PASSED IN THE SEVERAL *H-1861*  
**GENERAL ASSEMBLIES**

HELD IN  
**HIS MAJESTY'S PROVINCE OF NOVA-SCOTIA:**

FROM

The **SIXTH** SESSION of the **EIGHTH** GENERAL ASSEMBLY,

Which met at HALIFAX, the twenty-eighth Day of November, in  
the forty-sixth year of His Majesty's Reign, A. D. 1805,  
being the fifty-fifth Session of the GENERAL ASSEMBLY;

TO

The fifty-sixth year of His Majesty's Reign, inclusive;

**WITH AN INDEX.**

PUBLISHED BY ORDER OF THE GOVERNOR, COUNCIL AND HOUSE OF ASSEMBLY.

**VOL. II.**

BY

**HENRY H. COGSWELL.**



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PRINTED by JOHN HOWE, SON & Co. Printers to the KING's Most Excellent Majesty.

1816.

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**A T A B L E**  
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**THE TITLES OF THE STATUTES,**  
*Which are published at large in this Volume.*

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# I N D E X

T O

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T O  
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O F  
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*From Forty-Sixth to Fifty-Sixth George III. both inclusive.*

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At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on the Twentieth day of February, Anno Domini, 1800, and continued by several Prorogations to Thursday the Twenty-Eighth day of November, 1805; in the Forty-sixth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. being the Sixth Session of the Eighth General Assembly, convened in the said Province.\*

\* In the time of Sir John Wentworth, Baronet, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; William Cottnam Tonge, Speaker; James Gautier, Secretary of Council; and James B. Francklin, Clerk of Assembly.

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### CAP. I.

An ACT for applying certain Monies therein mentioned for the service of the year One Thousand Eight Hundred and Four, and the year One Thousand Eight Hundred and Five, and for appropriating such part of the Supplies granted in the last and present Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province.

Executed.

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### CAP. II.

An ACT to revive, and continue in force, the several Revenue Laws, for the support of His Majesty's Government in this Province.

Expired.

## CAP. III.

An ACT in addition to, and in amendment of, an Act, made and passed in the thirty-ninth year of His present Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be Licensed to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops.

Vide Vol. 1,  
page 411.

Preamble.

**W**HEREAS, it is expedient that the Clerks of the Licences, in the several Counties and Districts of this Province, should be obliged to give good and sufficient security for the diligent and faithful discharge of the duties of that Office, and no provision is made by the said Act to enable the Justices, in their General Sessions of the Peace, to require such Security to be given:

Clerks of  
Licences to  
give Bonds.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the publication hereof, the Clerks of the Licences, hereafter to be appointed, shall, before they enter on the duties of their office, give bond to His Majesty, and his successors, with two good and sufficient sureties, for the faithful discharge thereof; which bond shall be made out by the Clerk of the Sessions, who shall, and is hereby entitled to, receive two shillings and six-pence for the writing such bond.

Allowance  
to Clerk of  
Sessions, for  
drawing  
Bond.

Appointment  
of Clerk of Li-

II. And be it further enacted, That the Grand Juries in the different Counties and Districts of this Province, the District of Halifax excepted, shall, annually, at the Sessions of the Peace, when the Town Officers are usually appointed, nominate three fit and proper persons to fill such Office; one of whom the Justices in their said Sessions, shall appoint Clerk of the Licences for such County, or District, for the year then next ensuing, who shall be sworn, and give bond as aforesaid.

## CAP. IV.

Vol. 1, 411, 430

An ACT to continue an Act, made and passed in the thirty-ninth year of His present Majesty's reign, entitled, An Act for raising a Revenue to repair Roads throughout the Province, by laying a Duty on persons hereafter to be licensed to keep Public Houses or shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops. Also, the Act, passed in the fortieth year of His Majesty's reign in amendment of the above-recited Act; and, also, an Act, passed in the forty-first year of His Majesty's reign, entitled, An Act in addition to, and amendment of, the above-recited Act.

Expired.

CAP. V.

An ACT to revive and continue an Act, passed in the thirty-second year of His present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares, and Merchandise, imported into this Province; and, also, the Act, in amendment thereof, passed in the forty-first year of His present Majesty's reign, entitled, An Act to alter, amend, and continue, an Act, made and passed in the thirty-second year of His present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise, on all Goods, Wares and Merchandise, imported into this Province. Expired.

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CAP. VI.

An ACT to encourage the fitting out of Vessels in this Province, for carrying on the Bank and Cod Fisheries. Executed.

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CAP. VII.

An ACT to revive, and continue, an Act, made and passed in the twenty-ninth year of His present Majesty's reign, entitled, An Act for the better support of the Poor in the respective Counties of this Province, by laying an Impost Duty on articles imported into this Province from the United States of America. Expired.

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CAP. VIII.

An ACT to revive and continue an Act, made and passed in the thirty-fourth year of His present Majesty's reign, entitled, An Act to provide for the Grammar School in Halifax, and for other public purposes therein contained. Expired.

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C. IX-X-XI-XII-XIII. Anno quadagesimo sexto GEORGE III. 1805.

CAP. IX.

Executed.

An ACT for granting Two Thousand Pounds for the encouragement of the Agriculture of this Province.

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CAP. X.

Expired.

An ACT in addition to, and amendment of, an Act, made in the fortieth year of His present Majesty's reign, entitled, An Act in further addition to, and for altering and amending, an Act, passed in the thirty-fifth year of His present Majesty's reign, entitled, An Act to amend, and reduce into one Act, the several Laws now in being relating to a Militia in this Province.

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CAP. XI.

Expired.

An ACT to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

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CAP. XII.

Expired.

An ACT to continue in force the several Acts therein mentioned.

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CAP. XIII.

Vide Post 47  
Geo. III. cap.  
XI.

An ACT for establishing a Circuit Court in the County of Lunenburg, and District of Pictou, and for amending the several Acts now in force relative to the Circuit Courts.

Sitting of Supreme Court at Lunenburg and Pictou.  
48th Geo. cap. XVI.

**B**E it enacted by the Lieutenant-Governor, Council, and Assembly, That a Sessions of the Supreme Court shall be held annually at Lunenburg, in the County of Lunenburg, on the second Tuesday of August; and at Pictou, in the District of Pictou, on the second Tuesday in June, and shall not sit longer at either place than five days.

Supreme Circuit Court.

II. *And be it further enacted,* That the Circuit Courts in the Counties of Hants, King's County, Annapolis, and Cumberland, and in the District of Colchester, shall, in future, be held on the respective days following, that is to say—At Windsor on the third Tuesday of September; at Horton on the fourth Tuesday of September; at Annapolis on the Tuesday next after

after the sitting at Horton ; at Truro on the first Tuesday of June ; and at Amherst, in the County of Cumberland, on the third Tuesday in June : any law, usage or custom, to the contrary notwithstanding.

III. *And be it further enacted*, That, from and after the passing of this Act, the Inferior Courts of Common Pleas, and General Sessions of the Peace, for the said Districts of Colchester and Pictou, shall respectively hold their second sittings in each year, upon the day after the adjournment of the Supreme Court ; and that the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Cumberland, shall hold their first sittings in every year, upon the day after the adjournment of the Supreme Court at Amherst ; and that the Grand and Petit Juries returned for the Supreme Court in the Districts and County aforesaid, shall respectively serve for the said Inferior Courts of Common Pleas, and General Sessions of the Peace for the Districts and County aforesaid, in like manner as if they had been summoned for the same ; and that such writs as may have been, or shall be, issued, returnable to any of the said Courts, shall be returned on the respective days herein before appointed for the sitting of such Courts ; and all such writs, hereafter to be issued, shall be made returnable on the first day of such sittings respectively, and the parties shall be bound to appear in Court accordingly.

IV. *And be it further enacted*, That the Chief Justice, and Assistant Justices, of His Majesty's Supreme Court, who shall travel and serve on any of the Circuit Courts, shall be severally allowed One Pound Three Shillings and Four Pence, per day, for their travelling expences, to commence on the day of leaving their respective homes, or places of abode, and to end four days after the adjournment of the Court at the last place where the sittings shall be held in the Spring, August and Autumn, Circuits respectively.

V. *And be it further enacted*, That in the absence of the Chief Justice, the Supreme Courts in each and every of the Counties and Districts\* in which they may by law sit, may be held by one of the Assistant Justices of the said Court, and such person or persons being a Justice of the Common Pleas, or of the profession of the Law, as the Governor, Lieutenant-Governor, or Commander in Chief for the time being, may, by advice of Council, associate and commission, from time to time, for that purpose ; any law, usage or custom, to the contrary notwithstanding.

Sittings of the Inferior Court of Common Pleas at Colchester, Pictou, and Cumberland.

Of Jurors.

Of Writs.

Allowance of Justices going the Circuit.

Absence of the Chief Justice at a Sitting of the Supreme Court in a County or District of the Province.  
\*Vide 50 Geo. III. cap. XV.

## CAP. XIV.

### An ACT for altering the time of holding the Courts of Common Pleas, and General Sessions of the Peace, in the Counties of Annapolis and King's County.

**W**HEREAS, the holding the said Courts of Common Pleas, and General Sessions of the Peace, on the first Tuesday of April in the Town of Annapolis, hath been found inconvenient :

I. For remedy whereof, *Be it enacted*, by the Lieutenant-Governor, Council, and Assembly, That the said Court of Common Pleas, and General Sessions of the Peace, shall, in future, be held in the said Town of Annapolis, on the third Tuesday of April, instead of the said first Tuesday of April, any law, usage or custom, to the contrary notwithstanding.

II. *And be it further enacted*, by the authority aforesaid, That the said Courts of Common Pleas, and General Sessions of the Peace, for the said County of King's County, shall, in future

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Preamble.  
Time of holding Court of Common Pleas at Annapolis and King's County.  
Court of Common Pleas to be held at Horton for King's County.

be held at Horton, in the said County, on the second Tuesday of April, and second Tuesday of October, in every year ; any law, usage or custom, to the contrary, in anywise, notwithstanding.

## CAP. XV.

### An ACT for the further regulation of Inferior Courts, and Special Jurors.

Preamble.

**W**HEREAS, *the adjournment of the Inferior Courts of Common Pleas, and Courts of General Sessions of the Peace, to distant days, is often attended with inconvenience, and it is expedient to limit such Courts to terms :*

Sittings of Inferior Courts limited.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the publication hereof, the respective Sessions of the Inferior Courts of Common Pleas, and General Sessions of the Peace, shall not exceed the term of ten days, except at Halifax, for the County of Halifax, where the Court, and General Sessions of the Peace, may be kept open fourteen days from the commencement thereof, and shall be adjourned, from time to time, as the business to be done at such Courts respectively, during each term, shall appear to require ; and that in each and every Special Sessions of the Peace which may by law be held, the particular business for which such Special Sessions shall have been called, (and which shall always be specified and declared at the call thereof ) shall only be done and transacted, any law or usage to the contrary notwithstanding.*

Special Jurors.

II. *And be it further enacted, That Special Jurors shall be entitled to receive two shillings and six pence each, in every cause, and no more, and that all Special Jurors, duly summoned, who shall make default, shall be liable to the same fines and forfeitures as Petit Jurors are by Law liable for delinquency.*

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on the Eighteenth day of November, 1806, in the Forty-seventh year of the Reign of our Sovereign Lord GEORGE the Third, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. being the First Session of the Ninth General Assembly, convened in the said Province.\*

\* In the time of Sir John Wentworth, Baronet, Lieutenant-Governor; S. S. Blowers, Esq. Chief Justice and President of Council; Lewis M. Wilkins, Esq. Speaker of the Assembly; James Gautier, Secretary of Council; and James B. Francklin, Clerk of Assembly.

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CAP. I.

An ACT for applying certain Monies therein mentioned for the service of the year One Thousand Eight Hundred and Six, and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province. Executed.

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CAP. II.

An ACT to regulate the Expenditure of Monies, hereafter to be appropriated, for the Service of Roads and Bridges. Expired.

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CAP. III.

An ACT to encourage the raising of Bread Corn on new Lands. Executed.

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CAP. IV.

An ACT to encourage the Fisheries of this Province, by granting a Bounty on the importation of Salt. Executed.

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CAP.



## CAP. V.

Executed  
An ACT for granting a Bounty on Dry Cod and Scale Fish, exported to his Majesty's Islands, Colonies, and Plantations in the West-Indies.

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## CAP. VI.

Expired.  
An ACT to continue in force the several Revenue Laws for the support of his Majesty's Government in this Province.

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## CAP. VII.

Expired.  
An ACT to continue an Act, made and passed in the Thirty-fourth year of his present Majesty's reign, entitled, An Act to provide for the Grammar School in Halifax, and for other public purposes therein contained.

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## CAP. VIII.

Expired.  
An ACT to continue an Act, passed in the Thirty-second year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares, and Merchandise, imported into this Province; and also, the Act, in amendment thereof, passed in the Forty-first year of his present Majesty's reign, entitled, An Act to alter, amend, and continue an Act, made and passed in the Thirty-second year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

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## CAP. IX.

An ACT to continue an Act, made and passed in the Thirty-ninth year of his present Majesty's reign, entitled, An Act for raising a R evenue to repair the roads throughout the Province, by laying a duty on persons hereafter to be licensed to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops ; also, the Act, passed in the Fortieth year of his Majesty's reign in amendment of the above recited Act ; also, an Act, passed in the Forty-first year of his Majesty's reign, entitled, an Act in addition to, and amendment of the above recited Act ; and also, the Act passed in the Forty-sixth year of his Majesty's reign, entitled, an Act in addition to, and in amendment of the above recited Act.

Expired.

## CAP. X.

An ACT to continue an Act, made and passed in the Twenty-ninth year of his present Majesty's reign, entitled, An Act for the better support of the Poor, in the respective Counties of this Province, by laying an Impost Duty on articles imported into this Province from the United States of America.

Expired.

## CAP. XI.

An ACT in addition to and amendment of an Act, made in the Forty-sixth year of his present Majesty's reign, entitled, An Act for establishing a Circuit Court in the County of Lunenburg, and District of Pictou, and for amending the several Acts now in force, relative to the Circuit Courts.

**W**HEREAS *the Inferior Court of Common Pleas, and Sessions of the Peace, for the District of Pictou, in their Winter term, is now holden on the third Tuesday of January ; which time is found to be inconvenient, by reason that the Ice, at that season, is not sufficient for persons to cross the harbours and rivers in the said District to attend the said Court :*

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the Inferior Court of Common Pleas, and Court of Sessions of the Peace, for the District of Pictou, in their Winter term, shall be holden at the Town Plot of Pictou, on the first Tuesday of February, instead of the said third Tuesday of January, hereafter.*

Times of holding Inferior Court and Sessions of Peace at Pictou.

## C. XII-XIII-XIV. Anno quadragesimo septimo GEORGE III. 1806.

*And whereas, the Inferior Courts of Common Pleas, by the said Act sit in the said Districts of Colchester and Pictou, on the day after the adjournment of the Supreme Court in June; which has been found inconvenient in both the said Districts:*

Inferior Court  
to sit at Truro  
1st Tuesday  
July, and at  
Pictou 4th  
Tuesday July.

II. *Be it therefore enacted,* That the said Inferior Courts of Common Pleas, shall be holden in the said Districts, in their Summer Term, at the times following, *that is to say,* at Truro, for the District of Colchester, on the first Tuesday of July, and at the said Town Plot of Pictou, for the District of Pictou, on the fourth Tuesday of July, hereafter.

## CAP. XII.

Expired.

An ACT to continue in force the several Acts therein mentioned.

## CAP. XIII.

411.

An ACT in further amendment of an Act, made and passed in the Thirty-ninth year of His Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on persons hereafter to be licenced to keep Public Houses or Shops, for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops.

Licence Money  
collected out of  
the bounds of  
Halifax, to be  
paid into the  
Treasury, and  
applied on  
Roads where  
collected.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, to cause the Licence money, which shall hereafter be collected out of the bounds of the Township of Halifax, by the Clerk of the Licenses for the County of Halifax, and paid by him into the Treasury of the Province, pursuant to the directions of the said Act, to be applied to the repair of the public Roads, within the Township or Place, wherein such money shall have been collected. Any thing in the said Act, to the contrary thereof notwithstanding.

## CAP. XIV.

Expired by the  
death of Annui-  
tant.

An Act for granting an Annuity to John Newton, Esq. one of the Collectors of Impost and Excise, for the District of Halifax.

CAP.

CAP. XV.

An ACT in further addition to, and amendment of an Act, made in the second year of his present Majesty's Reign, entitled, An Act for the appointment of Firewards, ascertaining their duty, and for punishing Thefts and Disorders at the time of Fire.

WHEREAS it having been found necessary to provide more than two Fire-Engines for the Town of Halifax, it becomes expedient to increase the number of Engine Men :

Preamble.

I. Be it therefore enacted by the Lieutenant-Governor, Council and Assembly, That it shall be lawful for the Justices of the Peace, in their Sessions, for the Town and County of Halifax, to appoint a further number of discreet and prudent persons as Engine Men, not exceeding Twelve, in addition to the number already appointed, or to be appointed, under the Act or Acts, whereof this is a further amendment; and such persons shall be subject to the duties, and entitled to all the privileges and exemptions, granted by the said Acts to Fire-Engine Men.

Twelve additional Firemen appointed.

And whereas the present number of Firewards in the Town of Halifax has been found insufficient :

II. Be it enacted, That it shall and may be lawful, for the Justices of the Peace in the Town and County of Halifax, to appoint a further number of discreet persons as Firewards, not exceeding five, in the several parts of the said Town of Halifax who shall be sworn faithfully to discharge their trust, and who shall be invested with all the powers and regulations, as are provided for, in, and by the several Acts aforesaid.

Five additional Firewards

III. And be it further enacted, That the exemption from working on the Highways, granted by Law, to Engine Men, in the Town of Halifax, be extended, and the same is hereby extended, to Engine Men, appointed, or to be appointed by the aforesaid Acts in the Towns of Annapolis, Windsor, Shelburne, Liverpool and Lunenburg.

Engine Men exempted from Highway labour.

CAP. XVI.

An ACT to regulate the appointment of Collectors, and other Officers of Impost and Excise.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the first day of January, one thousand eight hundred and seven, there shall be only one person appointed or employed, as Collector of Impost and Excise, for the district of Halifax, or any other District or Port in this Province.

One Collector of Impost and Excise for each District.

II. And be it further enacted, That, from and after the said first day of January, one thousand eight hundred and seven, there shall be allowed and paid to the Collectors of Impost and Excise, out of all and every the duties respectively collected by them, and paid in cash into the Treasury of the Province, as follows: that is to say, to defray the charges of collection, in the District of Halifax, Three pounds ten shillings, and no more, on every hundred pounds, there collected and paid; and Ten pounds, and no more, on every Hundred pounds, collected and paid, at all, and every other, the Districts and Ports in this Province; which several allowances, shall be in lieu of all fees and perquisites whatsoever. Provided nevertheless, That if any Collector of Impost and Excise, shall directly or indirectly, follow and exercise, the business or

Collector at Halifax, allowed 3l. 10s. on each £100

Collectors of Out Ports, 10 per cent.

Collectors not to be concerned in trade.

Under penalty of 50l. If convicted of trading, to be deprived that year of his Commission.

Waiters and Guagers to be appointed in Out-Ports or Districts, and to be allowed 5 per cent.

Collectors to give Bond.

Bond of Collector of Halifax, 5000l. Bonds of Collectors at Out Ports 1000l.

Time for security to be given.

Commissioners of the Revenue to direct the prosecution of delinquents, &c.

Books to kept by double entry.

Their inspection. Collectors to transmit to Treasurer, List of Permits given and received

trade of a Merchant, Shopkeeper or Dealer, in any of the articles by law subject to the duties, he shall forfeit and pay for each and every offence, the sum of Fifty Pounds; to be recovered in any of his Majesty's Courts of Record in this Province, by bill, plaint or information; one half of which forfeiture shall be paid to his Majesty, for the use of the Government of this Province, the other half to the person or persons prosecuting for the same; and no commission shall be allowed such Collector, on the duties by him collected, for the year in which such offence shall have been committed.

III. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, to appoint a fit and proper person, not being a Collector of Impost and Excise, as a Waiter and Guager, in each of the out-ports and Districts of this Province, who (the Waiters and Guager of Halifax excepted) shall be paid Five Pounds for every Hundred Pounds, of Net Revenue collected in such Port or District; (except as before excepted) and paid into the Treasury.

IV. *And be it further enacted*, That the Collectors of Impost and Excise, already appointed in and for the several Districts and Ports of this Province, shall, forthwith, give bond, with two sureties, to his Majesty, his heirs and successors, for the due and faithful performance of the duties of the Office of Collector within their respective Districts or Ports, agreeably to the true intent and provisions of the several Revenue Acts of this Province, already in force, or hereafter to be enacted; that is to say: the Collector of Impost and Excise at Halifax, and his sureties, shall become bound as aforesaid, in the sum of five thousand pounds; and the Collectors at the other Districts and Ports respectively, with their sureties, in the sum of one thousand pounds; and every Collector hereafter to be appointed, shall give like bonds, before he enters on the execution of his Office.

V. *And be it further enacted*, That if any Collector, now in Office, shall fail to complete his security, as aforesaid, by the first day of July next, he shall be put out of Office, and another person appointed in his stead.

VI. *And be it further enacted*, That it shall and may be lawful, for the Commissioners of the Revenue, and they are hereby required, to order and direct prosecutions to be speedily commenced, against all delinquent Officers, and Provincial Debtors, and their sureties, without favour or distinction; and also, to direct any informations to be filed on account of any seizures or forfeitures of the Revenue Laws of this Province.

VII. *And be it further enacted*, That the Collectors of Impost and Excise, shall keep a regular set of Books, by double entry wherein shall be opened accounts with all and every importing Merchant; debiting all entries, and crediting all receipts of Money, Permits, and Certificates of Drawbacks; which Books, shall be regularly balanced, and produced for inspection with their general accounts, when called for by the Treasurer of the Province, or the Committee of Public Accounts; and the Collectors of Impost and Excise, are hereby directed to transmit, quarterly, to the Treasurer of the Province, a list of Permits by them given, and received, for the removal of dutiable articles within the preceding quarter; under pain of removal from Office for neglect of his Duty.

At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Thursday the third day of December, 1807, in the Forty-eighth year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. being the Second Session of the Ninth General Assembly, convened in the said Province.\*

\* In the time of Sir John Wentworth, Baronet, Lieutenant-Governor; S. S. Blowers, Esq. Chief Justice and President of Council; Lewis M. Wilkins, Esq. Speaker of the Assembly; James Gautier, Secretary of Council; and James B. Franklin, Clerk of Assembly.

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### CAP. I.

An **ACT** for applying certain Monies therein mentioned for the Service of the year ensuing; and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province. Executed.

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### CAP. II.

An **ACT** for granting to His Majesty certain duties on Wine, Rum, and other distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government; and for promoting the Agriculture, Commerce and Fisheries of this Province. Expired.

## CAP. III.

An ACT to revive, alter and continue, an Act passed in the thirty-ninth year of his present Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licensed to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops; also, the Act, passed in the fortieth year of his Majesty's reign in amendment of the above-recited Act; also, an Act, passed in the forty-first year of his Majesty's reign, entitled, An Act in addition to, and in amendment of the above-recited Act; and also the Act, passed in the forty-sixth year of his Majesty's reign, entitled, An Act in addition to, and in amendment of, the above-recited Act.

411,  
430,  
47 G. 3,  
Cap. 13.

Revival of Licence Act.

Its continuance

Duty of Clerk of Licence, and Recompence.

Application of Licence duty at Halifax.

Application of Licence Duty in other Counties, &c.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the said Acts, and every matter, and thing therein contained, except the fourteenth section, or clause, of the said first-mentioned Act, so passed in the thirty-ninth year of his present Majesty's reign, shall be, and the same are hereby revived and continued in force for one year from the publication hereof, and no longer.

II. *And be it further enacted*, That the Clerks of the Licence for the several Counties and Districts of this Province, shall, once in every quarter, render a just account, and pay into the hands of the respective Treasurers of such County or District, all monies and fines received by them by virtue of this Act, deducting thereout, seven and a half per cent. for their trouble.

III. *And be it further enacted*, That the Treasurer of the County of Halifax, shall once every quarter pay to the Commissioners appointed for the repairing, paving, and keeping in repair, the Streets of Halifax, all monies received by him under and by virtue of the several Acts hereby continued; and the said Commissioners shall expend the same in manner and form following, that is to say—One fifth part thereof in repairing the Road leading from Halifax to Sackville as far as the Seven Mile Post; and one other fifth part thereof in repairing the Road leading from the Seven Mile Post to the Bridge at Sackville; and the remaining three fifth parts thereof shall be by the said Commissioners expended in making and repairing the Roads, Streets and Lanes within the Town of Halifax, and within ten miles thereof: and the said Commissioners shall account for the same to the General Assembly in the same manner they are by law required to account for the expenditure of all other monies.

IV. *And be it further enacted*, That all monies raised in the other Counties and Districts of this Province, shall be appropriated and applied by the Justices of the several Counties or Districts, by and with the advice of the Grand Juries for such Counties or Districts, to the making, opening and repairing, the Public Roads, making or repairing Bridges, or establishing Ferries throughout the several Counties or Districts within which such monies shall have been collected.

## CAP. IV.

An ACT for repealing so much of an Act, made in the thirty-second year of His Majesty's Reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province, as exempts from such Duty certain articles therein enumerated; and for declaring what Goods and Merchandise shall hereafter be exempt from such Duty of Excise.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, the sixth Section of the Act of the General Assembly, made and passed in the thirty-second year of his Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province—shall be, and the same is hereby repealed.

Repeal of sixth Section of Revenue Act, 32d George III.

II. *And be it further enacted*, That in lieu of the articles enumerated in the said Sixth Section of the Act aforesaid, the following shall hereafter be free and exempt from the Excise Duties imposed by the said Act, that is to say, all such articles imported from the United States of America, as are already made subject by Law to a duty of ten per cent. Also, Flour, Meal, Grain and Lumber of all kinds; also Wine, Rum, and Spirituous Liquors of all sorts; Molasses, Coffee, Brown Sugar, Salt, Coals, Pitch, Tar, Turpentine, Fish, Fish Oil, Furs and Skins of all kinds; unwrought Iron, Hemp, Anchors, Grapnels, Sail Cloth, Cordage, Twine, Lines and Fish Hooks, which said herein described and enumerated articles, shall and may be imported into and consumed in this Province, free and clear of and from the respective Excise Duties of Two Pounds Ten Shillings per centum, and Five Pounds per centum, imposed by the said Act.

Certain articles from the United States may be imported free of duty.

III. *And be it further enacted*, That if any Contractor, or Contractors, Commissary or Commissaries, actually in his Majesty's service or employment, shall import or bring into this Province for the use of his Majesty's Navy or Army, any Salted Beef, Pork, or Butter or Cocoa, from any port or place whence such articles respectively may be lawfully imported, the same shall be exempt and free from the duties imposed by the said Act. *Provided always*, that the Contractor or Contractors, Commissary or Commissaries, who shall import as aforesaid, any of the articles last above enumerated, shall in respect thereto abide by and comply with the conditions and directions required by the said Act, in respect to certain articles therein enumerated and allowed to be imported by such Contractors or Commissaries for the uses aforesaid, free from duty, under certain restrictions and conditions in said Act expressed.

Beef, Pork, Butter, and Cocoa, may be imported for Navy or Army.

IV. *And be it further enacted*, That this Act, and every matter, clause and thing, herein contained, shall be, and remain, in full force and virtue, until the thirty-first day of December, in the year one thousand eight hundred and eight, and no longer.

Continuance of this Act.

Continued by subsequent Acts.



## CAP. V.

Expired.

An ACT to continue an Act made and passed in the twenty-ninth year of his present Majesty's reign, entitled, An Act for the better support of the Poor in the respective Counties of this Province, by laying an Impost Duty on articles imported into this Province from the United States of America.

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## CAP. VI.

Expired.

An ACT to continue an Act passed in the thirty-second year of his present Majesty's Reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

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## CAP. VII.

Expired.

An ACT to revive and continue certain Acts of this Province, relating to the Militia.

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## CAP. VIII.

Expired.

An ACT for encouraging the Establishment of Schools throughout the Province.

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## CAP. IX.

390  
Expired.

An ACT to continue an Act respecting Aliens coming into this Province, or residing therein.

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## CAP. X.

Expired.

An ACT to continue an Act made and passed in the forty-seventh year of his present Majesty's reign, entitled, an Act to regulate the expenditure of monies hereafter to be appropriated for the service of Roads and Bridges.

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CAP.

CAP. XI.

An ACT to continue in force the several Acts therein mentioned.

Expired

CAP. XII.

An ACT for the Summary Trial of Actions.

BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the Supreme Court and the Inferior Courts of Common Pleas within this Province, be and are hereby empowered, in all causes of action brought before them, the sum total whereof shall not exceed twenty pounds, to proceed in a summary way, by witnesses, to examine the merits of such causes, and make up judgment accordingly.

Recovery of Debts not exceeding 20l. in a summary way before Supreme and Inferior Courts.

Provided always, That when on the examination of the witnesses the matter of fact shall appear doubtful, or either of the parties shall desire it, the Court shall order a Jury to try the same.

In doubtful cases a Jury may be called.

II. And be it further enacted, That it shall be lawful for any person or persons, who have debts owing to him, her or them, by any other person or persons where the whole dealing or cause of action shall not exceed five pounds, to sue for the same in the manner following, that is to say, if the sum demanded shall not exceed three pounds, to cause such debtor to be summoned to appear before any one Justice of the Peace of the County or District where the debtor shall reside; and if the sum demanded shall be more than three pounds, but does not exceed five pounds, to cause such debtor to be summoned to appear before any two Justices of the Peace of the County or District, where the debtor shall dwell; and the said Justice or Justices after such summons issued and duly served, is and are hereby empowered to proceed to and make up final judgment between the parties, and shall allow the defendant to produce his account against the plaintiff, or any receipts or other discharges for payment made either in the whole or in part; and the said Justice or Justices shall examine and enquire into the merits of both accounts and of such discharges, and by such other proof as to him or them shall seem requisite, or upon the confession of the debtor, to ascertain the debt due, and at his or their discretion to decree the payment thereof, at such different times and periods as he or they shall think fit and proper, agreeable to the circumstances of the debtor, and with as little prejudice as possible to the creditor, and to award costs as he or they shall find, whether for the Plaintiff or Defendant, without appeal, unless the debt or cause of action shall amount to twenty shillings or upwards; any law, usage or custom, to the contrary notwithstanding.

Recovery of debts not exceeding 3l. before one Justice

Recovery of debts not exceeding 5l. before two Justices.

III. And be it further enacted, That if any debtor, after being duly summoned to appear, shall without just cause, to be allowed of by the said Justice or Justices, refuse or neglect to perform such decree or judgment as shall be made concerning such debts as aforesaid, it shall and may be lawful for such Justice or Justices, to issue execution against the goods and chattels or body of such debtor, for the sum awarded, with costs: which execution shall be returnable in fourteen days from the day on which it shall be issued; any law, usage, or custom, to the contrary notwithstanding.

Non-attendance of debtors when summoned.

IV. And be it further enacted, That if any plaintiff or defendant, when the debt or cause of action

Appeal allowed plaintiff or defendant

action shall amount to twenty shillings or upwards, shall think himself injured by the judgment of the said Justice or Justices, he may appeal to the next Supreme Court, or Inferior Court of Common Pleas, to be held for the County or District in which the said Justice or Justices reside, and on such appeal being made, the said Justice or Justices shall suspend the issuing of execution, or further proceeding, in such cause, on the party appealing giving good and sufficient security to prosecute such appeal at the next Supreme Court, or Inferior Court of Common Pleas, and to perform whatever the judgment of such Court shall be, and the Justice or Justices shall on the first day of the sitting of the said Supreme Court, or Inferior Court of Common Pleas, return to the said Court to which the appeal shall be made, the names of the parties to the cause in which an appeal hath been entered, with all the papers touching and concerning the same, and the said Court shall appoint a day for hearing thereof, and if the party appellant shall not appear to prosecute the same the first term such appeal shall be dismissed with costs, but if the parties appear, then the said Court shall proceed to try the said cause in a summary way, and to give judgment thereon, and award costs whether for the appellant or appellee as the judgment may be, which judgment shall be entered up as other judgments in summary causes are in the said Court, and no writ of *certiorari* or *habeas corpus cum causa*, shall be allowed or brought to remove any judgment given in such causes upon appeal as aforesaid.

V. *And be it further enacted*, That it shall and may be lawful for any Justice of the Peace, where the debt shall not exceed three pounds, and for any two Justices of the Peace, where the debt shall be more than three pounds, and shall not exceed five pounds, upon application to him or them, and on oath being made in writing before him or them, of such debts, in the way usually practised where the debts are of greater value, to issue a Capias to arrest the body of the debtor or debtors, and hold them to bail for his or their appearance, and to make the same returnable in four days, at the expiration of which he or they shall proceed to trial, unless the defendant shall consent to try the same sooner, and give judgment thereon as in ordinary cases.

*Provided always*, That no person shall be arrested in any case for a debt due by him under twenty shillings, nor for any larger debt not exceeding five pounds, unless in addition to an affidavit of the debt, the party applying shall also make oath, that he verily believes that unless such Capias is allowed the debt will be lost.

VI. *And be it further enacted*, That no action for any debt where the whole dealing or cause of action does not exceed three pounds, shall be brought against any Person, in any Court of Law in this Province except by appeal.

VII. *And be it further enacted*, That nothing herein contained shall extend, or be construed to extend, to take away the jurisdiction of the Supreme Court, or Court of Common Pleas, in cases above three pounds, and not exceeding five pounds, where the matter shall be of a difficult nature, but that if any suit shall be brought in either of the said Courts, to recover any debt above three pounds, and not exceeding five pounds, the party plaintiff shall not be entitled to recover any costs, unless the Judges of such Court, respectively, shall determine that the cause of such action was of a nature unfit to be tried before two Justices of the Peace, or it shall appear to the said Court, that there were not two Justices of the Peace living within a convenient distance of the parties, and of each other.

VIII. *And be it further enacted*, That the forms of Writs to be issued by Justices of the Peace shall be as follow :

Justices may  
issue Capias for  
arrest of debtors  
to the amount of 5l.

Proviso.

Debts under 3l.

Jurisdiction of  
Supreme Court,  
and Court of  
Common Pleas,  
not affected by  
this Act.

Form of the Summons :

To  
 the day of at o'clock, in the  
 and make return hereof on or before said day.

You are hereby required to summon A. B. of to appear before on to answer to C. D. in the sum of Form of Summons.

Witness my hand and seal the  
*Capias.*

To either of the Constables of  
 You are hereby commanded to take A. B. of and him safely keep, so that you have him before at on the of to answer to C. D. in Hereof fail not, and have then there this Writ. Given under hand and seal at the day of Form of Capias

*Execution.*

To  
 Whereas judgment hath been awarded against A. B. of at the suit of C. D. for the sum of and more for costs, these are to command and require you, to levy from off the goods and chattels of the said A. B. the said sums, making together by sale of the said goods and chattels ; and for want thereof you are hereby commanded to take the body of the said A. B. and him to commit to his Majesty's Jail in there to remain until he pay the sum abovementioned, with your fees, or that he be discharged by the said C. D. or otherwise by order of Law. Hereof fail not, and make return of this Writ to me within ten days. Witness my hand and seal the Form of Execution.

Which said Writs of Execution or Capias, shall be directed to either of the Constables for the County or District, where such Justice shall reside. Execution of Writs.

IX. *And be it further enacted,* That this Act shall continue and be in force for the space of one year from the publication thereof, and from thence to the end of the next Session of the General Assembly.\* Continuanace of this Act. \* Continued by subsequent Acts to 1816

CAP. XIII.

An ACT to encourage the raising of Bread Corn on new Lands. Expired.

CAP. XIV.

An ACT to encourage the Fisheries of this Province, by granting a Bounty on the importation of Salt. Expired.

CAP.

Handwritten notes and calculations at the bottom left of the page, including numbers like 1110, 210, 23, 90, 28, 50, 49, 12, 6, 85.

## CAP. XV.

329.

Expired.

An ACT to continue an Act to revive a Law for empowering the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to prohibit the exportation of Gunpowder, Arms and Ammunition, or Saltpetre, or carrying the same Coastways.

## CAP. XVI.

An ACT for altering the time of holding the Supreme Court in the Districts of Piclou and Colchester.

Preamble.

**W**HEREAS in and by an Act passed in the forty-sixth year of His Majesty's Reign, the annual circuits of the Supreme Court are directed to be held at Truro, in the District of Colchester, on the first Tuesday of June; and at Piclou, in the District of Piclou, on the second Tuesday of June; which is found to be inconvenient:

Time of holding  
Supreme Court  
at Colchester,  
Truro, and Pic-  
lou.

I. BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the Supreme Court for the District of Colchester, shall hereafter be held at Truro, in said District, on the second Tuesday of June; and for the District of Piclou, at Piclou, on the first Tuesday of June annually.

## CAP. XVII.

An ACT in further amendment of an Act, made in the second year of His present Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the affize of Barrels, Staves, Hoops, Boards, and all other kind of Lumber, and for appointing Officers to survey the same.

Preamble.

**W**HEREAS, it is found expedient to declare the size of Barrels in which all Pickled Fish for exportation are by the said Act directed to be packed:

Size of Barrels  
for Pickled Fish

I. BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the first day of May next ensuing the publication hereof, every Barrel used for the purposes aforesaid, shall contain twenty-eight gallons, and all Half-Barrels shall contain fourteen gallons; any thing in the said Act, or in the Acts in amendment thereof, to the contrary notwithstanding.

Brand marks.

II. And it is further enacted, That the Inspector, Surveyor, or other Officer, who is directed to brand the initials of his christian name, and his surname, at length, on all packages containing Pickled Fish, shall, in addition thereto, brand, or otherwise distinctly mark on the stave next the bung stave, in words at length, the name of the place where the same shall be inspected.

III. And

III. *And be it further enacted,* That nothing herein contained, shall extend, or be construed to extend, to alter or repeal any part of the above recited Act, or of the Acts made in amendment thereof, except so far as relate to the size of Barrels; but that all Barrels and Half-Barrels containing Pickled Fish, as also the Fish contained therein, which after the said first day of May next shall be offered for sale or exportation, or be shipped for exportation, and the person, or persons, offering the same for sale or exportation, or shipping the same for exportation, and the officer or officers appointed to gauge and survey the same, shall be subject and liable to the surveys, rules, regulations, pains, penalties and forfeitures, prescribed and inflicted in and by the said Act, and the Acts in amendments thereof.

Penalty for  
contravening  
this Act.

CAP. XVIII.

An ACT for making perpetual an Act, in addition to and amendment of an Act, to prevent Nuisances, by Hedges, Wears, and other Incumbrances, obstructing the passage of Fish in the Rivers of this Province.

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**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act made in the twenty-sixth year of his present Majesty's reign, entitled, An Act in addition to and amendment of an Act made in the third year of his present Majesty's reign, entitled, An Act to prevent Nuisances by Hedges, Wears, and other incumbrances obstructing the passage of Fish in the rivers of this Province, shall be, and the same is hereby declared to be, perpetual; any proviso or limitation in the said Act notwithstanding.

Perpetual.

CAP. XIX.

An ACT to render perpetual an Act, in addition to an Act, for the raising Money, by presentment, on the several Counties and Districts in this Province, for the defraying certain County Charges therein mentioned.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That the Act made and passed in the thirty-sixth year of His present Majesty's reign, entitled, An Act in addition to an Act, made in the fifth year of his present Majesty's reign, entitled, An Act for the raising money by presentment on the several Counties in this Province, for the defraying certain County Charges therein mentioned, shall be, and the same is hereby declared to be perpetual; any proviso or limitation in the said Act notwithstanding.

Perpetual.

111  
382

II. *And be it further enacted,* That the several provisions of the said Act, hereby perpetual, shall be, and the same are hereby extended to the several Districts throughout the Province in which any General Sessions of the Peace are held.

Act extended  
throughout the  
Province.

## CAP. XX.

An ACT to amend an Act, made and passed in the thirty-fourth year of his late Majesty's reign, entitled, An Act for the ascertaining damages on Protested Bills of Exchange.

37

Preamble.

**W**HEREAS no provision is made by the said recited Act, for ascertaining damages and interest on Bills of Exchange returned under protest from any of the Countries, Colonies or Territories, in America, not being under the dominion of His Majesty :

Damages on Protested Bills of Exchange.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, all Bills of Exchange, which shall or may be drawn by persons residing or being within this Province, on persons residing or being within any of the Countries, Territories or Colonies, in America, not under the dominion of his Majesty, and which shall or may be returned under protest, shall be subject to five per cent. damages, and six per cent. interest, from the day of the date of the protest to the time of payment.

## CAP. XXI.

An ACT for extending throughout the Province, the provisions of an Act, made in the thirty-second year of the reign of his late Majesty, entitled, An Act to prevent unnecessary firing of Guns, and other Fire-Arms, in the Town and Suburbs of Halifax.

37

Preamble,

**W**HEREAS, it is deemed necessary for the safety of the inhabitants of the several towns in this Province, that an Act, made in the thirty-second year of the reign of his late Majesty, entitled, An Act to prevent unnecessary firing of guns and other fire arms in the town and suburbs of Halifax, should be extended to the several towns of this Province :

Act extended throughout the Province.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, the said in part recited Act, and every clause, matter and thing, therein contained, shall be, and the same are hereby, extended to the several towns, and suburbs of the several towns, throughout this Province.

## CAP. XXII.

An ACT for making perpetual an Act, made in the thirty-sixth year of his present Majesty's reign, entitled, An Act to regulate the affize of Bread.

371

Perpetual.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act made in the thirty-sixth year of his present Majesty's reign, entitled, " An Act to regulate the affize

of Bread," shall be, and the same is hereby declared to be perpetual ; any proviso or limitation in the said Act notwithstanding.

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CAP. XXIII.

An ACT for making perpetual an Act to regulate the Packing and Inspecting of Salted Beef and Pork for Exportation.

336

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, made and passed in the thirty-fourth year of his Majesty's reign, entitled, "An Act to regulate the packing and inspecting of Salted Beef and Pork for exportation," shall be, and the same is hereby declared to be, perpetual ; any proviso or limitation in the said Act notwithstanding.

Perpetual

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CAP. XXIV.

An ACT to render perpetual an Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, supplying the same with Pumps, and for keeping them in repair.

379

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made and passed in the thirty-sixth year of His present Majesty's reign, entitled, "An Act to enable the Inhabitants of the several Towns in this Province, to raise Monies for the sinking of Wells, supplying the same with Pumps, and for keeping them in repair," shall be, and the same is hereby declared to be perpetual, any proviso or limitation in the said Act notwithstanding.

Perpetual



At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Thursday the Nineteenth day of May, 1808, in the Forty-eighth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. being the Third Session of the Ninth General Assembly, convened in the said Province.\*

\*In the time of Sir George Prevost, Baronet, Lieutenant-Governor; S. S. Blowers, Esq. Chief Justice and President of Council; Lewis M. Wilkins, Esq. Speaker of the Assembly; M. Wallace, Esq. Acting Secretary of Council; and James B. Franklin, Clerk of Assembly.

### CAP. I.

An ACT to provide for the greater Security of this Province, by a better regulation of the Militia, and to repeal the Militia Laws now in force.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That every man residing, or who shall come to reside, within this Province, from sixteen to sixty years of age, (excepting such as are herein after excepted,) shall be enrolled in the militia, and be bound to serve in the militia of the county, district, town or place, wherein he resides.

II. And be it further enacted, That the militia shall be formed into regiments by counties or districts, being divisions of counties; and if any such county or district shall be sufficiently populous to admit of the regiment being subdivided into two or more battalions, it shall be lawful for the Governor, or Commander in Chief, to subdivide the said regiment into battalions, to consist of not less than three hundred nor more than six hundred men each, and to affix the limits of the district composing such battalions; and all regimented companies, (flank companies excepted) shall be formed by districts in such manner as that such companies may be assembled as conveniently as possible; and each company shall consist of not less than forty men, to be commanded by one captain and two subalterns, and when it shall exceed sixty men, additional officers may be appointed thereto, in the proportion of one officer to twenty rank and file, and the field officers, and officers commanding companies, at their meeting, herein after directed, shall regulate the limits of the company districts, and the number of men to be enrolled in each company; and the clerk of the company is hereby required to register in a book, to be provided and kept by him for that purpose, the names

Persons liable to do militia duty.

Formation of militia into regiments, &c.

Register of each company to be kept.

names of all persons belonging to such company, which book is to be ready at all times for the inspection of the captain and other officers of the company.

III. *Provided always, and be it further enacted,* That in harbors and settlements where the persons liable to serve in the militia are not so numerous as to form a complete company, it shall be lawful to form the same into smaller companies, and if they shall not amount to more than twenty men, then only one officer shall be appointed for such company, and if more than twenty and not exceeding thirty, only two officers shall be appointed to such company.

Militia in small settlements.

IV. *And be it further enacted,* That there shall not be more than two flank companies to any battalion of militia, which flank companies shall consist of light infantry or rifle men only, (except the battalion at Halifax, in which a grenadier company is already formed;) and such flank companies shall be composed of such numbers as the Governor, Lieutenant-Governor, or Commander in Chief, shall think proper to determine.

Two flank companies to each battalion, Halifax excepted.

V. *And be it further enacted,* That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, to establish one or more artillery companies in any county or district in the Province, and to limit the numbers of which such company shall consist, and all persons who are now enrolled, or shall hereafter enrol themselves to serve, either in the artillery companies, or in the grenadier company of the battalion at Halifax, or in any light infantry or rifle company of any regiment or battalion of militia in this Province, shall continue in such company for three years from the date of his enrolment, unless in case of removal from the county or district, or being discharged by the commanding officer of such company.

Artillery companies.

Servitude of volunteers.

VI. *And be it further enacted,* That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, to establish one or more troop or troops of cavalry, in any county or district in this Province, and to limit the number of officers and men of which such troop shall consist, and all persons who shall enrol themselves in any troop shall continue in such troop for three years from the date of his enrolment, unless in case of removal from the county or district, or being discharged by the captain or officer commanding such troop.

Cavalry.

VII. *And be it further enacted,* That if any non-commissioned officer or private enrolled in any such troop or troops of cavalry, shall at any time during his enrolment, sell, exchange, or otherwise dispose of, his horse belonging to such troop, without the consent and approbation of the captain or officer commanding such troop, he shall forfeit and pay the sum of ten pounds, to be recovered in manner as is hereinafter mentioned, and applied to the repairing the arms and accoutrements belonging to the troop, and other incidental charges attending the same.

Disposal of cavalry horses.

VIII. *And be it further enacted,* That when any person shall be enrolled as drummer or fifer in any company, he shall remain in such company notwithstanding he may not reside in the district which composes the same; *provided,* that no drummer or fifer, shall be obliged to serve in any company but in the town where he resides, unless ordered on a march.

Drummers and fifers.

IX. *And be it further enacted,* That every captain or officer commanding a company of militia, or who may be thereto appointed by the Governor, Lieutenant-Governor, or Commander in Chief, shall, as soon as conveniently may be after the passing of this Act, fix a time and place of meeting for enrolling all the militia men who reside within the limits which shall be assigned for his company, giving due notice publicly, at least seven days before, of the time and place of meeting; and every militia man (not being already enrolled in such company) who, after public notice so given, shall neglect to present himself in person, and give in his name, age, and place of residence, or cause the same to be made known in some certain way to the captain, or other officer of the company, attending at the time and place so fixed for the

Enrolment of militia.

meeting

Removal of militia from one district to another.

Persons obliged to enrol themselves.

Commanding officers to enrol all persons who move into their limits.

Arms, accoutrements, &c.

meeting of the militia men of the limits of such company, so as that such militia man may be enrolled, shall for such neglect forfeit and pay a fine of ten shillings; and every militia man who shall remove out of the limits assigned for that company in which he is, or ought to be enrolled, and shall not within ten days after his removal at the place of his new residence, or where he shall hire himself, either present himself for enrolment, or cause his name, age, and place of residence, with that from which he last removed, to be made known to the captain, or in his absence to the senior officer of the company of militia of such place, shall for such neglect forfeit and pay a fine of ten shillings; and every person who shall not within three months after he shall have attained the age of sixteen years, either present himself for enrolment, or cause his name, age and place of residence, to be made known as aforesaid, so that he may be enrolled in the militia company of the limits wherein his place of residence may be, shall for such neglect forfeit and pay a fine of five shillings; and every man within the age herein before described, who shall come to reside in the Province, and shall not within three months after his arrival therein, present himself for enrolment, or cause his name, age, and place of residence to be made known as aforesaid so that he may be enrolled in the militia company of the limits wherein he shall have come to reside, shall for such neglect forfeit and pay a fine of ten shillings.

X. *Provided always, and be it enacted*, That the neglect of any such persons to cause themselves to be enrolled shall not be construed to prevent the captain or officer commanding a company of militia to enter, and he is hereby required to enter on the roll of his company, the name of every such person residing within the limits of his company as shall come to his knowledge, and when so entered, every such person shall be subject to perform all militia duties under the same penalties as if he had personally presented himself for enrolment. And if any difference shall arise between a captain or officer commanding a militia company and any militia man, touching the age of such militia man, it shall be incumbent on the militia man to prove his age.

*And whereas arms have been heretofore granted by Government for the use of the Militia, and others are intended to be issued for completely equipping the whole of the Militia, and it is necessary to provide for the safe keeping thereof :*

XI. *Be it enacted*, That every freeholder enrolled in the militia who is of the age of twenty-one years or upwards, shall within twenty days after public notice given that arms, accoutrements and ammunition of the kind herein after described, are lodged within the precinct of the company or battalion to which such freeholder shall belong, for the use of the militia men of such company or battalion, furnish and provide himself with a good and sufficient musquet and a bayonet suitable thereto, of the same kind and size with those used in his Majesty's service, or if such freeholder shall be enrolled in any company of riflemen, he shall provide himself with a good and sufficient rifle gun, and a bayonet or sword suitable thereto, and shall also in addition to such musquet or rifle, provide himself with a cartouch box sufficient to contain eighteen ball cartridges, a bayonet or sword belt, a cartouch box belt, a set of straps for the purpose of carrying a great coat or blanket, a prick and brush to clean the pan of such musquet or rifle gun, a leathern or canvas knapsack with straps and buckles, three good flints, and eighteen ball cartridges of a size to fit such musquet or rifle gun, and also forty buck shot: with all which aforesaid arms, ammunition and accoutrements, such freeholder shall appear at each and every meeting of the company or battalion to which he may belong (and on other occasions of duty whereon he may be ordered to appear with his arms,) under the penalty of forfeiting and paying for the want of a musquet or rifle gun a fine

fine of ten shillings, and the sum of one shilling for each and every other appurtenance, the flints, cartridges and buck shot, to be considered only as three appurtenances.

XII. *And be it further enacted,* That every freeholder of the above description, shall be entitled to receive the arms, cartouch box, sword and belt abovementioned, from the captain or officer commanding his company, upon such freeholder producing and leaving with him a bond with one sufficient surety in the sum of five pounds, with a condition thereunder written in the form following :

Bond to be given for arms, &c.

Know all men by these presents, that we A. B. and C. D. are held and firmly bound to our Sovereign Lord the King in the penal sum of five pounds to be paid to our said Sovereign Lord the King, his heirs or successors, for which payment well and truly to be made, we bind ourselves and either of us by himself, our and each of our heirs, executors and administrators, firmly by these presents, sealed with our seals, and dated this day of

Form of bond.

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The condition of this obligation is such that if the said A. B. shall at all times hereafter, safely keep in good and serviceable order and have ready to return when called for, one King's musquet, &c. which have been issued to him under and pursuant to an Act, intituled, "An Act to provide for the greater security of this Province by a better regulation of the militia, and to repeal the militia laws now in force," and shall in all things well and truly perform the provisions of the said Act. touching the same, then this obligation shall be void, otherwise to be and remain in full force and effect.

Which bond shall be, by the said captain or officer commanding such company, lodged with the clerk of the peace for the county or district; and if any freeholder of the description aforesaid, shall neglect or refuse to enter into such bond, and receive such arms, or shall not within the time before limited, provide himself with arms, accoutrements and ammunition of the like kind at his own expence, he shall forfeit and pay the sum of two pounds, to be recovered and applied in the manner and for the purposes herein after mentioned.

Where lodged.

Persons refusing to enter into a bond.

XIII. *And be it further enacted,* That every person who shall give such security shall pay therefor a fee of one shilling at the time of the delivery of the bond as aforesaid, one half of which shall go the clerk of the company for his trouble in filling up the bond, and the other half of said fee shall be paid over to the clerk of the peace for receiving and filing such bond.

Bond Fee.

XV. *And be it further enacted,* That persons who are bound to serve in the militia, but are not of the above description, shall be entitled to receive arms and accoutrements as aforesaid, upon their entering into a bond with one sufficient surety, being a freeholder, in manner herein before directed, provided that in cases where any such person is under the age of twenty-one years, he shall find two good sureties for his due performance of the condition of the bond.

To whom arms, &c will be furnished.

XV. *And be it further enacted,* That every person who is by law bound to enrol himself in the militia, shall provide himself at his own expence with a sett of straps for the purpose of carrying a great coat or blanket, a pricker and brush to clean the pan of his musquet or rifle gun, a leathern or canvas knapsack with straps and buckles, three good flints, eighteen ball cartridges of a size to fit his musquet or rifle, and forty buck shot, under the penalty of ten shillings, to be recovered and applied as herein after directed.

Accoutrements to be found by militia.

*And whereas in many companies there may be minors and other persons who cannot get security for the safe keeping of arms and accoutrements :*

XVI. *Be it enacted,* That the captain or other officer commanding a company shall make out a regular list of the names of the persons in his company who are not compellable to give security or to provide themselves with arms at their own expence, and shall immediately receive

Inability of minors & others to give security for arms, &c.

ceive a complete set of arms and accoutrements from the person having the custody of arms, for each and every person contained in the above list, for the safe keeping and returning which, such captain shall be responsible, and shall give two receipts for the same, one of which shall be entered in the orderly book of the battalion, and the other shall be lodged in the office of the clerk of the peace of the county or district; and if any captain or other officer commanding a company shall neglect or refuse to make the list or give the receipts herein directed, he shall forfeit and pay the sum of five pounds, and on complaint to the Governor, Lieutenant-Governor or Commander in Chief, such officer may be deprived of his commission, and shall not thereafter be entitled to any exemption from being enrolled and performing all the duties of a private militia man.

Issue of Arms.

XVII. *And be it further enacted,* That all arms to be issued in pursuance of this Act shall be distinctly numbered and marked with a brand on the left side of the broad part of the butt with the name of the county or district to which the militia man who shall receive the same shall belong, and with the letter M. immediately following the same, such brand to be provided by the treasurer of the respective counties or districts, and the commanding officer of each regiment or battalion shall cause the arms to be marked and numbered before they are issued to such regiment or battalion.

Lodgement of Arms.

XVIII. *And be it further enacted,* That the captain or other officer commanding a company shall lodge the arms and accoutrements so received by him, in some suitable and convenient place or places within the limits of his company, where they may be delivered out to persons for whom they are intended upon all days of training or muster, or such other times as the said captain or officer shall direct; and the minors and other persons who shall receive any of the said arms and accoutrements for the purposes of training, muster or otherwise, shall return the same and every part thereof, to the place of deposit, within twenty-four hours after such training, muster or other service, shall be over, under the penalty of five shillings for every day's neglect, to be recovered in the manner and for the purposes hereinafter directed.

Embezzlement of Arms, &amp;c.

XIX. *And be it further enacted,* That every person having such arms or accoutrements in his possession, under the provisions of this Act, who shall vend, pledge or exchange, the same or any part thereof, or shall convey, or cause the same, or any part thereof, to be conveyed out of the limits of the battalion to which such arms and accoutrements were issued, (except when ordered on real service); and every person who shall buy, receive, or except in exchange, any such arms or accoutrements, shall severally forfeit and pay a fine of five pounds for each firelock, and a fine of ten shillings for each accoutrement so sold, purchased, exchanged, or conveyed out of the limits of the battalion; and every person or persons who shall convey or cause to be conveyed, any such arms or accoutrements, on board of any boat, ship, or vessel, with intent to have the same carried out of the county or province, and the master of any such boat, ship, or vessel, who shall knowingly receive into his boat, ship or vessel, any such arms or accoutrements so intended to be conveyed out of the county or province, shall for each and every offence forfeit and pay the sum of ten pounds; which fines shall and may be recovered, on the oath of one credible witness, before any one of his Majesty's Justices of the Peace for the county or district wherein such offence shall be committed; and in case of non-payment of any such fines, the said Justice shall, by his warrant, cause each and every offender to be committed to the county or district Jail for the term hereinafter mentioned, that is to say, for each fine of ten shillings, four days; for each fine of five pounds, forty days; and for each fine of ten pounds, three months; unless such fine shall sooner be paid; and one fourth

fourth part of all fines, recovered by virtue of this clause, shall be paid to the informer, and the residue thereof shall be applied, first of all to make good all deficiencies of arms or accoutrements, and the residue to the purpose of defraying the expences incurred in repairing such arms and accoutrements.

XX. *And be it further enacted*, That if information shall be given, on oath, to the Justice, that the person or persons so offending (not being a freeholder) is about to leave the Province, or to remove out of the County or District with such arms or accoutrements, it shall and may be lawful for the said Justice before whom such information, on oath, shall be made, to issue his warrant to the Deputy-Sheriff or either of the Constables of the County or District, to apprehend such person or persons, and to bring him, her or them, forthwith before such Justice, to answer such complaint.

Information against such as embezzle arms, &c.

XXI. *And be it further enacted*, That any person or persons charged with selling, purchasing or receiving, any arms or accoutrements as aforesaid, who shall immediately restore such arms or accoutrements, and cause the same to be delivered to such Justice, shall be entitled to a remission of one half the fine or imprisonment herein before imposed for such offence.

Recovery of arms.

Remission of punishment.

XXII. *And be it further enacted*, That the colonel or officer commanding any regiment or battalion, shall once in every year, besides the usual days of training, order an inspection of the arms, accoutrements, and ammunition, of the several companies under his command, to be made at one and the same time by one subaltern from each company, attended by the clerk thereof, and by calling on each and every man of the said company, at the usual place of his or their abode; which subaltern shall make an exact return of such arms, accoutrements and ammunition, describing the state and condition thereof, and every person required by law to be provided with arms, accoutrements and ammunition, who shall, at such inspection, have such arms in unserviceable condition, or shall be deficient in any of the appurtenances abovementioned, shall forfeit and pay for each deficiency, the like sum, as if such deficiency had happened at a muster or training.

Inspection of arms, &c.

XXIII. *And be it further enacted*, That every person who has received arms, ammunition or accoutrements, issued from His Majesty's Stores under the provisions of the Act hereby repealed, and every person who shall have in his possession any of the arms, ammunition or accoutrements, issued from His Majesty's Stores for the use of the Militia, and all persons liable to account for such arms, ammunition and accoutrements, under the said Act, shall be liable, and are hereby made liable, for the same, in the same manner as if the said Act had not been repealed: any thing herein contained to the contrary notwithstanding.

Arms issued under the late Act.

And Whereas, it is of the highest importance that the Militia should be expert in the management of their arms, and in other parts of military duty:

XXIV. *Be it enacted*, That the captains and officers commanding companies shall divide their companies into small divisions or squads to consist of not more than twelve, nor less than five militia men, to be drilled and taught such exercise and manœuvres as the Governor, Lieutenant-Governor or Commander in Chief, shall direct; and captains and officers commanding companies shall fix the limits of the squads, and the times of their assembling, and the places for them to meet within the district of each company for the purpose of exercise as aforesaid, according to local circumstances, in the most convenient manner for his men, and no person shall be bound to travel more than four miles from his usual place of abode to attend such meetings.\*

Drilling militia in squads.

XXV.

\* This, and the four following sections, have been repealed by Stat. 50, Geo. 3, Cap. 6.

Number of  
squad meetings.

XXV. *And be it further enacted,* That within the first twelve months after the Governor, Lieutenant-Governor or Commander in Chief, shall direct the clauses of this Act, which respect squad meetings, to be put in force within any county, district or place, in the province, every militia man residing in such county, district or place, from the age of sixteen to the age of fifty years inclusive, shall be bound to attend twelve such squad meetings, and every militia man above fifty, and not exceeding sixty years of age, shall be bound to attend two such meetings, (except the persons herein after exempted) and every man shall bring with him his musquet, and such other accoutrements as shall be ordered by his officer, and shall submit himself to be drilled and exercised for three hours at each meeting, by such person or persons as the commanding officer of the battalion shall appoint, and one officer or non-commissioned officer shall attend such squad meeting to report to the officer commanding the company the names of the militia men, who attended at the meeting, who shall report to the commanding officer of the battalion the names of the men who have attended each squad meeting, and the names of the men who have been absent from the same.

Report of such  
as attend squad  
meetings, and  
such as do not.

Exemption  
from drilling,  
when perfect in  
discipline.

XXVI. *Provided always, and be it further enacted,* That one field officer and the adjutant of any battalion, together with the captain of the company, may exempt any squad of militia men, or any individual of such company, from an attendance at one half of the squad meetings herein before directed, whenever such officers shall be satisfied that such squad or individual has acquired a due degree of discipline.

Non-attend-  
ance.

XXVII. *And be it further enacted,* That if any militia man, being duly notified, shall neglect to attend at any squad meeting without leave or sufficient excuse to be judged of by the commanding officer of his company, or shall be drunk at such meeting, or shall refuse or neglect to be drilled as herein before mentioned, or shall insult any officer or non-commissioned officer, being in the exercise of his duty at the time of such drilling, every militia man so offending shall forfeit and pay for every such offence a fine of not less than five shillings, nor more than ten shillings, as the case may require.

Disorderly con-  
duct.

Drill of persons  
arriving in the  
Province, or  
coming to the  
age of sixteen.

XXVIII. *And be it further enacted,* That every person who by reason of his arriving at the age of sixteen years, coming into this Province, or from any other cause, shall hereafter be enrolled in the militia, shall within the first six months after his enrolment, attend to be drilled as aforesaid, at such convenient times and places as the officer commanding his company shall appoint, not exceeding the number of times herein before limited for squad meetings, or until such persons shall obtain from one field officer and the adjutant of the battalion, and the captain of his company, a certificate that such person is sufficiently instructed.

Companies to  
exercise four  
times a year,  
and battalions  
twice.

XXIX. *And be it further enacted,* That every regiment or battalion of militia shall be called out and assemble six times in each and every year: that is to say, by companies four times, and by every regiment or battalion twice, either entire or by such detachments as the commanding officers of the respective regiments or battalions, from local or other circumstances shall judge fit and direct, for the purpose of training, disciplining, and improving in martial exercises; the time and place of assembling for the companies, regiments and detachments, to be appointed by the colonel or commanding officer of the regiment, and arranged on different days, that the field or staff officers may have an opportunity of attending the several companies, detachments and regiments, exercised in detail, in order to introduce uniformity in the manœuvres and discipline of the regiment: of all which several and respective days of rendezvous previous notice shall be given at least three days by warning from a non-commissioned officer, or public notice at one meeting of the time of holding the next; and every field

field officer neglecting to give orders for such assembling and training, shall forfeit and pay the sum of twenty pounds, and every officer commanding a company, having received orders for such purpose, who shall neglect to call out and discipline his company so many times and in the manner prescribed by this Act, shall forfeit and pay the sum of five pounds for every offence; which said sums of twenty pounds, and five pounds, shall and may be recovered as herein after provided; the one half thereof shall go to the person prosecuting and the other half to be applied as herein after directed, and every person enrolled as aforesaid, who shall refuse or neglect to appear agreeable to the provisions of this Act when called upon, or, appearing under arms, shall refuse or neglect to perform such military duty as shall be required of him, or shall on the day of muster or training depart from such company without leave from the commanding officer, shall forfeit and pay for each and every offence, a sum not less than five nor exceeding ten shillings, unless such person shall have reasonable excuse for non-attendance, to be adjudged by a majority of the commissioned officers of the company then present.

XXX. *And be it further enacted*, That no established or licenced clergyman shall be liable to any of the provisions of this Act; and that the persons hereafter named, shall be exempted from all training, (except such as shall receive commissions in the militia) viz: The members of His Majesty's Council; the members of the Assembly for the time being; the Chief Justice, and Judges of Courts; the Attorney and Solicitor General, Justices of the Peace, who have taken the oath of office; High Sheriffs; Coroners; the Secretary, Surveyor General and Treasurer of the Province; Officers of his Majesty's Customs, and of the Excise; the Naval officer and his deputies; Physicians, Surgeons, and Attornies at Law; Clerks, Storekeepers, and persons actually employed in the civil and military departments of the army; constant Ferrymen, (being licensed as such); one Miller to each grist mill; and all persons between the ages of fifty and sixty years, and persons commonly called Quakers, and duly certified as such by their society. *Provided always*, that all persons so exempted from training, shall be at all times furnished with arms and ammunition in manner prescribed by this Act, and under the like penalties for neglect thereof; and shall be liable to attend all other duties directed by this Act, for persons enrolled in the militia, by themselves or sufficient substitutes, excepting only the following persons, viz: The members of His Majesty's Council, the Judges of the Supreme Court, the Secretary of the Province, and persons commonly called Quakers and duly certified as such by their Society, who shall not be liable to the duties of watching and warding.\*

Exemptions  
from militia du-  
ty.

XXXI. *And be it further enacted*, That all persons exempted from squad meetings, and company meetings, by the provisions of the foregoing clause (persons above the age of fifty years and constant Ferrymen excepted) shall pay to the clerk of the company in which they are severally enrolled, within ten days after their enrolment, the sum of twenty shillings, and annually thereafter on or before the last day of March, ten shillings, to be recovered before any one of his Majesty's Justices of the Peace not enrolled in said company; the said sums to form a fund for keeping in order the arms and accoutrements in the custody of the officer commanding such company, and for the purchase of powder to be fired on days of muster or rejoicing, and other incidental charges of said company; an account of the expenditure of which shall be laid before the officers of the battalion at their general annual meeting †

Compensation  
to be made by  
those who are  
excused from  
squad meetings

XXXII. *And be it further enacted*, That if any non-commissioned officer, or private, of any company of militia, shall be guilty of drunkenness or contemptuous behaviour, disobedience of orders,

Drunkenness or  
contemptuous  
behaviour.

\* This section has been repealed by 53d Geo. III. Cap. 2.

† This section has been repealed by 50th Geo. III. Cap. 6.



orders, or shall otherwise misbehave himself, at any muster or training; in such case it shall and may be lawful for the officer commanding the company to cause such persons so offending to be immediately apprehended and committed to the county Jail, for a time not exceeding three days, nor less than twelve hours, there to remain without bail or mainprize; and the captain or officer commanding such company, shall, with the person to be committed, send to the sheriff of the county, or his jailor, a warrant under his hand and seal for the receiving and keeping the said offender, in the words following, that is to say:

To A. B. sheriff of the county of \_\_\_\_\_ or to his jailor.  
 You are hereby required to receive C. D. of my company, who was guilty of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord 18 \_\_\_\_\_ (at a muster or training) and him closely confine in your jail for the space of \_\_\_\_\_ hours from the time of his being delivered into your custody, and at the expiration whereof you are to release the said C. D. on his paying your fees, and this to you, or either of you, shall be your sufficient warrant.

And on refusal or neglect of the said sheriff or jailor to receive such person so committed into his custody, he shall forfeit and pay the sum of five pounds, for each and every offence; and the serjeant or corporal, who shall be ordered by the officer commanding the said company to escort the said offender to jail, shall, in case of neglect or refusal, be reduced to the ranks, and shall for each and every such offence, forfeit and pay the sum of forty shillings; and each and every private, who shall be ordered by the commanding officer as aforesaid for the purpose of escorting the said offender as aforesaid, who shall neglect or refuse to do the same, shall forfeit and pay the sum of ten shillings.

Appointment of  
Adjutant,  
His duty.

XXXIII. *And be it further enacted*, That there shall be an Adjutant appointed to each regiment or battalion in the Province, whose duty it shall be to attend at the place of assembling each company, regiment, and detachment of the regiment, when called out as aforesaid, then and there, under the direction of the officer commanding, to inspect their arms, ammunition and accoutrements, to superintend their exercise and manœuvres, and introduce a proper system of military discipline agreeable to such orders as he shall receive from time to time from the colonel or commanding officer of the regiment, and to do and perform such other duties and services suitable for an adjutant, as the colonel or commanding officer of the regiment shall from time to time order and direct; and that every such adjutant shall be allowed as a full compensation for all the service he is required to perform by this Act, the sum of six shillings and eight pence by the day for every day he shall be actually employed in the exercising and manœuvring as aforesaid, to be paid out of the Provincial Treasury, by warrant from the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, on the certificate of the field officer and a majority of the captains of the regiment or battalion, and of the inspecting field officer, if any of the district for which the adjutant may be appointed, that such adjutant is duly qualified, and has faithfully performed the services prescribed by this Act. *Provided always*, that no one adjutant be allowed more than twenty pounds in any one year.

Compensation  
to Adjutant.

Appointment of  
serjeants,  
corporals and  
clerks.

XXXIV. *And be it further enacted*, That the captain or officer commanding each company shall, and is hereby fully empowered, with the approbation of the officer commanding the battalion, to nominate and appoint proper persons to serve as serjeants, corporals and clerks, in the respective company which such captain or officer commands; and so to displace them, and appoint others in their room: and if any person so appointed shall refuse to accept such appointment, he shall forfeit and pay a fine of forty shillings, and another shall be appointed in his room, who in case of refusal shall be liable to the same fine, and so on until one do accept.

XXXV. *And*

XXXV. *And be it further enacted*, That all clerks of companies before they enter on the execution of their duty shall take an oath before some one of his Majesty's Justices of the Peace, who is hereby authorized to administer the same. Clerks to be sworn.

The form of the Oath to be as follows, viz :

I do swear truly to perform the office of clerk of the militia company under the command of A. B. to the utmost of my skill and power, in all things appertaining to my office, according to law. So help me God. Form of oath.

And the duties of clerks of companies shall be to keep registers of their respective companies, to furnish the non-commissioned officers with lists of the men whom they are directed to warn for training, and other duties prescribed by this Act : and to take lists of the companies as often as required by the officers commanding them, to attend commissioned officers making inspection of arms, to attend all musters, and to prosecute for all fines, and sue for all penalties, incurred by this Act, applicable to the use of their respective companies when so ordered by the officers commanding such company : and such clerk shall be allowed and paid one fourth of all fines and forfeitures he shall recover, by virtue of this Act, as a reward for his trouble in doing the duties enjoined thereby, and shall be exempt from being drafted or balloted for actual service. Duty of clerks.

XXXVI. *And be it further enacted*, That if any clerk of a militia company shall refuse or neglect to perform the duties herein before-enjoined, he shall forfeit and pay for each offence or neglect of duty a fine not exceeding five pounds, nor less than twenty shillings. Refusal to serve as clerk.

XXXVII. *And be it further enacted*, That it shall and may be lawful for the colonel or officer commanding any battalion of militia to appoint a sergeant-major and clerk for such battalion (and in those counties where from local circumstances the battalion cannot be assembled entire, one additional clerk for such division of said battalion which cannot be assembled at the place of general rendezvous) provided there shall be but one additional clerk to any battalion, and to displace such sergeant-major and clerks, and appoint others in their room as he shall see occasion, and the sergeant-major and the clerks so appointed shall be exempted from all balloting for actual service; and the clerks so appointed shall take the oath for the faithful discharge of their duties in manner as is herein before prescribed for the clerks of companies, and shall be subject to the same penalties as the clerks of companies for any neglect of duty. Appointment of sergeant-major and clerk to each battalion.

XXXVIII. *And be it further enacted*, That twice in every year, viz. on or before the last day of March and November, the colonels or other officers commanding regiments or battalions, shall make out and transmit to the adjutant-general at the Secretary's office in Halifax, for the information of the Governor, Lieutenant-Governor, or Commander in Chief, returns of the strength of their regiments, battalions or companies, and also returns of arms, and an account of all fines collected or paid to them, and of the expenditure thereof, with certified copies of the vouchers for each expenditure; and all captains or officers commanding companies are hereby required to make out and transmit to the officers commanding the regiment or battalion to which such companies belong, twice in every year, viz. on or before the fifteenth day of March and November annually, and as often further as required by the commanding officer of the regiment, returns of the strength of their respective companies, with fair rolls thereof, and also returns of arms; all forms of returns prescribed by the adjutant-general, to be uniformly adopted: and any officer guilty of wilfully making any false returns, shall be cashiered by the sentence of a general court-martial, to be appointed as is herein after directed, and shall moreover be liable to a fine not exceeding twenty pounds. Returns of the strength of battalions.

XXXIX. *And be it further enacted*, That if any person shall wilfully interrupt any company or detachment Returns of arms, &c. Account of fines collected, and their application. Returns of the strength of the companies, with their arms, &c.

Interruption of militia in their exercise.

detachment of militia at exercise, or on any duty prescribed by this Act, it shall and may be lawful for the officer commanding such company or detachment, to confine such person during the time of such exercise or duty, (if necessary) to prevent the continuance of such insult or wilful interruption, and the person so offending shall forfeit and pay the sum of ten shillings for each and every offence.

Infirmities

*XL. And be it further enacted,* That when any person enrolled in the militia shall complain to the officer commanding the battalion to which he belongs, that, by reason of sickness, or accidental or natural infirmity, he is unable to perform the military duties required by this Act, it shall and may be lawful for the colonel or other field officer to order a Board, consisting of one field officer and four captains, to enquire into and decide on the said complaint, and it shall be lawful for such Board to apply, or to cause the party complaining to apply, to any able physician or surgeon, residing within the county or district to which the battalion belongs, for his certificate or opinion respecting the nature and extent of the sickness or infirmity of the complainant, which opinion or certificate the said physician or surgeon is hereby required to give forthwith, without fee or reward, under penalty of forfeiting forty shillings for each refusal or neglect, and if after a full consideration of the said complaint the Board shall report thereon, to the officer commanding the battalion, that the party complaining is really unable to perform the said military duties, the said commanding officer shall grant a certificate thereof accordingly, which shall exempt the complainant from such duties so long as the disability shall exist.

And every physician or surgeon who shall give a certificate or opinion of the actual existence of any sickness, complaint, or disability of any militia man, knowing that such sickness, complaint or disability, is false or pretended, shall forfeit and pay a fine of ten pounds for every such offence.

Conferences of officers for better regulation of militia.

*XLI. And be it further enacted,* That the colonel or officer commanding any regiment or battalion, shall, once in every year, within the first fourteen days of the month of March, and as often further as with the advice of three captains of his regiment, he shall judge fit, require the captains and officers commanding companies to meet at such time and place as he shall appoint, and there with them confer and take order for the better regulation of their companies, for establishing and altering the limits of company districts, and prescribing the number of men in each company; appropriating such fines as by this Act are to be applied to the service of the regiment; and to make such rules and regulations as to them or the major part of them, may seem meet, for the promotion of subordination and military discipline in the regiment or battalion to which they belong; and all officers shall yield obedience to the warrants or commands of their superior officers, and shall observe such regulations, being in writing, as may be made at the meetings herein prescribed, under penalty not exceeding five pounds, to be adjudged at the next meeting as aforesaid. *Provided always,* that no officer shall be bound by any regulation regarding his dress or appointments, unless two thirds of all the commissioned officers of the regiment or battalion, shall have concurred therein; *and provided also,* that an account of all fines with their appropriations as aforesaid, shall from time to time, be rendered to the Secretary's office by the colonels or other officers commanding regiments or battalions, and subject to the like penalty for defaults; and that no rule or regulation made at any of the aforesaid meetings (excepting only such as may relate to the establishing the limits of districts, and numbers of men in each company or to the appropriation of fines) or any warrant or command thereupon, shall be of any force or validity until the same shall have been transmitted to the Governor, Lieutenant-Governor, or Commander in Chief, and shall have received his approbation.

Dress of militia officers.

Account of fines.

XLII. *And be it further enacted,* That every militia officer who shall remove from the county or district to which his regiment or battalion belongs, or who from other causes is not attached to any regiment or battalion, but retains a commission in the militia, shall be liable to sit on courts martial, and to perform the other duties of his rank, when thereto required by his superior officer, and may in cases of necessity or vacancy be ordered to take his station in the regiment or battalion of the county or district in which he shall reside, and in case of refusal or neglect to obey such orders, such officer shall be tried by a general court-martial, and, on conviction of such offence, be deprived of his commission.

Officers removing from the district to which their battalions belong.

XLIII. *And be it further enacted,* That no officer who has been or may hereafter be cashiered by the sentence of a general court-martial; no officer who may hereafter resign his commission in the militia, and no officer who has been heretofore dismissed his Majesty's service, or who shall neglect within six months after the publication of this Act, to qualify himself for the duties of his station, and shall upon the representation of the commanding officer of the battalion to which he belongs, and the inspecting field-officer of the district, be on that account deprived of his commission by the Governor, Lieutenant-Governor, or Commander in Chief, shall be entitled to any rank or privilege from having held such commission, or exempted from enrolment, or the performance of the duties of a private militia man.

Reduced officers.

XLIV. *And be it further enacted,* That the Governor, Lieutenant-Governor, or Commander in Chief, shall be and he is hereby authorized and empowered in case of any invasion or sudden attack, made or threatened by his Majesty's enemies, to call into real service the militia of the several counties, or any part thereof, as he in his discretion shall think fit, and that the militia, or any part thereof, so called into real service by virtue of the provisions of this Act, shall and may be ordered to march from one county or part of the Province to another, on any necessary service occasioned by any such invasion or sudden attack, made or threatened.

Actual service.

XLV. *And be it further enacted,* That in case of any invasion or sudden attack, made, or threatened to be made, as aforesaid, in any county where the Commander in Chief cannot be immediately consulted, the commanding officer of the militia in such county, shall have power, if he, in his discretion, shall think it absolutely necessary, to call out the militia of such county, or any part thereof, into real service; and, in case of any such invasion, or sudden attack being made, or threatened to be made, in any town, parish, or district, in any county where the colonel or commanding officer of the militia of such county cannot be immediately consulted, the officer commanding the militia in such town, parish or district, shall have power, if he, in his discretion, shall think it absolutely necessary or expedient, to call out the militia under his command, or any part thereof into real service, and such officer last mentioned, shall forthwith report his proceedings, and the reasons, and grounds thereof, to the colonel or commanding officer of the militia of the county, who is hereby empowered and required in case he shall call out or continue in real service any part of the militia under his command, forthwith to dispatch if necessary an express to the Governor, Lieutenant Governor or Commander in Chief, for the time being, notifying the danger, and the strength and motions of the enemy, and the said colonel or commanding officer is hereby empowered to impress men and horses, boats, carts or waggons, as the service may require, and all expresses so ordered, and the men so impressed, or owners of such horses, shall be allowed a reasonable compensation for such service, to be paid out of the Provincial treasury, by warrant from the Governor, Lieutenant Governor or Commander in Chief, for the time being, with the advice of his Majesty's Council, and on certificate of such colonel or commanding officer, and two captains of the militia of such county, that such expences have been justly incurred.

When the Governor cannot be consulted on any sudden attack.

Regulation of  
duties in actual  
service.

XLVI. *And be it further enacted.* That when, in consequence of the order of the Commander in Chief, or in the cases herein before mentioned of the colonel or officer commanding the militia of any county, or any part thereof, shall be called into actual service in the county to which they belong, all duties to be performed, except in cases of great emergency, shall be regulated by rosters, to be kept of the militia fit for duty, so that such service may be equitably distributed; and every officer or person enrolled in the militia when called into actual service, is hereby bound and required to yield obedience to all lawful commands of his superior officers for mounting guards, erecting works and other military services, for repelling, resisting or guarding against the attacks of the enemy, under penalty of incurring the forfeitures appointed by this Act, for disobedience of orders.

Companies to  
be formed into  
two classes.

XLVII. *And be it further enacted,* That as soon after the publication of this Act, as the Governor, Lieutenant-Governor or the Commander in Chief for the time being, shall appoint, and thereafter, in time of war, between the tenth and twentieth days of March, in each and every year, unless otherwise directed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, the officers commanding the several regiments or battalions of militia, shall cause the captains or commanding officers of companies in their respective regiments or battalions, to divide the men enrolled in such companies into two classes, the first class to consist of all the able men from the age of eighteen to the age of fifty years inclusive, which is to be considered as the first class for service, and the second class to consist of men above the age of fifty and under the age of eighteen years, which is to be considered as the second class for service, and in case a sufficiency of arms and accoutrements shall not be provided at the expence of the Province, or otherwise, for arming the whole of the militia, the men of the first class shall be completed with arms and accoutrements before any other persons shall be furnished therewith.

Rosters to be  
formed by bal-  
lot.

XLVIII. *And be it further enacted,* That as soon as the classes shall be formed as aforesaid, the commanding officers of the respective companies shall cause a draft or ballot to be made of the first class, as herein after mentioned, for the purpose of framing a list or roster by which the men of such class may be called into actual service when required, that is to say, the names of each and every person in such class shall be written on separate pieces of paper, all as near as may be of equal size, which shall be rolled or folded up as near as may be in the same manner, and put into a hat, and therein be well mixed and shaken together, and in like manner, numbers from one to the extent of the number of men contained in such class, shall be written on distinct pieces of paper of equal size as near as may be, and separately rolled or folded up, as nearly alike as possible, and put into another hat, and well mixed or shaken together, and two indifferent persons shall be nominated by the commanding officer of the company publicly to draw the same. And the said persons shall respectively begin by drawing out of each hat one of the said papers, and the clerk of the company, if present, or otherwise a person appointed to officiate as clerk, shall form a list on a paper to be provided for that purpose, and shall first set down thereon the name of the person first drawn out of the hat, and opposite to such name the number first drawn out of the other hat, and then the persons appointed to conduct the drawing as aforesaid, shall draw another name and another number respectively, and the clerk shall set down as aforesaid such name so secondly drawn, and opposite thereto the number secondly drawn, and the drawing shall proceed in like manner until the whole of the names and numbers of such first class shall be drawn and set down in writing as aforesaid: and from such list the clerk of the company shall form a new list or roster, beginning with the name of the person against whom the number one

one stands in the list, and proceeding in numerical order to the name of the person who drew the last or highest number.

**XLIX.** *And be it further enacted,* That the men enrolled in any troop of cavalry or company of artillery, shall be drafted and classed for service, in the manner herein before prescribed for companies of regiments or battalions.

**L.** *And be it further enacted,* That when the commanding officers of any regiment or battalion, or of any troop of cavalry, or company of artillery, shall be ordered by the Governor, Lieutenant-Governor, or Commander in Chief, to furnish or embody any number of men of his regiment, battalion, troop or company, for actual service, they shall be furnished in as exact proportion as possible to the number of effective men of each company or troop; and each company or troop shall furnish its proportion of men out of the first class, beginning with number one in the list or roster formed by draft as aforesaid, and proceeding in the order as the names stand in such list or roster until the numbers required are completed. And each and every person so liable to serve, unless prevented by sickness or other sufficient cause, shall go in his proper person, or find a sufficient substitute, to be approved of by the officer commanding the detachment or the field officer of the regiment; and in case of any wilful absence, neglect or disobedience herein, of any person so liable to serve, he shall be confined by the commanding officer, and shall pay a fine of ten pounds, or remain in jail three months; and the person next on the list or roster, shall be called out to serve in his place, who shall have the whole of the said fine if he shall not neglect or refuse to go, or to find a sufficient substitute in his room to be approved as aforesaid; but if he also shall refuse or neglect, he shall be subject to the like fine and imprisonment, and the person then next in rotation on the list or roster shall be called out to serve, who shall have the whole of the last mentioned fine if he shall not neglect or refuse to go or find a sufficient substitute as aforesaid, and so often as such case shall happen.

*Provided always, and it is hereby declared,* That the fines, if more than one, shall accumulate and be recoverable to the use of the regiment or battalion, troop, or artillery company, wherein they have been incurred. *And provided,* That if any part of the militia in any county shall not be called out oftener than once within four years, no man who has been called out and served in person or by a sufficient substitute, shall be liable to serve again, until all the other effective men of his company shall have served in their turns personally or by substitute.

*Provided also,* That no Quaker, duly certified as such, shall be liable to the foregoing fine; but in case he shall stand for service on the list, and shall refuse to go or find a proper substitute, it shall be lawful for the officer commanding the company to which such Quaker belongs, to procure a substitute in his place, and such Quaker shall be liable to pay the expense of such hiring, so as the same do not exceed ten pounds, to be recovered before any two Justices of the Peace.

**LI.** *Provided always, and be it further enacted,* That all the non-commissioned officers and privates of the militia, who, during the last year, were drafted under the laws for regulating the militia, hereby repealed, and actually served in the embodied militia by themselves or their substitutes, or who actually served in said embodied militia as volunteers, without receiving wages or any allowance from the other non-commissioned officers or men of their respective companies or battalions, shall be exempted from service under the provisions of the foregoing clause, for the term of four years, unless all the men in the said first class shall be called into service within that period.

**LII.** *Provided also, and be it further enacted,* That when it shall happen that there are two or more sons residing in the house or family of their father or mother, and who shall have resided therein

Cavalry and artillery companies to be classed.

Drafts for actual service.

Quakers.

Those who have served their draft not liable to be called out again for four years.

Exemption

Exemption.

therein for one year preceding, then in case such sons shall stand on the list or roster aforesaid, so as to be liable to be ordered for service at the same time, one of the said sons shall be excused from serving, and the next on the list or roster shall be called out in his stead: and if any person, aged sixty years or upwards, or any widow having a son, grandson or an apprentice, on whom he or she depend for support, living with such aged person or widow for the space of twelve months before the ordering of any draft as aforesaid, such son, grandson or apprentice, shall be exempted from serving so long as he resides in the house or family of such aged person or widow, and contributes to his or her support.

*And whereas, the drafting of militia men employed as clerks, storekeepers, mechanics or labourers, in His Majesty's Ordnance Stores, and Naval or Careening Yard, and in the Civil and Military Departments of the Army, is frequently injurious to His Majesty's Service, for remedy whereof:*

Clerks, &c. in government employ.

**LIII.** *Be it further enacted,* That whenever a proportion of the militia of the Town of Halifax shall be called into service, it shall and may be lawful for the colonel or officer commanding the regiment of militia to which clerks, storekeepers, mechanics or labourers, belong, who are employed in His Majesty's Ordnance Stores, or in the Navy or Careening Yard, or in the Departments of the Army, to apportion the number of drafts such clerks, storekeepers, mechanics and labourers, which each of the said Departments respectively ought to furnish, and to procure good and sufficient substitutes in the place or stead of such clerks, storekeepers, mechanics and labourers, on the most reasonable terms, the amount of which cost and expence for procuring such substitutes, shall be duly assessed by the colonel, lieutenant-colonel, or officer commanding the regiment, with the assistance of two captains of the said regiment, on each clerk, storekeeper, mechanic or labourer, so employed in each of the aforesaid departments respectively, in proportion to the daily pay of each and every of the said clerks, storekeepers, mechanics and labourers.

Substitutes to be found for government clerks

Expense defrayed by assessment on clerks.

Refusal to pay assessment.

**LIV.** *And be it further enacted,* That each and every such clerk, storekeeper, mechanic or labourer, so assessed as aforesaid, shall, on due notice thereof, pay the amount of such rate or assessment to the officer commanding the regiment, or to any person by him duly authorized to receive the same, and if any such clerk, storekeeper, mechanic or labourer, shall refuse or neglect to pay such rate or assessment, it shall and may be lawful for any of His Majesty's Justices of the Peace for the Town of Halifax, on complaint of the officer commanding the regiment, and on due proof of such clerk, storekeeper, mechanic or labourer, having been notified of the amount of his rate or assessment, and of his neglect or refusal to pay the same, to issue his warrant to any of the constables of the Town of Halifax, directing them to levy, by distress and sale of the goods and chattles of such clerk, storekeeper, mechanic or labourer, the sum so proved to be by him due and owing, as his proportion, rate or assessment, aforesaid, with costs of suit, and for want of goods and chattles, to commit such clerk, storekeeper, mechanic or labourer, to jail, there to remain until the amount so specified in the warrant be duly paid. *Provided always,* that nothing in this Act contained shall extend or be construed to extend to prevent the said clerks, storekeepers, mechanics or labourers, in each of the aforesaid departments respectively, from procuring substitutes, agreeable to law, or performing the aforesaid militia duty in person on due notice given to them of such duty, and on their declaring such their intention at the time of notification, and carrying the same into effect.

Proviso.

Refusal of militia when ordered into actual service.

**LV.** *And be it further enacted,* That whenever, agreeably to the authority granted by this Act, the Governor, Lieutenant-Governor, or Commander in Chief, or the colonel or officer commanding any battalion, or the officer commanding in any township, shall order any part of the militia into actual service, any non-commissioned officer or private enrolled in the militia

litia who shall neglect or refuse to obey such order, or shall not by himself or sufficient substitute march, and proceed to perform such service as may be legally required of him, that such non-commissioned officer or man shall be confined by the officer commanding the battalion or company to which such person belongs, and shall be subject to a fine of ten pounds, to be recovered before any two of his Majesty's Justices of the Peace for the county wherein the offence is committed, to be levied of his goods and chattels by warrant of distress, under the hands and seals of such Justices, or in default of such distress to be liable to three months close imprisonment.

LVI. *And be it further enacted*, That whenever any part of the militia of this Province, shall be called out into actual service, the officers, non-commissioned officers, trumpeters, drummers, fifiers and privates, shall be entitled to the same pay and allowances as the officers, non-commissioned officers, trumpeters, drummers, fifiers and privates, of his Majesty's regular troops respectively receive, to be reckoned from the day that they march from the rendezvous of their respective companies, to go on actual service, until they shall be dismissed by order of the Governor, Lieutenant-Governor, or Commander in Chief, and at the time of their dismissal they shall be allowed respectively a number of days pay, to defray their expences to their usual places of residence, according to the distance, at the rate of fifteen miles per day, and the militia when called out into actual service shall on their arrival at the first military post, or at the place of general rendezvous where they are to be embodied into battalions, or companies, be furnished with rations in the same manner, and on the same terms as they are supplied to his Majesty's troops.

LVII. *Provided always, and be it further enacted*, That if the pay so to be allowed to persons under the rank of commissioned officers, shall not amount to the rates of pay herein after mentioned, clear of all deductions, that is to say, to every serjeant two shillings per day, to every corporal, trumpeter, drummer or fifier, one shilling and six pence per day, and to every private man one shilling and three pence per day, it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, at the monthly or other periods of paying the militia, to cause the said deficiency to be made up to the non-commissioned officers, trumpeters, drummers, fifiers and private men, out of the Treasury of the Province, and to draw his warrants therefor accordingly, by and with the advice and consent of His Majesty's Council.

LVIII. *And be it further enacted*, That in any county or district, exposed to the attack of an enemy by water, it shall and may be lawful for the General Sessions of the Peace, on presentment of the Grand Jury, of such county or district, to assess such sum or sums of money, as may be so presented for the providing one or more armed boats, for the defence of such county or district: such boat or boats to be under the direction of the officer commanding the militia in such county or district, until by the Sessions, and on presentment of the Grand Jury aforesaid, such boat or boats shall be judged no longer necessary, when they shall be at the disposal of such sessions on the presentment of the said Grand Jury, for the benefit of such county or District.

LIX. *And be it further enacted*, That whenever the colonel or commanding officer of the militia, in any county or district, where such boats are provided, shall find it necessary to order the boats so provided, or any other boats or vessels with which he may be furnished, to proceed in repelling the enemy, or to the assistance of any neighbouring district or place, or to be stationed as a watch for the defence of any such place, the militia of such county shall, on the orders of such commanding officer proceed in such boats accordingly. *Provided always*, that the officer, commanding the party of militia, on board such boat or boats, shall have the command also of such boat or boats, and that the militia shall not be obliged to proceed more than three leagues from the land when so ordered.

Pay of militia when ordered into actual service.

Pay of serjeants, corporals, trumpeters, drummers, and fifiers.

Armed boats may be provided.

Armed boats how employed.



Persons wounded or disabled by the enemy.

LX. *And be it further enacted*, That if any person be wounded or disabled upon any invasion or attack of the enemy, he shall be taken care of at the expence of the Province, during the time of such disability.

Articles of War

LXI. *And be it further enacted*, That in cases of invasion of an enemy, or imminent danger thereof, when any part of the militia shall be drawn out and embodied for actual service, in the manner herein before directed, from the time that such part of the militia shall be so embodied, until they shall be discharged by order of the Governor, Lieutenant-Governor, or Commander in Chief, such of the articles of war, now in force for the government of His Majesty's Forces in this Province, as the Governor, Lieutenant-Governor, or Commander in Chief, by and with the advice and consent of His Majesty's Council, shall consider applicable, and shall alter, so as to render the same conformable to the restrictions herein after mentioned, shall be printed agreeable to such alterations; and such of the said articles when so altered and printed (until otherwise provided for by the Legislature) shall be judicially taken notice of by all Judges and all Courts whatsoever, and shall be binding on and extend to all the officers, non-commissioned officers and private men, of the militia embodied as aforesaid, in all cases whatsoever not provided for by this Act: which articles of war the Governor, Lieutenant-Governor, or Commander in Chief, may cause to be made and published as soon after the publication of this Act as he may think proper.

Courts martial.

LXII. *Provided always, and be it further enacted*, That no officer serving in His Majesty's regular Forces shall sit on any court-martial upon the trial of any officer, non-commissioned officer or private man serving in the militia, nor shall any sentence of any general court martial extend to death, unless for desertion to the enemy, for mutiny and sedition, for traitorous correspondence with, or traitorously delivering up to, the enemy, any garrison, fortress, post or guard, nor shall any man serving in the militia be subject to be whipped or otherwise corporally punished in any case whatsoever, except by imprisonment, nor shall the sentence of any general court martial be carried into execution until it has been approved of by the Governor, Lieutenant-Governor, or Commander in Chief for the time being.

Appointment of general courts martial.

LXIII. *And be it further enacted*, That the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, shall have power, and is hereby empowered, by warrant under his hand and seal, to constitute and appoint General Courts Martial for the trial of all offences made cognizable by such courts by virtue of this Act, or which shall be made cognizable by such courts under such articles of war as shall be published for the government of the militia as herein before mentioned, which court shall consist of not less than thirteen commissioned officers, the president whereof shall not be under the rank of field officer.

Members of court martial to be sworn.

LXIV. *And be it further enacted*, That in all trials by General Court Martial, every officer before any proceedings be had, shall take the following oath, and the Judge-Advocate is hereby authorized to administer the same, viz:

Form of oath.

I A. B. do swear that I will duly administer justice according to the laws of this Province now in force, for the better regulating the militia, without partiality, favour or affection; and I further swear that I will not divulge the sentence of this court, until it shall be approved by his Majesty or some person duly authorized by him; neither will I, upon any account whatsoever, disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof, as a witness, by a Court of Justice, in a due course of Law. So help me God.

And no sentence of death shall be given against any offender by such general court martial, unless twelve officers present shall concur therein; and the Governor, Lieutenant-Governor,

or Commander in Chief, shall have power to appoint any one of His Majesty's Justices of the Peace for said Province, or other a fit person to act as Judge Advocate at any such general court martial; and provided always, that the Judge Advocate, previous to any proceedings had on the trial of any prisoner, takes the following oath, to be administered by the President of the court martial, to wit:

Judge Advocate to be sworn.

I A. B. do swear, that I will not, upon any account, at any time whatsoever, disclose or discover the vote or opinion of any particular member of the court martial, unless required to give evidence thereof, as a witness, by a court of justice in a due course of law. So help me God.

Form of Oath.

LXV. And be it further enacted, That no person shall be put to death, under the sentence of a general court martial, until a warrant under the hand and seal of the Governor, Lieutenant-Governor or Commander in Chief, shall issue for the execution of such sentence, which warrant shall direct the time and place when and where the person sentenced to death shall be executed: and all sentences of death shall be executed by either shooting or hanging the offender, as the same may be directed and ordered in the said warrant, which warrant shall be a sufficient justification to the officer or officers to whom the same shall be directed, and to all those lawfully employed under them in executing such sentence. Provided always, That, previous to any persons being put to death, pursuant to the sentence of a General Court Martial, such sentence, and the warrant for the execution thereof, shall be publicly read in the hearing of the bye-standers, at the time and place appointed for such examination.

Persons sentenced to death by a Court-Martial, not to be executed without a warrant from the Governor. Sentence of Court-Martial and warrant for Execution to be publicly read.

LXVI. And be it further enacted, That no officer under the rank of captain shall sit upon a court martial for the trial of any field officer.

Rank of officers composing Courts Martial limited.

LXVII. And be it further enacted, That general courts martial shall have power, and they are hereby empowered, upon an appeal being made from the sentence of regimental courts martial, to enquire into and to confirm or annul the said sentence, as to the same court shall appear fit and right; and in case it shall appear to the court that an appeal hath been made without any sufficient cause by a person sentenced by such regimental court martial, then and in that case the said general courts martial shall have power, and they are hereby empowered, to increase the punishment of such appellant by imprisonment in the jail of the county where such appellant doth reside, for a time not exceeding thirty days.

Appeal from the Regimental Court Martial to general Court Martial.

LXVIII. And be it further enacted, That officers commanding battalions or detachments not under the rank of captains, shall have power, and they are hereby empowered, to order a regimental court martial, for the trial of all offences cognizable by such court, under and by virtue of this Act, or any other Act made, or that shall be made, for the better regulating the militia; and that such regimental court martial shall consist of five members at the least, the president whereof shall not be under the rank of captain.

Regimental Court Martial.

LXIX. And be it further enacted, That the said regimental courts martial shall have power, and they are hereby empowered, to fine or imprison offenders for offences made by law cognizable by such court in their discretion, according to the nature of the offence, provided that the fine, to be by them imposed, shall in no case exceed the sum of five pounds, and the imprisonment shall in no case exceed thirty days.

Power of Regimental Court Martial.

LXX. And be it further enacted, That no sentence of a regimental court martial shall be executed, until the same shall be approved of, and confirmed, by the officer commanding the battalion or detachment of militia in which the person prosecuted shall serve, nor shall the same be executed without an order under the hand of such commanding officer for that purpose.

Sentence of Regimental Court Martial to be submitted to the Commanding Officer of the Battalion.

Witnesses to  
the Court

LXXI. *And be it further enacted,* That all courts martial shall have power, and they are hereby empowered to administer an oath to witnesses in the same manner as is accustomed by the courts martial in the British regular army, and to punish all and every person and persons for contempt of the court, by disobedience of its orders made in pursuance of the power and authority vested in them; or gross abuse of the said court in presence of the said court, by fine or imprisonment, so as the said fine by them imposed, shall in no case exceed the sum of five pounds, and the imprisonment shall in no case exceed twenty days.

Consanguinity  
of Members of  
Court Martial  
to delinquents.

LXXII. *And be it further enacted,* That no person shall sit as a member of any court martial, for the trial of any offender, who shall be related within the fourth degree, either to the prosecutor or to the person or persons prosecuted, nor shall any accuser sit as a member of the court for the trial of the person accused.

Quarter-Mas-  
ter.

LXXIII. *And be it further enacted,* That the quarter-master of every battalion, shall, before he commences the duties of his office, give bond with two sufficient sureties to the colonel or officer commanding such battalion, for his faithful discharge of such duties, and for his duly accounting for and applying all monies he may receive by virtue of this Act, and for all provisions and stores he may receive as quarter-master of such battalion; and the quarter-master of every battalion shall receive all fines and forfeitures applicable to the service of his battalion; for collecting, receiving, and paying over which, he shall be entitled to a commission of ten per cent. to be allowed in his general account; and such quarter-master shall, annually, at the general meeting of the commissioned officers of the battalion to which he belongs, and three times further, if thereto required by the officer commanding such battalion, exhibit fair accounts of the receipt and disbursement of all monies coming into his hands for the use of his battalion; and it shall and may be lawful for every quarter-master, with the approbation of the officer commanding the battalion to which he belongs, to appoint a quarter-master-sergeant, and, with the like approbation, to remove him and appoint another in his stead; and the quarter-master shall be, and he is hereby made, responsible for all monies applicable to the use of the battalion, which shall come into the hands of such quarter-master-sergeant.

Quarter Mas-  
ter-sergeant.

Fines, how re-  
covered.

LXXIV. *And be it further enacted,* That all fines and forfeitures incurred by this Act, not exceeding three pounds, shall be recovered before any one of His Majesty's Justices of the Peace, not being an officer of the company in which such fines shall be incurred; and all fines and forfeitures above three pounds, and not exceeding five pounds, shall be recovered before two Justices, not being officers of the said company; and all other fines and forfeitures above five pounds, shall be recovered in any of His Majesty's Courts of Record within this Province, unless the recovery of the same be otherwise provided for by this Act. *Provided,* That no person or persons whomsoever shall be prosecuted by virtue of any clause in this Act for any breach thereof, after the expiration of three months from the commission of the offence; and all fines, penalties and forfeitures, recovered by virtue of this Act, not exceeding ten shillings, nor otherwise disposed of therein, shall be paid into the hands of the clerk of the company to whose use such fine may be applicable, or if applicable to the use of the battalion, into the hands of the quarter-master of the battalion, to be applied under direction of the officers commanding such companies, to the use of such companies, according to the directions of this Act, or by the colonel or officer commanding any battalion, for providing or repairing of arms, drums, or colours, or for other contingent charges of such regiment or battalion.

Fines, how ap-  
plied.

LXXV. *And be it further enacted,* That all fines and forfeitures not exceeding ten shillings, to be recovered by the clerks of companies, shall be applied by the captain or officer commanding each company for the keeping in order the arms and accoutrements of such company, for the

the purchase of drums and fife for the same, and other incidental charges attending the said company, and if any surplus shall arise the same shall be paid into the hands of the quartermaster of the regiment or battalion, to be applied to such uses as the field officers and captains in their annual or other meetings shall direct and appoint.

LXXVI. *And be it further enacted,* That if any person or persons whomsoever, shall encourage, persuade, entice or procure, or endeavour to encourage, persuade, entice or procure, any non-commissioned officer or private man of the militia, on actual service, to desert, or shall harbour, conceal or assist, any deserter from the militia on actual service, knowing him to be such, it shall and may be lawful for the commanding officer of the battalion, company or detachment, to which such non-commissioned officer, private man or deserter, may belong, at his option, to cause the person or persons so offending to be prosecuted by information in His Majesty's Supreme Court, or before two of His Majesty's Justices of the Peace, according to the nature and circumstances of the case: and if the person or persons on such prosecution in the Supreme Court shall, by the verdict of a jury, be convicted of any or either of the foregoing offences, such person or persons shall severally forfeit and pay for each and every offence, a sum not exceeding twenty pounds, or be liable to close imprisonment, not exceeding the term of three months; and if such prosecution shall be carried on before two of His Majesty's Justices of the Peace, the person or persons who, on the oath of one or more credible witnesses, shall be convicted by such Justices of any or either of the said offences, shall severally forfeit and pay, for each and every offence, the sum of five pounds, and in default of such payment such offender or offenders shall by such Justices be committed to jail, and closely confined for a term of twenty days, or until he, she or they, shall pay and discharge the said penalty of five pounds together with the costs of prosecution.

Desertion from actual service.

LXXVII. *And be it further enacted,* That if any action shall be brought against any person or persons for any thing done in pursuance of this Act, such action or suit shall be commenced within six months next after the fact committed, and not afterwards; and the defendant or defendants, in any such action or suit, may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon.

Prosecution for any thing done in pursuance of this Act

LXXVIII. *And be it further enacted,* That so many sections of this Act as the Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall from time to time order and appoint, together with the Articles of War when made and published, shall be read so many times in each year as the Governor, Lieutenant-Governor, or Commander in Chief, shall direct.

Militia Law, &c. to be read.

LXXIX. *And be it further enacted,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, from time to time to commission and appoint proper officers to inspect and command all the battalions of the militia throughout the Province, or to limit the command and inspection of such officers to a particular number of battalions, or to the inspection and command of all the militia, in particular divisions of the Province, or particular Counties or Districts, as may be considered most convenient, fit and proper; and all such officers when so commissioned and published in General Orders to the Militia, shall be obeyed in all things lawful, by all persons who shall be so placed under their respective command.

Appointment of Inspecting Officers.

LXXX. *And be it further enacted,* That the Act made and passed in the thirty-fifth year of his present Majesty's reign, entitled, An Act to amend and reduce into one Act the several Acts now in being, relating to a Militia in this Province; and all the Acts of this Province made in addition thereto, or in alteration or amendment of the said Act, shall be, and the same are hereby repealed.

Repeal of Militia Acts.

Continuance of  
this Act.  
Continued by  
subsequent  
Acts to 1816

LXXXI. *And be it further enacted*, That this Act shall continue and be in force for one year from the publication thereof; and from thence to the end of the next Session of the General Assembly, and no longer.\*

## CAP. II.

An ACT to provide for the Accommodation and Billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.

Troops or Mi-  
litia on a march.

Billeting.

Allowance for  
Billeting.

False receipt  
for billeting.

Payment of bil-  
leting receipts.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That whenever any regiment or detachment of His Majesty's Forces, or of the Militia Forces of this Province, shall be ordered to march from one district of this Province to another, it shall and may be lawful for the Justices of Peace inhabiting in or near any town, village or place, at or through which such forces shall arrive or pass, to quarter and billet the officers and soldiers of the forces so on their march as aforesaid in inns, taverns and ale houses, and where there shall not be found sufficient room in such inns, taverns and ale houses, then to quarter and billet the remainder of such officers and soldiers in the houses of persons selling spirituous liquors by retail, and in the houses of persons who have, within one month previous to the marching of such forces, kept an inn, tavern or ale house; and all persons upon whom such forces shall be quartered and billeted as aforesaid, shall and are hereby required to furnish the said officers and soldiers so billeted on them as aforesaid with lodging, and good and sufficient provisions consisting of bread, flesh and vegetables; and the officers commanding each and every detachment of His Majesty's forces, or of the militia, shall give to the person or persons on whom such detachments shall have been so quartered and billeted, receipts or certificates of the number of meals furnished to his detachment, which receipts or certificates shall entitle such person or persons to receive, as is herein after mentioned, one shilling for every meal, and three pence for every night's lodging which shall have been furnished as aforesaid; and if any militia officer shall give any certificate or receipt for a greater number of meals or nights' lodgings than shall have been actually and *bona fide* received for the use of his detachment or command, such militia officer on conviction thereof before a general court martial, shall be cashiered, and shall moreover forfeit and pay a fine of fifty pounds, to be recovered by bill, plaint or information, in any of His Majesty's Courts of Record in this Province, one half whereof shall go to the informer, and the remainder shall be paid into the Treasury of the Province, for the use of the Province.

II. *And be it further enacted*, That it shall be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to draw by warrant or warrants on the Treasury of the Province for the payment of all such meals of provisions, and nights' lodgings, as shall have been furnished to the militia forces on their march, and for which receipts or certificates shall be produced as aforesaid; and that whenever a route shall be granted by the Governor, Lieutenant-Governor, or Commander in Chief, for the march of any body of his Majesty's regular troops, who are to be removed from one garrison or post to another, within the Province, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by warrant on the Treasury, for so much money as shall be sufficient to pay the full price of the soldier's

dier's dinner, to be estimated at the rate aforesaid for each soldier, every day he shall be on such march. *Provided*, That the sum to be drawn for in one year for such service, shall on no account exceed the sum of five hundred pounds; the payment to be made agreeable to such regulations and certificates as the Governor, Lieutenant-Governor, or Commander in Chief, shall from time to time make, touching the premises, such regulations and the forms of such certificates to be delivered, with the said route, to the commanding officer of the party to be removed.

III. *And be it further enacted*, That the receipts or certificates of the number of meals and nights' lodgings, which shall be furnished to any regiment or detachment of his Majesty's troops, quartered and billeted on their march as aforesaid, and for which the payment is not herein otherwise provided, shall entitle the person or persons who shall have furnished the same, to receive payment therefor from the officer who shall grant such receipts or certificates, or from the person or persons appointed by the Commander in Chief to make payment for the same.

Persons providing lodgings, &c. entitled to pay from officer commanding detachment.

IV. *And be it further enacted*, That in places and situations where there may not be a sufficient number of public inns, taverns, ale houses and licenced shops, whereon to billet the whole of any detachment of soldiers or militia that may be on a march, it shall and may be lawful to billet a part of such detachment on other housekeepers in the discretions of the Magistrates giving billets for the same.

Where there are not a sufficient number of inns for billeting troops.

V. *And be it further enacted*, That it shall and may be lawful for any two of his Majesty's Justices of the Peace for the County where any march of His Majesty's regular forces or of the militia forces is to commence, or for the county through or to which any such march is to be continued, upon the application of the commanding officer of such forces, and a route signed by the Governor, Lieutenant-Governor or Commander in Chief for the time being, to order a suitable number of horses, carts and waggons, to be furnished, for conveying upon such route the baggage of such forces, and to determine what persons shall provide the same: and the person or persons who shall accordingly carry and convey any such baggage, shall be entitled to receive payment for the same at the rate of one shilling per mile for the hire of one horse and cart, with one suitable driver, to carry a load not exceeding five gross hundred weight, for a distance not to exceed twenty miles, and for every additional horse or horses, to be added to the draught of such cart, nine pence more per mile for each horse. *Provided*, the additional load to be carried, shall not exceed five gross hundred weight for each additional horse. And if any such waggons or carts so employed to carry any baggage as aforesaid, shall be required and ordered by the commanding officer of any detachment of such forces, to halt at any particular stages or places, and for that cause shall be delayed in their route, such detention shall be computed and paid for at the rate of two shillings and six pence for every hour of the day such detention may last; and the commanding officer shall give certificates to the respective owners or carriers of such waggons and carts, of the weights of the baggage, and the distance which the same shall have been so carried and conveyed by them, specifying also therein the time and cause of the detention of such waggons or carts, according to which receipts, the owners of such horses, waggons or carts, shall be entitled to demand and receive payment forthwith of the officer commanding such detachment.

Horses, carts, &c.

VI. *And be it further enacted*, That if any person or persons shall refuse or neglect to furnish any such horses, carts or waggons, upon the order of any two of his Majesty's Justices of the Peace given as aforesaid, without a reasonable excuse to be allowed by said Justices, on complaint thereof made by the said Justices or either of them, to the next Court of General or Quarter Sessions of the Peace for such county, the said Court shall order the party

Persons refusing to furnish horses, &c.

complained against, to be brought before them, and shall hear and determine such complaint; and if the person or persons so complained against, shall be convicted of wilfully disobeying the said order, he or they shall severally forfeit and pay forty shillings for such offence; to be levied by warrant of distress and sale of the goods and chattles of such offender, and be paid to the officer commanding the militia in such county or district, and applied to the services herein after mentioned. And if any officer commanding such detachment shall force or constrain any waggon or cart to travel more than twenty miles, or one day's journey, or shall refuse or neglect to discharge the same in due time to return home, or shall overload or suffer to be overloaded, any such waggon or cart, either by permitting soldiers, their wives or children, to ride therein or otherwise, or shall force waggons, carts, or horses, from the owners thereof, by themselves, servants or soldiers, every such officer shall forfeit the sum of forty shillings, and be liable also to the party injured for his reasonable damages; and no loaded waggon or cart passing from town to town, nor any horse or horses employed in travelling by or for the owner, shall be liable to be taken or constrained to transport such baggage as foresaid.

Recovery and application of fines.

VII. *And be it further enacted* That all fines and forfeitures, recovered by virtue of this Act, shall be applied to the repairing of the arms, and to the providing and repairing of drums or colours, or for other contingent expences of the militia, in such manner as shall be recommended by the field officers and captains of the militia of such county or district at their annual meetings.

Continuance of this Act.  
\*In force in 1815.

VIII. *And be it further enacted*, That this Act shall continue and be in force for one year from the publication thereof; and from thence to the end of the next Session of the General Assembly, and no longer.

### CAP. III.

## An ACT to impose and appropriate an additional Duty on all Wine, hereafter to be imported into this Province.

Preamble.

**W**HEREAS *His Majesty has been pleased to recommend that the Assembly of this Province should enable His Majesty to make a provision out of the funds of this Province, for the honorable retirement of Sir JOHN WENTWORTH, the late Lieutenant-Governor, compliance therefore, with His Majesty's Royal Recommendation:*

Duty on wine imported.

I. *BE it enacted, by the Lieutenant-Governor, Council and Assembly,* That there be granted and paid to his Majesty, his heirs and successors, an additional duty of six pence per gallon on all wines hereafter to be imported into this Province, to be raised, levied, collected and paid, by the ways, means, methods, rules, provisions and directions, and under the same penalties, and by the collectors prescribed, mentioned, named and expressed, in and by an Act, entitled, *An Act for granting to his Majesty certain duties on wine, rum, and other distilled spirituous liquors, molasses, coffee and brown sugar, for the support of his Majesty's government, and for promoting the agriculture, commerce and fisheries of this Province.*

Drawback on export.

II. *Provided always, and be it enacted,* That if any wine, hereafter to be imported into this Province, and upon which the duty hereby imposed shall be paid or secured to be paid, shall be exported from this Province, that then the duty of six pence, hereby imposed, shall be repaid to the person or persons exporting the same, without any deduction whatever.

III.

III. *And be it further enacted*, That it shall be lawful for his Majesty, his heirs and successors, out of the monies to be raised by virtue of this Act, to appropriate any sum, not exceeding five hundred pounds, sterling money of Great-Britain, per annum, as an annuity or pension, for Sir JOHN WENTWORTH, during his natural life, if his Majesty shall see fit.

Application of  
duty.

IV. *And be it further enacted*, That if the monies to be raised by virtue of this Act, in any year or years, while the same shall be in force, shall happen to fall short of the sum of five hundred pounds, sterling, it shall be lawful for his Majesty, his heirs and successors, to apply any other monies remaining or being in the Treasury of the Province, to make up such deficiency; and in case the monies so to be raised shall exceed the said sum of five hundred pounds, the surplus shall be added and carried to the credit of the general funds of the Province.

Insufficiency of  
duty.

Surplus.

V. *And be it further enacted*, That this Act shall continue and be in force during the natural life of Sir JOHN WENTWORTH, and until the end of the next Session of the General Assembly after his decease, and no longer.\*

Continuance of  
Act.

\*In force in  
1815.

#### CAP. IV.

An ACT in addition to an Act, passed in the Forty-Seventh Year of His present Majesty's Reign, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

Expired.

#### CAP. V.

An ACT for applying certain Monies to the purposes therein mentioned.

Executed.



At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Thursday the Twenty-fourth day of November, 1808, in the Forty-ninth year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. &c. being the Fourth Session of the Ninth General Assembly, convened in the said Province.\*

\* This Session commenced in the time of Sir George Prevost, Baronet, Lieutenant-Governor; and finished by the Honorable Alexander Croke, L. L. D. (being President and Commander in Chief, in the absence of Sir George Prevost;) S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; S. H. George, Secretary of the Council; and James B. Franklin, Clerk of Assembly.

### CAP. I.

An ACT for imposing an additional Duty of Excise on Rum, and other distilled Spirituous Liquors, and for appropriating the same.

Expired.

### CAP. II.

An ACT in addition to an Act, passed in the twenty-ninth year of his Majesty's reign, entitled, An Act for the better support of the Poor in the respective Counties within this Province, by laying an Impost Duty on all articles imported into this Province from the United States of America.

Expired.

### CAP. III.

An ACT for continuing the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

Expired.

CAP. IV.

An ACT to continue an Act for the better support of the Poor, in the respective Counties of this Province. Expired.

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CAP. V.

An ACT to continue an Act, for granting to His Majesty certain duties on Wine, Rum, and other distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar. Expired.

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CAP. VI.

An ACT to continue the several Acts of the General Assembly for raising a Revenue to repair the Roads throughout the Province, by laying a duty on persons hereafter to be licenced to keep Public Houses, or Shops, for the retail of Spirituous Liquors. Expired.

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CAP. VII.

An ACT to continue in force the several Acts therein mentioned. Expired.

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CAP. VIII.

An ACT to revive and continue an Act, entitled, An Act for the security of Navigation, and for preserving all Ships, Vessels, and Goods, which may be found on shore, wrecked or stranded, upon the coasts of this Province; and for punishing persons who shall steal shipwrecked Goods; and for the relief of persons suffering loss thereby. Expired.

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## CAP. IX.

Expired.

An ACT to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges.

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## CAP. X.

Executed.

An ACT to encourage the raising of Bread Corn on new Lands.

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## CAP. XI.

Executed.

An ACT to encourage the Fisheries of the Province, by granting a bounty on the importation of Salt ; and also for regulating and imposing a Duty on the exportation of Salt.

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At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Wednesday the Seventh day of June, 1809, in the Forty-ninth year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. &c. being the Fifth Session of the Ninth General Assembly, convened in the said Province.\*

\* In the time of Sir George Prevost, Baronet, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; S. H. George, Secretary of the Council; and William Hill, Acting Clerk of Assembly.

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**CAP. I.**

An **ACT** for applying certain Monies therein mentioned for the service of the year One Thousand Eight Hundred and Nine; and for appropriating such part of the Supplies granted in the last Session of the General Assembly as are not already appropriated by the Laws or Acts of the Province. Executed.

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**CAP. II.**

An **ACT** in addition to an Act, passed in the last Sessions of the General Assembly, entitled, An Act to regulate the expenditure of Monies hereafter to be appropriated for the service of Roads and Bridges. Expired.

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**CAP. III.**

An **ACT** to extend the Provisions of an Act, passed in the Forty-sixth year of the reign of His present Majesty, entitled, An Act to encourage the raising of Bread Corn on New Lands. Expired.

At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Thursday the Ninth day of November, 1809; in the Fiftieth year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. &c. being the Sixth Session of the Ninth General Assembly, convened in the said Province.\*

\* In the time of Sir George Prevost, Baronet, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; S. H. George, Secretary of the Council; and James B. Francklin, Clerk of Assembly.

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### CAP. I.

Executed.

An **ACT** for applying certain Monies therein mentioned for the service of the year ensuing; and for appropriating such part of the Supplies granted in this Session of the General Assembly as are not already appropriated by the Laws or the Acts of the Province.

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### CAP. II.

Executed.

An **ACT** to continue an Act for imposing an additional Duty of Excise on Rum, and other Distilled Spirituous Liquors; and for appropriating the same.

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### CAP. III.

Executed.

An **ACT** to continue an Act for granting to His Majesty certain Duties on Wine, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar.

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CAP.

## CAP. IV.

An ACT for continuing the several Acts of the General Assembly for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province. Expired.

## CAP. V.

An ACT to continue the Acts for the better support of the Poor in the respective Counties of this Province. Expired.

## CAP. VI.

An ACT to amend and alter an Act, passed in the forty-eighth year of His Majesty's Reign, entitled, An Act to provide for the greater security of this Province, by a better regulation of the Militia, and to repeal the Militia Laws now in force.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That if any person enrolled in the Militia of this Province shall appear, on the respective days of muster and training, with arms and accoutrements, any of which, in the opinion of the Captain or Officer commanding the company to which he belongs, are dirty, and not in good and serviceable order, such person shall forfeit and pay a sum not less than two shillings and six pence, nor more than ten shillings. Arms, &c. not in order.

II. *And be it further enacted*, That if any person enrolled as aforesaid, who has received, or shall hereafter receive, militia arms and accoutrements, shall use the said militia arms and accoutrements, for fowling, or the like private purposes, he shall forfeit and pay for each offence the sum of five shillings. Fowling, &c. with arms.

III. *And be it further enacted*, That instead of four company meetings, as directed by the twenty-ninth section of the said Act, there shall, in future, be six company meetings, to be called out and assembled yearly in the manner, and under all the provisions, regulations and penalties, prescribed by the said Act. Company meetings.

IV. *And be it further enacted*, That the persons commonly called Quakers, and certified as such by two respectable householders belonging to their Society, shall be exempted from all training, the duties of watching and warding, and from furnishing and providing themselves with arms and ammunition, or accoutrements, for which exemptions every such Quaker shall pay annually the sum of twenty shillings, to be applied to the purposes mentioned in the thirty-first section of the Act hereby amended. Quakers.

V. *And be it further enacted*, That it shall and may be lawful for the Colonel or Officer commanding any regiment or battalion of Militia, to order as many inspections of the arms, accoutrements and ammunition, of the several companies under his command, in every year, as Inspection of arms, &c.

he may judge necessary ; which inspections are to be made in the manner, and under the like regulations and penalties, as is expressed in the twenty-second section of the said Act herein before mentioned.

Removal of  
Militia-men.

VI. *And be it further enacted,* That when any Militia man shall remove from one company district to another, and shall be enrolled in the company of the district to which he has removed, he shall fall in immediately before the person who has drawn the same number as the said militia man held in his former company, and shall stand there ready to be called on for actual service as if he had originally drawn such number in the company to which he has so removed.

Squad meet-  
ings.

VII. *And be it further enacted,* That so much of the said Act hereby amended as respects Squad meetings of the Militia, shall be, and the same is hereby repealed.

Prosecutions.

VIII. *And be it further enacted,* That in all cases where any prosecution shall be had before any one or more Justices of the Peace for any offences within the Militia Laws of this Province, the Justice or Justices shall enquire into the whole complaint, and give judgment, with such costs of suit as are allowed by Law in civil cases between party and party ; and if the defendant shall be acquitted, or the prosecutor shall be nonsuit, the costs awarded against him shall be paid out of the fines of the company to which the defendant belongs.

Continuation.  
\*In force in  
1815.

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

## CAP. VII.

An ACT in addition to an Act, passed in thirty-third year of the reign of His late Majesty King George the Second, entitled, An Act for regulating the Rates and Prices of Carriages.

Licence to  
Truck.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the first day of April next, no person shall drive any Cart, Truck, or Sled or Carriage, for the transportation of any Goods, Wares, Merchandise, or other things whatsoever, within the Town and Suburbs of Halifax, for hire or wages, unless he shall be licensed, as a Truckman, by the Justices of the Peace in Sessions, on penalty of Twenty Shillings for each offence.

Trucks, &c. to  
be marked.

II. *And be it further enacted,* That every person who shall own or use any Truck, Cart, or Sled, for the transport of Goods or other things for hire, shall cause the initial letter of his Christian Name, and his Surname at full length, and also the number of his license, to be painted in large and legible characters upon each side of his Cart, Truck or Sled, on the square or after-part of the Shaft of such Truck or Cart, and upon the curve of the runners of such Sled, and so continue the same on penalty of five shillings, for every day that he shall drive his Cart, Truck or Sled, without having his name and number so painted thereon.

Refusal to  
Truck.

III. *And be it further enacted,* That if any licensed Cartman or Truckman, being on his Stand, shall refuse or neglect to Cart, Truck, or employ his Horse and Cart, within the said Town and Suburbs of Halifax, for any person when requested, such Cartman and Truckman, shall, for each offence, forfeit and pay the Sum of Ten Shillings.

Stands for  
Trucks.

IV. *And be it further enacted,* That the said Justices shall appoint the Stands for Carts, Sleds or Trucks, in the Town of Halifax, and make all other necessary regulations for the good and orderly government of Cartmen and Truckmen, within the said Town and Suburbs.

V.

V. *And be it further enacted,* That if any licensed Cartman or Truckman, shall be guilty of any wilful breach of the regulations to be made by the said Justices, it shall be lawful for the said Justices in their Sessions, upon complaint and proof thereof, summarily made before them, to take away the License of such Person, or to suspend him from exercising the business of a Truckman or Cartman, for such time as the Justices shall see fit.

Breach of Regulations.

VI. *And be it further enacted,* That if any Truckman or Cartman, whose license shall have been so taken away or suspended, shall drive any Cart, Truck or Sled, for hire, within the Town and Suburbs of Halifax, without obtaining a new License therefor, he shall forfeit and pay the sum of Ten Shillings, for each and every day that he shall so offend.

Trucking without licence.

VII. *And be it further enacted,* That the Clerk of the Peace shall be allowed to take and receive from each Cartman and Truckman, to be licensed as aforesaid, the sum of two shillings and six pence for his said License.

Expense of licence.

VIII. *And be it further enacted,* That all penalties imposed by this Act, may be sued for before any one of His Majesty's Justices of the Peace of the Town of Halifax, and recovered with costs of suit, by him or them who may sue for the same, one half of which penalty shall be paid to the informer or party grieved, and the other half to the Commissioners or Overseers of the Highways, to be expended on the Streets of Halifax.

Prosecutions.

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

Continuation.  
\*In force in 1815.

### CAP. VIII.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licensed to keep Public Houses, or Shops, for the retail of Spirituous Liquors.

Expired.

### CAP. IX.

An ACT to provide for the support of a Light-House on Briar Island, at the entrance of the Bay of Fundy.

**W**HEREAS, a Light-House is now erected on Briar Island, at the entrance of the Bay of Fundy, which will be highly beneficial to all Vessels going into that Bay; therefore,

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council, and Assembly,* That so soon as the said Light House shall be completed, and a light kept therein, all ships and vessels which shall enter the Bay of Fundy, and arrive at any port, harbour, creek or bay, in this Province, within the said Bay of Fundy, to the northward of Cape Saint Mary's, shall pay the same rate of tonnage duties that are now received from, and made payable by all vessels which enter the harbour of Halifax. *Provided always,* That in case the Light House at the entrance of the Gut of Annapolis, shall be rebuilt, all such ships or vessels that shall enter the said Gut of Annapolis, and pay the tonnage duties made payable by all ships or vessels entering the said Gut of Annapolis, shall be, and are hereby exempted from the payment of the tonnage duties imposed by this Act.

Duty.

Proviso.

II.



Collection and application of Duties.

II. *And be it further enacted*, That it shall and may be lawful to collect, receive and apply, the tonnage duties imposed by this Act, in the same manner, and under the same regulations, that the said tonnage duties are now collected, received and applied, in the said harbour of Halifax.

Act 33d. Geo. II. Act 28th Geo. III.]

III. *And be it further enacted*, That the Act, passed in the thirty-third year of his late Majesty's reign, entitled, An Act for regulating and maintaining a Light House on Sambro-Island; also, an Act passed in the twenty-eighth year of his present Majesty's reign, entitled, An Act for regulating and maintaining a Light House at the entrance of the harbour of Shelburne, and all the several Acts which have been since made and passed in addition to, and amendment thereof, and to revive, continue, and make the same perpetual, and all the several matters and things contained therein, shall be, and the same are hereby extended to the said Light-House on Briar Island, at the entrance of the Bay of Fundy, and also made applicable to enforce the payment of the said tonnage duties on all vessels which enter the Bay of Fundy, and come into any port, harbour, creek or river, within this Province.

and the Acts since passed, made applicable to Briar Island Light-House.

Continuation.

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

\*In force in 1815.

CAP. X.

An ACT to encourage the Fisheries of this Province.

CAP. XI.

An ACT in addition to, and in amendment of, an Act, passed in the forty-first year of His Majesty's Reign, entitled, An Act for repairing, cleaning and paving, the Streets in the Town and Peninsula of Halifax, and for removing obstructions therein; and also the Act in amendment thereof, passed in the forty-second year of His present Majesty's Reign.

Preamble.

WHEREAS, notwithstanding the said Acts, the Streets, Lanes and Highways, in and about the town of Halifax, are frequently encumbered with filth, dirt, and nuisances of various descriptions, which greatly obstruct the passage, and also endanger the health of the inhabitants; for remedy thereof:

Inhabitants to keep gutters and streets clean before their houses.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That every person within the town of Halifax, shall be obliged to keep the gutters and streets before the houses, building or land, inhabited or occupied by him, her or them, clear and free from dirt, filth and nuisances of every kind; and that whenever any earth, ashes, manure, stones, brick, shavings, dirt, filth, offal, or any other thing, shall be found lying, thrown or placed, in any of the said streets, lanes or highways, the person or persons, before or nearest whose house, building or land, the same shall be, shall forfeit and pay a fine of twenty shillings, together with the expense incurred by the Commissioners of Highways in removing the same; and the said Commissioners, or any one of them,

Penalty for neglect.

them, are hereby authorised to cause such earth, ashes, manure stones, shavings, rubbish, dirt, fish, or offal, to be instantly removed, without giving any notice to the owner, or supposed owners thereof, or being at all answerable for the same. *Provided always*, That no person shall be liable to the said penalty, unless he shall have thrown or placed the said nuisance in the street, lane or highway, where the same shall be found, or not having thrown or placed the same in, the said street, lane or highway, shall suffer the same to continue for the space of four hours.

Proviso.

*And whereas, persons keeping Carts, Sleds, or Trucks, frequently neglect to perform their highway labour, or to work in a proper manner, and it is expedient to substitute a Money payment, in lieu thereof :*

Preamble.

II. *Be it therefore enacted*, That every person or persons, who shall keep any horse or horses, and cart, sled or truck, shall, besides performing his and their personal statute labour, pay for such horses annually at the following rates : that is to say, for one horse, seven shillings and six pence ; for two horses, twelve shillings ; for three horses, sixteen shillings ; for four horses twenty shillings ; and for every horse above four, two shillings and six pence more.

Horse rates.

*And whereas, the main public Road leading from Halifax to Sackville Bridge, is frequently encumbered and obstructed with Logs, Spars, Bark, Scantling, Boards, Plank, Slabs, Cordwood, Hoop Poles, Staves, Laths, Fencing Materials and Stones, to the great annoyance and danger of travellers and passengers on the road ; for remedy whereof :*

Preamble.

III. *Be it enacted*, That in ten days after the publication hereof, all logs, spars, bark, scantling, boards, planks, slabs, cordwood, hoop poles, staves, laths, fencing materials, and stones, and timber of any kind, which shall be found in the ditches or track of the said road between M'Alpine's house, and the upper or eastern side of Sackville bridge, shall be *ipso facto* forfeited ; and it shall and may be lawful for the said Commissioners, or any of them, without any suit or process of Law whatever, to cause all articles so found, to be instantly seized, and disposed of in such way, or manner as they shall think proper ; and if the same shall be sold, the proceeds of such sale shall be applied by the said commissioners for the repair and improvement of the said road.

Nuisances on road to Sackville.

IV. *And be it further enacted*, That all sum and sums of money, penalties and forfeitures, herein contained, shall be sued for and recovered before any Justice of the Peace for the County of Halifax.

Prosecutions

V. *And be it further enacted*, That this Act shall be and remain in full force and effect for one year from the publication hereof, and from thence to the end of the next Session of the General Assembly.\*

Continuation.

\* In force in 1815.

CAP. XII.

An ACT to encourage the raising of Bread Corn on new Lands.

Expired.

CAP. XIII.

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

Expired

## CAP. XIV.

Expired.

An ACT to continue in force the several Acts therein mentioned.

## CAP. XV.

An ACT to alter and extend the times of holding the Supreme Court in several of the Counties and Districts in this Province; and for declaring the qualification of persons hereafter to be appointed Justices of the said Court, their number, and salaries.

Preamble.

**W**HEREAS it has been found that the time limited by Law for the sitting of the Supreme Court, in the Counties of Annapolis, King's County, and Cumberland, and also in the Districts of Colchester and Pictou, is not sufficient to enable the said Court to finish the business of the said Counties and Districts, whereby great delays of justice are occasioned, to the injury of Suitors in the said Court; for remedy whereof:

Sittings.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the said Supreme Court shall be hereafter held at Pictou, in the District of Pictou, on the last Tuesday of May; and at Truro, in the District of Colchester, on the Thursday next, after the first Tuesday of June; and at Amherst, in the County of Cumberland, on the third Tuesday of June; at Windsor, in the County of Hants, on the second Tuesday of September; at Horton, in King's County, on the third Tuesday of September; and at Annapolis, in the County of Annapolis, on the second Thursday after the said third Tuesday of September in each year.

Length of Sittings.

II. *And be it further enacted,* That the said Court shall not sit at any of the said places longer than the period of eight days in any one Session.

Supreme Court —by whom held.

III. *And be it further enacted,* That the said Supreme Court shall be held in each of the said Counties and Districts by two Assistant Justices of the said Court, in the absence of the Chief Justice, and in no other way or manner whatsoever.

Sickness of Assistant Justice.

IV. *Provided always, and be it further enacted,* That if, at any time, after the Assistant Justices of the said Court, shall have commenced any of the said circuits, it shall happen that any one of the said Justices by reason of sickness or unavoidable accident, shall be prevented from attending at any of the said Courts, on the days when the same are herein directed to be held, it shall and may be lawful for the other Justice to hold the said Court, and to proceed in hearing and determining all matters therein depending, any thing herein before contained to the contrary notwithstanding.

Return of Writs, &amp;c.

V. *And be it further enacted,* That all writs, process, recognizances and complaints, which are, or shall be made, returnable to the said Court at its next sittings, in the said Counties or Districts respectively, shall be returned on the days herein appointed for such respective sittings of the said Court, and all parties and persons who are bound or summoned, or who ought to appear at the said Courts, or any of them, at the next sittings thereof, in any of the said Counties or Districts, shall be held and obliged to appear at such Court, at the days and times on which such sittings respectively are hereby directed to be held.

Preamble.

*And whereas the extending the terms of sittings of the said Court in several Counties and Districts will render it necessary to make provision for the appointment of one other Assistant Justice of the said Court; and, whereas, their present Salary is inadequate to their honorable Support:*

VI. *Be it enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief, for the time being, to appoint one other Assistant Justice of the said Court, in addition to those already appointed. Appointment of Assistant Justice.

VII. *And be it further enacted*, That no person shall hereafter be appointed an Assistant Justice of the said Court, unless he shall have been regularly sworn and admitted an Attorney of the said Court ten years prior to such appointment, and shall have been in the practice of his profession, of an Attorney and Counsel in the said Court, at least five years next before the said appointment. Qualifications.

VIII. *And be it further enacted*, That it shall not be lawful for any Assistant Justice of the said Court, to hold, possess or enjoy, any other Office, Post, Place, Appointment, or Situation, except the Office of Master in Chancery, or that of a Member of His Majesty's Council of this Province, or accept, receive, or take any Salary, Fees or Emoluments, for, or in respect of any Office, Post, Place, Appointment, or Situation, other than the Salary provided by this Act, and such other Fees and Emoluments, as appertain to the said Offices and Situations herein before named. Prevented holding other situations

*Provided always*, That nothing herein contained shall prevent either of the present appointed Justices of the said Court from holding any Office they may have been in possession of before the passing of this Act. Exception.

IX. *And be it further enacted*, That instead of the sum of Four hundred pounds heretofore allowed, that the sum of Five hundred pounds be granted, established and paid, as the yearly Salary of each of the three Assistant Justices of the said Court, in addition to the allowance of travel already provided. Salary.

*Provided always*, That nothing herein contained shall extend, or be construed to extend, to prevent the appointment of the Assistant Justices, and the payment of their Salaries by the annual Grant of Parliament for Nova-Scotia, or otherwise by His Majesty's Special Warrant or Authority. Payment of Salary, &c.

### CAP. XVI.

An ACT to authorize the sale of part of the Lands and Tenements of Samuel Hart, of Halifax, merchant, a lunatic, or insane person, for payment of his Debts, and for his maintenance and support.

**W**HEREAS, a Commission, in nature of a Writ De Lunatico Inquirendo, was issued out of His Majesty's Court of Chancery, bearing teste the twelfth day of June, one thousand eight hundred and nine, directed to certain Commissioners therein named, to enquire of the lunacy of Samuel Hart, of Halifax, merchant; and Whereas, the said Commission was duly executed, on the twenty-eighth day of June, before the Commissioners therein named, and thereby it was found that the said Samuel Hart was then a lunatic, and not capable of the government of himself, his messuages, lands, tenements, goods and chatties, and so had been for three weeks then last past. And Whereas, on the petition of Rebecca Hart, the wife of the said Samuel Hart, and Foster Hutchinson, and George Grassie, of Halifax, Esquires; His Excellency the Lieutenant-Governor and Chancellor of this Province, on the third day of July, was pleased to commit the custody of the person, and the care and management of the estate of the said Samuel Hart, unto the said Rebecca Hart, Foster Hutchinson, and George Grassie, who have given security for the faithful discharge of the trust reposed in them. And Whereas, the said Samuel Hart, at and before the time of his said lunacy, was, and is still, indebted to divers persons in large sums of money, which his personal estate, and the rents of his real estate, are quite insufficient to discharge, and his said creditors threaten to institute suits at Law, and in Chancery, Preamble.

*to compel the sale of his lands and tenements for payment of the said debts, which would cause a very grievous expense, and might leave the said Samuel Hart, and his Family, entirely destitute of the means of support:*

Commissioners

Sale of Lands,  
Sec. for pay-  
ment of debts,  
Sec.

I. *BE* it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the said Rebecca Hart, Foster Hutchinson and George Grassie, to let up a public auction, at such times and places as they shall find expedient, so much of the lands, tenements and hereditaments, of the said Samuel Hart, as may be necessary for the payment of the debts contracted and actually owing by the said Samuel Hart, and for his maintenance and support; and all deeds, and conveyances, duly made and executed by and in the name and names of the said Rebecca Hart, Foster Hutchinson, and George Grassie, to the purchaser or purchasers of any of the lands or tenements of the said Samuel Hart, which shall be sold in manner and for the purposes aforesaid, shall be sufficient and valid in law and equity to vest the title and interest in and to the said lands and tenements in such purchaser or purchasers thereof, according to the true intent and meaning of such Deeds.

Public notice  
of sale

II. *And be it further enacted*, That before any sale shall be made of any part or parts of the Real Estate of the said Samuel Hart, public notice of the time and place of such intended sale, with a description of the lands and tenements to be sold, shall be inserted in one or more of the Halifax Weekly News papers for at least four weeks immediately preceding any intended sale, and every such sale shall be made at public auction, and the person or persons who shall be the highest and best bidder shall have the preference.

Consideration  
money

Application

III. *And be it further enacted*, That the said Rebecca Hart, Foster Hutchinson, and George Grassie, shall and may receive the consideration money for the lands and tenements which may be sold under the authority of this Act, and shall apply the same to discharge the debts due and owing by the said Samuel Hart, and for his maintenance and support, and shall render an account of all such sales and payment into the registry of the Court of Chancery when required, which account shall be open to the inspection of any party concerned.

And whereas *it may facilitate and improve the sale of the said Estates if they shall be sold free of Dower:*

Dower

IV. *Be it therefore enacted*, That if the said Rebecca Hart, shall be willing to relinquish her dower in any of the lands and tenements which may be sold pursuant to the provisions of this Act, and in the deed or deeds of conveyance of any such lands or tenements, to be executed by her jointly with the said Foster Hutchinson and George Grassie, shall expressly assign and relinquish her right of dower in the lands or tenements thereby conveyed, and shall also acknowledge such deed or deeds before some one of his Majesty's Justices of the Peace, as in cases where the Real Estates of the husband are sold by the husband and wife jointly, such assignment and acknowledgment, shall forever bar her of all right and claim of dower in and to the lands and tenements in such deed or deeds mentioned and conveyed.

Bonds given by  
Commissioners

V. *And be it further enacted*, That before a sale of any of the said lands and tenements shall take place, the said Rebecca Hart, by two sureties, and the said Foster Hutchinson and George Grassie, by themselves and one surety each, shall give bond in such manner, and to such amount, as his Excellency the Lieutenant-Governor may direct, having respect to the value of the property intended to be sold, and to the debts due by the said Samuel Hart, for the faithful execution of the trust and authority granted to them by this Act.

Commission  
superseded.

VI. *And be it further enacted*, That if the said Inquisition shall be quashed, and the said Commission superseded, before the powers granted by this Act are carried into full effect, all further and other execution of the said power and authority shall thenceforth cease and determine.

## CAP. XVII.

An ACT in addition to, and amendment of, the Acts for the choice of Town Officers, and regulating of Townships.

**W**HEREAS from the great improvement of the Country, and the extensive Roads which have been opened therein, it is necessary, in several of the Townships, to increase the number of Surveyors of Highways :

Preamble.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That for the future the Grand Juries in the several Courts of General or Quarter Sessions of the Peace, at such term as the Justices shall direct, shall, annually, nominate fit and proper persons for each Township and District, not exceeding twenty-four, out of whom the said Court of Session shall appoint such number as they may deem expedient, to be Surveyors of Highways therein ; any law, usage or custom, to the contrary notwithstanding.

Appointment of Surveyors of Highways.

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Eighteenth day of November, Anno Domini, 1806, and continued by several Prorogations to Thursday the Fourteenth day of February, 1811 ; in the Fifty-first year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Seventh Session of the Ninth General Assembly, convened in the said Province.\*

\* In the time of Sir George Prevost, Baronet, Lieutenant-Governor ; S. S. Blowers, Chief Justice and President of Council ; Lewis M. Wilkins, Speaker of the Assembly ; S. H. George, Secretary of the Council ; and James B. Frauchlin, Clerk of Assembly.

## CAP. I.

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

Expired

## CAP. II.

An ACT to amend an Act, passed in the twentieth year of His Majesty's Reign, entitled, An Act for establishing a Public School in the Town of Halifax.

Preamble.

**W**HEREAS, it is reasonable that a certain number of Boys should be taught gratis at the Public School in Halifax; and it is also expedient to enlarge the Powers of the Trustees of the said School:

Ten free Scholars

I. *Be it therefore enacted, by the Lieutenant-Governor, Council, and Assembly,* That the Trustees and Directors of the said School, in addition to the powers granted to them by the Act for establishing the said School, shall be, and they are hereby authorised and empowered, to nominate and send to the said School, any number of Boys, not exceeding ten, to be taught gratis by the Master and Ushers of the School, and such Boys shall be instructed in all the branches of Education taught at the said School, or in such parts thereof as the Trustees shall direct, in the same manner as any other Scholars, and on the removal of any such Boys from the said School, the Trustees shall and may appoint and send others in their stead, so as to keep up, at all times, the full number of ten free Scholars; and the Master and Ushers of the said School shall be obliged to receive from time to time, and to instruct as aforesaid, and also to place, indiscriminately, in the several classes with the other Scholars, the Boys who shall be so sent by the Trustees. *Provided always,* That such Boys shall be poor orphans, or children whose parents or guardians cannot afford to pay for their Education, and that the number of them shall not at any time exceed the said number of ten.

Salaries.

II. *And be it further enacted,* That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of Council, to grant and pay annually, out of the Treasury of the Province, to the Master and Usher of the said School, by quarterly warrants, the salaries granted by the said Act, and that the salary and allowance of fifty pounds to the said Usher shall be so granted and paid whenever the number of Scholars in said School shall exceed thirty, any thing in the said Act, of which this is an amendment, to the contrary notwithstanding.

Appointment of Trustees.

III. *And be it enacted,* That the Trustees and Directors of the said School shall hereafter be appointed during pleasure, and shall continue in office until the Governor, Lieutenant-Governor, or Commander in Chief, shall issue a new commission.

Incorporation of Trustees.

IV. *And be it further enacted,* That the said Trustees, and their successors, shall be, and they are hereby, created and made a body corporate, by the name of the Trustees and Directors of the Public School in Halifax, and by that name are made capable in Law to sue and be sued, defend and be defended, in any Courts of Record, or other places whatsoever, and may accept and hold grants of Lands, Monies, Stock in the Funds, or other valuable property, and may apply the same according to the will and directions of the grantor or giver, and for the benefit of the said School.

Vacancy of Master.

V. *And be it further enacted,* That in all cases of vacancy, it shall be lawful for the said Trustees to nominate and appoint a Master of the said School; the person so appointed being duly qualified, of sober life and morals, and being, or then becoming, a member of some religious Protestant Congregation in Halifax, and the master so appointed, having first obtained a License according to Law, shall be entitled to teach in the said School; and to receive all the emoluments of such appointment.

VI.

VI. *And be it further enacted,* That if any Master or Usher of the said School shall refuse to obey the bye Laws and Regulations to be made by the said Trustees, or shall neglect his duty towards the Scholars, or shall be guilty of drunkenness, or any species of immorality or misconduct, which in the opinion of the said Trustees, or the major part of them, shall render such Master or Usher unfit to be employed as a Teacher in the said School, it shall be lawful for the said Trustees, or the major part of them to report the same in writing to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, who, being satisfied of the misconduct of such master or usher, shall and may cause him to be dismissed from the said School, and may also, if he shall see fit, withdraw his license from such master or usher, who shall, thenceforth, be disqualified to teach youth, until he shall reform, and obtain a new license for keeping a School.

Misconduct of  
Master or Usher.

VII. *And be it further enacted,* That this Act shall be and continue in force Seven Years from the publication thereof, and from thence to the end of the next Session of the General Assembly.\*

Continuation of  
this Act  
\* In force in  
1815.

### CAP. III.

## An ACT for the better regulation of Attornies, Solicitors and Proctors, practising in the Courts of Law and Equity in this Province.

**B***it enacted by the Lieutenant-Governor, Council and Assembly,* That, from and after the publication of this Act, no person, other than such as now are admitted and enrolled as Attornies, Solicitors and Proctors, shall be permitted to act as an Attorney, Solicitor or Proctor, or to sue out any Writ or Process, or to commence, carry on, solicit or defend, any action or actions, or any other proceedings, either before or after judgment or decree obtained or passed, in the name or names of any person or persons in any of His Majesty's Courts of this Province, unless such person shall have been bound by contract in writing, duly executed, to serve from the day of the date of such contract, for the term of five years, as a clerk to some Attorney already admitted and inrolled in His Majesty's Supreme Court of the said Province, or who shall be duly and legally sworn and admitted as herein-after directed; and unless such person shall have, during the said term of five years, continued in such service and conformed himself to the rules herein prescribed, and also unless such person shall, after the expiration of the said term be examined, sworn, admitted and enrolled as is herein after directed.

Servitude of  
Clerks.

II. *Provided always, and be it further enacted,* That nothing herein before contained, shall extend, or be construed to extend, or enlarge, the time of service of such persons as are already serving as clerks to any such sworn Attorney according to the existing rules and orders of His Majesty's Supreme Court, provided such clerks shall, within three months after the publication hereof, enter into a contract in writing, if none has been previously made, to serve such Attorney for the residue of the period required by the said rules and orders of the said Court, *and provided also,* That nothing in this Act contained, shall extend, or be construed to extend, to prevent any person or persons who are now residing in this Province, and who may be entitled to admission as an Attorney or Attornies in any of His Majesty's Courts within this Province under the present existing rule of His Majesty's Supreme Court for the admission of Attornies, from being admitted accordingly; any thing herein contained to the contrary notwithstanding.

Proviso.



Attorney dis-  
continuing  
practice.

III. *And be it further enacted,* That from and after the publication hereof, no Attorney shall have, take or retain, any clerk who shall become bound by contract in writing as aforesaid, after such Attorney shall have discontinued or left off, or during such time as he shall not actually practice or carry on the business of an Attorney.

Death of At-  
torney, vacation  
of contract, &c.

IV. *And be it further enacted,* That if any such Attorney, to or with whom any such person shall be bound, shall happen to die before the expiration of such term, or shall discontinue or leave off such his practice as aforesaid, or if such contract shall, by mutual consent of the parties, be vacated before the expiration of the said term, and such clerk shall, in any of the said cases, be bound by another contract, or other contracts in writing to serve, and shall accordingly serve in manner herein before mentioned, as clerk to any other such practising Attorney or Attornies as aforesaid, during the residue of the said term of five years, then such service shall be deemed and taken to be as good, effectual and available, as if such clerk had continued to serve as a clerk for the said term to the same person to whom he was originally bound.

Qualifications.

V. *And be it further enacted.* That the Judges of the said Court, or any one or more of them, shall, and they are hereby authorized and required, before they shall admit any such person to take the Oath herein after directed to be taken by persons claiming to be admitted as Attornies, to examine and enquire, by such ways and means as they shall think proper, touching his fitness and capacity to act as an Attorney, and if such Judge or Judges respectively shall be thereby satisfied that such person is duly qualified to be admitted to act as an Attorney, then, and not otherwise, the said Judge or Judges, shall and they are hereby authorized and required to, administer to such person, the Oath herein after directed to be taken by Attornies, and after such Oath taken, to cause him to be admitted an Attorney of the said Court without any fee or reward, other than five shillings for administering such Oath; which admission shall be written on parchment, in the English tongue, in a common legible hand, and signed by such Judge or Judges, and shall be delivered to such person so admitted.

Admission.

VI. *And be it further enacted,* That no person, so to become bound as clerk as aforesaid, shall be admitted an Attorney, unless he shall be of the full age of twenty-one years, and unless he shall cause an Affidavit to be made and filed in the Office of the Prothonotary aforesaid, that he hath actually and really served, and been employed by, such practising Attorney or Attornies to whom he was bound as aforesaid, during the said whole term of five years, according to the true intent and meaning of this Act.

Age.

VII. *And be it further enacted,* That if any person shall claim to be admitted an Attorney of the said Court, by reason of his having been admitted and enrolled an Attorney, or called to the Bar in any of the superior Courts of the United Kingdom of Great-Britain and Ireland, or of His Majesty's American Colonies, if such person shall claim to be admitted by reason of his having been called to the Bar, or otherwise admitted and enrolled an Attorney in any one of His Majesty's Courts in either Kingdom, he shall, before he shall be admitted in the said Supreme Court, produce a Certificate of his having been called to the Bar, signed by the Judge or Judges of the Court in which he hath been called, or a copy of his admission as an Attorney, duly certified under the seal of the Court in which he hath been admitted an Attorney; and if such person shall claim as aforesaid by reason of his admission in any of the Courts of any of His Majesty's Colonies, he shall produce a copy of his admission in the Supreme Court of such Colony, duly certified under the seal of the said Court, and also a Certificate of recent date, from such Court, that such person was, at the time of the granting thereof, an Attorney of such Court, duly admitted and sworn according to the rules and regulations relative to

Attornies, ad-  
mitted in other  
Courts.

Attornies

Attornies in force in such Colony, and that such person hath practised in the said Court with credit and reputation for at least one year after admission, and within three years next before the granting such certificate, and that his character is good; upon which certificate, if the Judge or Judges of the said Supreme Court shall think the rules and regulations under which such person obtained admission, to be such as would afford a reasonable opportunity to such person to have acquired a competent knowledge, the said Judge or Judges of the said Supreme Court, may admit such person to be sworn and enrolled an Attorney of the said Court, provided he shall have been examined as is herein before required, and shall have appeared to be duly qualified.

VIII. *And be it further enacted,* That every person who shall, pursuant to this Act, be admitted and enrolled to be an Attorney of the said Court, shall, before he is admitted and enrolled as aforesaid, take and subscribe the Oath of Allegiance and Supremacy, and the following Oath, vizt:—

I, A. B. do swear, that I will truly and honestly demean myself in the practice of an Attorney, according to the best of my knowledge and ability.

Oath to be taken.

*So help me God.*

IX. *And be it further enacted,* That no Attorney of the said Court shall have or retain more than two clerks at one and the same time, who shall become bound by contract in writing as aforesaid, after the publication of this Act, to serve him as clerks.

Limitation of an Attorney's Clerks.

X. *And be it further enacted,* That from and after the publication hereof, if any sworn Attorney of the said Court shall knowingly and willingly permit or suffer any other person or persons to sue out any writ or process, or to commence, prosecute or defend, any action or actions, or other proceedings, in his name, not being a sworn Attorney of the said Court, and shall be thereof lawfully convicted, every person so convicted shall forfeit the sum of ten pounds for every offence, to the use of the person who shall sue for the same,

Deputations.

XI. *And be it further enacted,* That from and after the publication hereof, every Writ or Process, and every Warrant, that shall be made out upon every such Writ or Process, shall, before the service or execution thereof, be subscribed with the name of the Attorney, written in a common legible hand, by whom such Writ or Process respectively shall be sued forth, or such Writ, Warrant or Process, shall be subscribed with the name of the party suing out the same, in case an Attorney shall not be employed.

Writ of Process &c.

XII. *And be it further enacted,* That from and after the publication hereof, no person shall be admitted to practise as an Attorney in the Court of Sessions, or in any of the Inferior Courts of Common Pleas, or as a Solicitor and Proctor in the Court of Chancery, Court of Admiralty, or Courts for the Probate of Wills in this Province, unless such person or persons shall have been previously admitted, sworn and enrolled, as an Attorney, in the Supreme Court, pursuant to the provisions of this Act.

Attornies practising in Courts of Session, &c.

XIII. *And be it further enacted,* That from and after the publication hereof, in case any person shall, in his own name, or in the name of any other person, sue out any Writ or Process, or commence, prosecute, solicit or defend, any action or suit, or proceedings, in any of the Courts of this Province, as an Attorney, Solicitor or Proctor, for, or in expectation of, any gain, fee or reward, without being admitted and enrolled an Attorney as aforesaid, every such person, for every such offence, shall forfeit and pay ten pounds to the use of any person who shall prosecute him for the said offence.

Persons acting as Attornies.

XIV. *And be it further enacted,* That the penalties imposed by this Act, shall be sued for, prosecuted

Recovery of Penalties.

scuted and recovered by bill, plaint or information, in any of his Majesty's Courts of Record in this Province, to the use of him, or them who shall prosecute or sue for the same.

Prothonotary.

XV. *And be it further enacted,* That from and after the publication hereof, no Merchant, Trader or Person, who shall be employed by any Merchant or Merchants, Trader or Trader, in the management or conducting of the business of such Merchant or Merchants as his, her, or their clerk, shall execute, hold or fill the Office of Prothonotary, Clerk of the Crown, Deputy Clerk of the Crown, or Deputy Prothonotary, in any County or District within this Province; nor shall any person or persons filling the Office of Prothonotary, or Deputy Prothonotary, Clerk of the Court, or Deputy Clerk of the Court, on any account or in any manner, act or practise as, or for, an Attorney, during the time he or they shall act and officiate as the Prothonotary, Clerk of the Court, Deputy Clerk of the Court, or Deputy Prothonotary, in this Province, under the penalty of ten pounds, for each and every offence.

*And Whereas it is fit and proper to regulate the admission of persons to plead as Barristers or Advocates in the several Courts of Law in this Province:*

Pleadings in Courts of Chancery, &c.

XVI. *Be it therefore enacted,* That from and after the publication hereof, no person shall be admitted to plead as a Barrister or Advocate in the Court of Chancery, Supreme Court, or Court of Vice-Admiralty, in this Province, unless such person shall have been admitted, sworn and enrolled, as an Attorney of His Majesty's Supreme Court, for at least one year previous to his application for admission to plead at the Bar of any or either of the said Courts, and shall have attended the said Supreme Court at its regular sittings at Halifax, for at least three terms after his admission as an Attorney as aforesaid.

Exception.

*Provided always,* That, notwithstanding any thing herein contained to the contrary, any person who shall have been called to the Bar in England or Ireland, or who shall have taken a degree of Bachelor of Arts, in King's College, at Windsor, in this Province, may, after being admitted as an Attorney of His Majesty's said Supreme Court, agreeably to the rules and regulations herein before specified and set forth, immediately be admitted to plead as a Barrister or Advocate, at the Bar of any or either of the said Courts.

Clerk of the Crown or Prothonotary.

XVII. *And be it further enacted,* That nothing in this Act shall extend, or be construed to extend, to prevent the Chief Justice and Judges of the Supreme Court, when at any time holding the said Court, or a Court of Oyer and Terminer, and General Gaol Delivery, in any part of this Province, from appointing a practising Attorney, or any other fit and competent person, to do the duty, for the time being, of Clerk of the Crown, or Prothonotary, to such Court, during such its sitting, in case it shall appear to such Court, that the person regularly appointed to do such duty, is incapable or unwilling to perform the same, either from the want of sufficient abilities, or from any other cause whatsoever.

Continuation

XVIII. *And be it further enacted,* That this Act shall continue and be in force for the space of Seven years from the publication thereof, and from thence to the end of the next Session of the General Assembly.

## CAP. IV.

An ACT to enable the Inhabitants of each Township to raise Money for defraying the expence attending the running or perambulating the Lines and Bounds of the respective Townships in this Province.

**W**HEREAS, *the Overseers of the Poor are required by Law, once in three Years, to run out, and establish, the Boundary Lines of their respective Townships, and no provision is made for defraying the expence thereof :*

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the Inhabitants of the said several Townships shall, at the periods prescribed by Law for providing for the Poor, vote such sum or sums of money as may be necessary to defray the expence incurred by running or perambulating the Bounds of such Township, which sum or sums of money shall be first approved of, and allowed, by the Court of General Sessions for the County or District of which such Township forms a part, and being so approved, allowed and certified, shall be assessed and collected in the same manner as the money voted for the support of the Poor, and shall be applied for the purpose aforesaid.*

Assessment of Expense.

II. *And be it further enacted, That all appeals from the rate so to be made, shall be heard and determined in the same manner as appeals from the poor rate are heard and determined.*

Appeal.

III. *And be it further enacted, That this Act shall continue and remain in full force until the fifteenth day of March, which will be in the year of our Lord, One Thousand Eight Hundred and Twenty, and from thence to the end of the next Session of the General Assembly.*

Continuation

## CAP. V.

An ACT in addition to, and amendment of, an Act, passed in the Forty-eighth Year of His Majesty's Reign, entitled, An Act to provide for the accommodation and billeting of His Majesty's Troops, or of the Militia, when on their march from one part of the Province to another.

**W**HEREAS *the price for the lodging of Troops on their march from one District to another in this Province is regulated and established by the said Act of which this is an amendment, but no provision is made for the payment thereof :*

Preamble.

I. *BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to draw by warrant or warrants upon the Treasury, for all such lodging money for the Troops on their march, as shall be certified under the provisions of the said Act, so as the same money so to be drawn from the Treasury in one year shall not exceed one hundred and fifty pounds.*

Billeting paid by Warrants on the Treasury.

II. *And be it further enacted, That this Act shall be and continue in force for the space of one year from the publication hereof, and from thence to the end of the next Sessions of the General Assembly and no longer.\**

Continuation.  
\* In force in 1815.

## CAP. VI.

## An ACT to regulate the proceedings of the Court of Escheats.

Notice of Escheat.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That before any Inquest of Office shall be made before the Escheator or Commissioner, public notice thereof shall be given in the Royal Gazette, a copy of which notice shall be fixed at the Church Door, and also at the Door of the Court-House of the County or District where the Lands lie; and if any known Tenant or person be living on the Lands or Tenements to be enquired of, a copy of such notice shall also be delivered to him, at least three months before such Inquest shall be made.

Return of Inquisition.

II. *And be it further enacted,* That one part of every Inquisition that shall be made shall be returned into His Majesty's Court of Chancery, and, if any person will traverse the same, such Inquisition shall, on petition to the Chancellor, be certified into His Majesty's Supreme Court, and may be there traversed in the same manner that Inquisitions are traversed in the High Court of Chancery, or Court of Exchequer, in England.

Tenant of Lands advertised for Escheatment

III. *And be it further enacted,* That if any Tenant, or Occupier, wilfully neglect to give information of such notice to his Landlord, in case he shall be within the Province, or to his Attorney or Agent, in case he shall be absent therefrom, and shall have a known Attorney or Agent therein, he shall forfeit and pay the sum of One Hundred Pounds, to be recovered by the party injured in any Court of Record in this Province.

Granting of Lands subsequent to Escheatment.

IV. *And be it further enacted,* That no Lands, which, by any Inquest of Office, have been found to have escheated, shall be granted to any person or persons before the expiration of one year from the day of such Inquest, except to the person or persons who were the original Owners thereof, their Heirs or Assigns.

## CAP. VII.

## An ACT to alter an Act, entitled, An Act to regulate the Expenditure of Monies hereafter to be appropriated for the Service of Roads and Bridges.

Expired

## CAP. VIII.

## An ACT for Encouraging the Establishment of Schools throughout the Province.

Preamble.

**W**HEREAS it is highly advantageous to the Youth of this Province, to afford them easy means of acquiring useful Knowledge in those essential parts of general education, which are necessary to persons of every rank and station in civilized society, for obtaining therefore an object so desirable:

Annual meeting of Inhabitants of Townships, &c.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Inhabitants, being Freeholders, or having an income, in real or personal Estate, of Forty Shillings a year at the least, of such Townships, Districts, or Settlements, in this Province, as may be desirous to have such Schools established therein, if such Township, District of Settlement, consist of thirty families or householders, to assemble on the first Monday in April

April or November, annually, during the continuance of this Act, for the purpose of voting, subscribing or raising, money, for the establishment and support of Schools within such Township, District or Settlement, to the end that the Youth therein may be taught Orthography, Reading, Writing and Arithmetic; *Provided nevertheless*, That the money so voted or subscribed shall not exceed two hundred pounds, nor less than fifty pounds, for one year, and if voted it shall be by a majority of the inhabitants or householders then present, being freeholders, or having an income of forty shillings a year, in real or personal estate, and shall be assessed and collected in like manner as Poor Rates are, by law, assessed and collected, and be paid into the hands of the Trustees for such School or Schools, when appointed as herein after directed; and if the money shall be subscribed for the purposes aforesaid, the same shall be payable, and paid, to the said Trustees, for the purposes aforesaid; and, *Provided always*, That no such monies shall be voted, assessed or subscribed, by the Inhabitants of such Townships, Districts or Settlements, unless the Overseers of the Poor, in the notice now by Law required to be given for raising money for the support of the Poor, shall also state that the subject of Establishing an English School, and raising money for the support thereof, is to be submitted at said meeting, which notice shall be given by the said Overseers at the request of any five freeholders of such Township, District or Settlement: and, *Provided also*, That no one School shall receive from the Province Treasury more than twenty-five pounds.

Proviso.

II. *And be it further enacted*, That it shall and may be lawful for such Inhabitants of the several Townships, Districts and Settlements, at such meeting, to raise money, in manner aforesaid, for erecting, providing or repairing, one or more School Houses in their respective Townships, Districts and Settlements, and for procuring necessary furniture and utensils for the same, and also to define and settle the limits of such School or Schools respectively.

School Houses.

III. *And be it further enacted*, That the Inhabitants or Householdors in such Township, District or Settlement as aforesaid, being freeholders, or having an income of forty shillings a year, in real or personal estate, who shall or may be desirous of having a School, or Schools, established therein, shall nominate, at such meeting, six fit and proper persons, being freeholders, to be Trustees of or for such School, whose names shall, by the Chairman of such meeting, be presented to the Court of General Sessions of the Peace for the County, of which such Township, District or Settlement, is part, out of which number the said Court of Sessions is hereby empowered and directed to appoint three, who shall be Trustees of and for such School, and shall and may serve during good behaviour, and residence within such Township, District or Settlement. *Provided always*, That if complaint shall be made in writing to the said Court of General Sessions of the Peace, by any one or more of the Inhabitants, being freeholders of such Township, District or Settlement, of misconduct, or neglect of duty, on the part of such Trustees, or either of them, and due proof thereof shall be made, it shall and may be lawful for the said Court of General Sessions of the Peace, to remove such Trustee or Trustees, whose place or places shall be filled by one or more persons, nominated and appointed as aforesaid.

Trustees.

Misbehaviour of Trustees.

IV. *And be it further enacted*, That it shall and may be lawful for the said Trustees to agree from time to time with proper persons, being duly licensed as by Law directed, to keep such School or Schools, in any Township, District or Settlement, as aforesaid, and to fix the salary to be allowed to each and every such Schoolmaster, out of the money to be raised as herein before directed, and that may be received from the Treasury of this Province under the provisions of this Act, and the said Trustees are hereby required to use their best endeavours to cause the youth of the respective Townships, Districts and Settlements, regularly to attend the said Schools, and to visit and inspect the said Schools at least twice in each year during the

School Master.

Examination of Schools.

continuance

continuance of this Act, and to enquire into the discipline and regulation thereof, and of the proficiency of the scholars, and to take care that the benefit of such Schools shall be confined to the Youth of such persons as contribute to their support, if the money shall be raised by subscription.

Conduct of  
School Master.

V. *And be it further enacted*, That the said Trustees shall be, and are hereby, authorised and empowered, from time to time, and as often as they shall see fit, to enquire into the conduct or insufficiency of the master or teachers employed in such Schools, and to report the same to the Court of Session, which shall have power to remove such master or teachers, if they find him or them negligent, insufficient, or of bad morals.

*And as an encouragement to the persons inhabiting the various Townships, Districts and Settlements, in the Province, to establish Schools therein, according to the former provisions and directions of this Act :*

Provincial al-  
lowance to  
Schools.

VI. *Be it enacted*, That as soon as it shall be certified in writing to the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by the Court of General Sessions of the Peace, in and for any County or District within this Province, that a School House has been actually built or provided for, and a Schoolmaster appointed thereto, in any of the said Townships, Districts or Settlements therein, and that money has been actually raised to the amount of fifty pounds, there shall be allowed for the further support of such School, the sum of twenty-five pounds per annum, and a like proportion for any larger sum not exceeding two hundred pounds. *Provided*, no one School shall receive a larger sum than twenty-five pounds as aforesaid, the same to be drawn from the Treasury of the Province, by warrant from the Governor, Lieutenant-Governor, or Commander in Chief for the time being, pursuant to the instructions and directions of his Majesty, in favour of the Trustees of such School, and to be by them applied in support thereof, according to the true intent and meaning of this Act.

Proviso.

Teaching, free  
of expence.

VII. *And be it further enacted*. That at the several Schools so to be established, when the same shall be in part provided for by assessment, the scholars shall be taught free from all expence whatever, other than their own books and stationery, and individual proportion of fuel.

Trustees to ac-  
count.

VIII. *And be it further enacted*, That the said Trustees so as aforesaid to be appointed, shall annually account, to and with the said Court of General Sessions of the Peace in each county and district, for all monies by them received and disbursed to and for the use of such Schools, and shall be subject to such rules and orders as the said Court shall from time to time make, touching the funds of the said several Schools or the application thereof.

Donations.

IX. *And be it further enacted*, That if any money shall be subscribed, granted or bequeathed, for the benefit of such Schools in this Province, by any person or persons whatsoever, the same shall be received and applied by the Trustees thereof, pursuant to the directions and provisions of this Act, and shall be considered as part of the sum which shall entitle such Township, District, or Settlement, to draw money from the Treasury, under the provisions of this Act.

Continuation.  
\* In force in  
1815.

X. *And be it further enacted*, That this Act shall continue and remain in full force and effect for three years from the publication thereof, and from thence to the end of the next Session of the General Assembly, and no longer.\*

## CAP. IX.

## An ACT to establish Grammar Schools in several Counties and Districts of this Province.

WHEREAS, the Education of Youth is of the utmost importance to Society; and public attention to that object hath produced beneficial effects:

Preamble.

I. BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by and with the advice of his Majesty's Council, shall, and is hereby empowered to, appoint, during pleasure, and to remove as he shall see fit, three or more fit and proper persons in the several counties and districts in the Province, the County of Halifax and County of Hants excepted, as Trustees and Directors respectively, for the establishing Grammar Schools in each of the said counties and districts, except as aforesaid.

Appointment of Trustees and Directors.

II. And be it further enacted, That the said Trustees and Directors of the said Grammar Schools, in each of the said counties and districts, except as aforesaid, or the major part of them, when duly summoned, shall form a Board for adjusting the business of the said Schools respectively, and are hereby empowered to, procure proper places whereon to erect buildings suited for the said Schools, in each county and district as aforesaid, and to accept and receive donations for the erection of such building, and for the endowment of such Schools, and to purchase and hold Lands and Real Estate, in trust for the use of such Schools respectively, by the name and description aforesaid.

Duty of Trustees and Directors.

III. And be it further enacted, That the said Trustees and Directors, or the major part of them in each of the said counties and districts respectively, except as aforesaid, are hereby empowered to procure and retain a Master, and Ushers or Tutors, for the said Schools, duly qualified and licensed according to law, and to make and establish bye laws, ordinances and regulations, for the Government of the said Schools, and to enforce obedience to the same by moderate fines and expulsions, or other public censures, as they may judge proper, and shall fix and determine the rates of tuition in the said schools; provided always, that no such bye laws or regulations shall have any force or effect until they shall have received the approbation of the Governor, Lieutenant-Governor, or Commander in Chief for the time being.

Tutors.

Proviso.

IV. And be it further enacted, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, from time to time as he shall see fit, to appoint one or more proper person or persons to visit and examine into the state and condition of said Schools, and to report to him upon the same; and in case it shall appear by such report that any abuses exist in the said Schools, the said Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall have full power and authority to rectify the same, by suspending or removing the Master, Usher, or Tutor of the said School, or by making more or additional bye laws and regulations for the government thereof, as the case may require.

Examination of Schools.

V. And be it further enacted, That the scholars in the said schools shall be taught English Grammar, the Latin and Greek Languages, Orthography, the use of the Globes, and the practical branches of the Mathematicks, or such other useful learning as may be judged necessary; and the said Trustees and Directors, respectively, shall be, and they are hereby authorised and empowered to nominate and send to the said schools, any number of boys, not exceeding eight,

Branches of Learning.

Free Scholars

eight,



eight, to any one School, to be taught gratis, by the Master and Usher of the said schools respectively, and such boys shall be instructed in all the branches of education taught at the said Schools, respectively, or in such parts thereof as the said Trustees and Directors shall direct, in the same manner as any other Scholars; and on the removal of any such boys from the said Schools respectively, the Trustees and Directors shall and may appoint and send others in their stead, so as to keep up at all times the full number of eight free Scholars, in each and every of the said Schools respectively; and the Masters and Ushers of the said Schools respectively shall be obliged to receive from time to time, and to instruct as aforesaid, and also to place indiscriminately in the several classes with the other scholars, the boys who shall be so sent by the said Trustees and Directors; *provided always*, That such boys shall be poor orphans, or children whose parents or guardians cannot afford to pay for their education, and that the number of them in any one School, shall not at any time exceed the said number of eight.

If poor orphans

Provincial allowance to Schools.

VI. *And be it further enacted*, That the sum of one hundred and fifty pounds, annually, be included in the estimate of the ordinary expenses of the Province, for each of the following Counties and Districts: that is to say, the Counties of Sydney, Cumberland, King's County, Queen's County, Lunenburg, Annapolis, and Shelburne, and the District of Colchester, District of Picton, and District of Yarmouth; which said sum of one hundred and fifty pounds shall be granted annually, for the payment of the Masters, Tutors, and Ushers thereof respectively, as the case may require, the same to be drawn on the certificate of such Trustees and Directors in favour of the person or persons intitled thereto.

Allowance when drawn for.

VII. *And be it further enacted*, That as soon as the said Trustees and Directors in any of the said Counties or Districts, except as aforesaid, shall certify to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, that such County or District hath provided a building suited to the said School, and that they, the said Trustees and Directors have provided a Master capable to manage the said School, who hath for six months conducted the said School under their rules and direction, made and given for his guidance in the management of the same; that it shall and may be lawful for the said Governor, Lieutenant-Governor, or Commander in Chief, to draw by Warrant on the Treasury, for one half of the sum of one hundred pounds, in favour of the Master or Teacher of the said School, and so from time to time, upon the like certificate, in half yearly payments as aforesaid, for the use of such School, and also for the further allowance of fifty pounds in favour of the assistant, when the number of Scholars in such Schools respectively shall exceed thirty. *Provided always*, That all sums of money which shall be borne upon the estimate as aforesaid, from year to year, for the use of such Schools, and which shall not be drawn from the Treasury of this Province, pursuant to this Act, shall revert to the General Provincial Fund to be appropriated by the Legislature.

School Allowance undrawn.

Continuation.

VIII. *And be it further enacted*, That this Act shall be and continue in force seven years from the publication thereof, and from thence to the end of the next Sessions of the General Assembly.

## CAP. X.

## An ACT for the more easy recovery of Debts against Co-Partners and Joint Debtors.

**W**HEREAS, Co-Partners, and other persons, often contract Debts jointly, and some of such Joint Debtors being resident out of the Province, or absent from it, the recovery of such Debts is thereby delayed and impeded; for remedy thereof: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That where Co-partners or others are or shall become jointly indebted by specialty or simple contract to any person or persons, and any one or more of such joint Debtors shall be absent or resident out of the Province, the creditor or creditors in all suits in such cases hereafter to be instituted, may proceed to recover such debts by purchasing out of the Supreme Court a writ or writs of Mesne Process against all the said Co-partners or Joint Debtors, which shall be served in the usual manner upon such of the Defendants as shall be in the Province; and if such Mesne Process shall be a writ of Attachment, the Sheriff or Officer to whom the same shall be directed, may, and is hereby authorized, to levy such Attachment on the joint property of all the Co-partners or Joint Debtors, and hold the same to respond the judgment to be given in such case. Mesne Process against Co-partners or Joint debtors.

II. *Provided always, and be it enacted,* That if it shall be made appear to the said Court, by affidavit or plea in abatement, that the names of any of the said Co-partners or Joint Debtors, are omitted in the writ, or that any of them who were in the Province at the time of issuing such Mesne Process as aforesaid, have not been duly served with the same, in the usual manner, it shall be lawful for the Court to abate the writ, or to stay the proceedings, as the case may require, any thing herein contained to the contrary notwithstanding. Proviso.

III. *And be it further enacted,* That in all cases as aforesaid, the plaintiff or plaintiffs may file his or their declaration against such of the Co-partners, or Joint Debtors, as have been duly served with Mesne Process, and may suggest in the said declaration, that the other Co-partners, or Joint Debtors, (naming them) were absent out of the Province, and without the jurisdiction of the Court, at the time of issuing the process, and at the time of filing such declaration, and thereupon the plaintiff or plaintiffs, may proceed according to the usual practice of the Court, to obtain judgment against the said Co-partners, or Joint Debtors, who have been so duly served with process, in the same manner as is practised in England against a defendant, whose Co-partner, or Joint Debtor, has been outlawed. Absent Co-partners or Joint debtors.

IV. *And be it further enacted,* That it shall be lawful for the plaintiff or plaintiffs, after judgment recovered as aforesaid, to take out Execution thereon, and to cause the same to be extended on the joint or separate property, or on the persons of all the said Co-partners or Joint Debtors. *Provided always,* That it shall not be lawful by virtue of this Act to execute any such Writ or Process against the body, goods or estate, the sole property of any person not brought into Court as a party to such suit. Execution.

*And provided also,* That if any such defendant shall make affidavit that it is necessary for him to receive instruction or information respecting such suit from his absent Partner or Joint Debtor, and that he cannot safely proceed to the trial of the cause without communication with the said absence, and that he is not seeking for delay only, it shall be lawful for the Court, on application, grounded on such affidavit, or other sufficient cause, to grant to the defendant or defendants a reasonable imparlance allowed in common cases. Imparlance.

V. *And be it further enacted,* That if any Co-partner, or Joint Debtor, being absent as aforesaid,

Co-partner not having been served with Mesne Process.

forefaid, and not served with mesne process, shall come into the province before the final determination of the suit against his Co-partner, or Joint Debtor, and shall apply to the Court to be admitted to appear to defend the said action, the Court shall admit him accordingly, and shall cause such amendment to be made in the proceedings as may be required to make the same regular and consistent.

Co-partners coming into Province after judgment.

VI. *And be it further enacted,* That if any such absent Debtor or Co-partner shall come into the Province after final judgment given in any such cause, it shall be lawful for the plaintiff or plaintiffs, in case he or they shall not have received full satisfaction on such judgment, to sue out a Writ of Scire Facias against such last mentioned Co-partner or Joint Debtor, requiring him to appear and shew cause why execution should not be had against him, his goods, chattels, lands and tenements, to satisfy the said judgment, or whatever may remain due thereon, and such defendant shall be allowed to plead either in bar to the original suit, or in answer to the said Scire Facias, and thereupon the Court shall proceed to try and determine the same, and to give judgment as in other causes instituted by such Writ.

Absent or Absconding debtors.

VII. *And be it further enacted,* That nothing herein contained shall be construed to affect or prevent any proceedings which may, or shall hereafter, be instituted against any absent or absconding Debtors, pursuant to the Act in such case made and provided.

Continuation. \* In force in 1815.

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

CAP. XI.

An ACT to revive and continue an Act, made and passed in the thirty-eighth year of His present Majesty's Reign, entitled, An Act to amend and render more effectual an Act, passed in the eighteenth year of His present Majesty's Reign, entitled, An Act to prevent the forestalling, regrating, and monopolizing of Cord Wood in the Town of Halifax.

Preamble.

WHEREAS, the said Act has been suffered to expire, and it is found necessary, that the said Act should be revived:

Act revived.

I. BE it enacted, by the Lieutenant-Governor, Council and Assembly, That the said Act be, and the same is hereby, revived.

Continuation. \* In force in 1815.

II. *And be it further enacted,* That the said Act shall continue and remain in full force until the fifteenth day of March, which will be in the Year of our Lord one thousand eight hundred and thirteenth, and from thence to the end of the next Session of the General Assembly, and no longer.\*

CAP. XII.

An ACT to continue in force the several Acts therein mentioned. Expired.

CAP. XIII.

An ACT to encourage the raising of Bread Corn on New Lands. Executed.

CAP. XIV.

An ACT for erecting a Province House, on the ground where the old Government House now stands, for the meeting of the different Branches of the Legislature and other public purposes.

**W**HEREAS, the Building in which the Legislature is now convened, is decayed and unfit to be repaired, and it is necessary to provide a Provincial House for the accommodation of the General Assembly, and also for other public purposes: Preamble.

I. Be it therefore enacted, by the Lieutenant Governor, Council and Assembly, That there shall be erected on the lot of ground where the Old Government House now stands, a Province House, which shall be formed of free stone, according to a plan and elevation made by Mr. John Merrick, and that the same shall be one hundred and forty feet in length, seventy feet in breadth, and forty-two feet in height, measuring from the top of the cellar walls, and that the said Province House shall be erected so as to have an equal distance at each end from George-street and Prince-street, and the west front thereof shall be ten feet from Granville-street, and no more. Province-House. Plan. Size. Scite.

II. And be it further enacted, by the authority aforesaid, That the said Province House shall contain a Council Chamber in one end, and an Assembly Room in the other end thereof, the length of each of which shall be the whole breadth of the building, and the breadth of each thirty-two feet; that there shall be a Room for holding the Supreme Court of Judicature, and other Provincial Courts, and also Rooms for all the different Provincial Public Offices. Inside plan.

III. And be it further enacted, by the authority aforesaid, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of the Honourable Sampson Salter Bowers, President of His Majesty's Council, the Honourable Edward Braddon Brenton, Lewis Morris Wilkins, Esquire, Speaker of the House of Assembly, and Foster Hutchinson, Esquire, one of the Justices of the Supreme Court, to make such other arrangements in the interior of the said Building, of the apartments intended for the purposes mentioned in this Act, as he shall deem fit, and to direct a plan of such further arrangements to be laid before the Commissioners for the said Province House, by which to regulate their conduct. Commissioners

IV. And be it further enacted, by the authority aforesaid, That George Grassie and Winckworth Allan, Esquires, and Mr. John Merrick, be appointed Commissioners to conduct and superintend the building of the said Province House, and that the said Commissioners shall be accountable Superintending Commissioners

accountable to the Legislature, from time to time, for their conduct in that capacity, and that after the completion of the said building they shall be entitled to receive an allowance of three per cent. on the amount of the expenciture, as a compensation for their trouble as such Commissioners.

Removal, &c. of  
Commissioners

V. *And be it further enacted, by the authority aforesaid,* That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, on the death, removal from the Province, resignation or misconduct in Office, of any of the Commissioners, by this Act appointed, to nominate and appoint others to act as Commissioners in their place and stead.

Materials.

VI. *And be it further enacted, by the authority aforesaid,* That it shall and may be lawful for the Commissioners aforesaid, or such as shall hereafter be appointed in their place in manner aforesaid, or the major part of them, to purchase such materials as shall be fit and necessary for the erection of such Province House, and to hire, employ and pay, proper architects, mechanics, workmen, and labourers, for erecting and completing the same, and that all contracts entered into, by the said Commissioners, for procuring materials, workmanship and labour, for the aforesaid purposes, shall, previous to their being executed, be laid before the Governor, Lieutenant-Governor, or Commander in Chief for the time being, for his approbation.

Workmen.

Grant of Mo-  
ney.

VII. *And be it further enacted, by the authority aforesaid,* That the sum of five thousand pounds out of the revenues of this Province, be granted for the purchasing and procuring materials, and employing and paying mechanicks and workmen for erecting the said Province House, and that it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw warrants on the Treasury of this Province, at the requisition of the said Commissioners, or the major part of them, for the sum aforesaid, at such times, and in such proportions, as may be found necessary.

### CAP. XV.

Expired.

An ACT to continue an Act for imposing an additional duty of Excise on Rum and other distilled Spirituous Liquors, and for appropriating the same.

### CAP. XVI.

Expired.

An ACT to continue an Act, for granting to His Majesty certain duties on Wine, Rum, and other distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar.

CAP. XVII.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be Licensed to keep Public Houses or Shops for the retail of Spirituous Liquors. Expired.

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CAP. XVIII.

An ACT to alter and continue an Act, passed in the fiftieth year of His Majesty's Reign, entitled, An Act to encourage the Fisheries of this Province. Expired.

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CAP. XIX.

An ACT to continue, and in addition to, and amendment of, the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province. Expired.

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CAP. XX.

An ACT to relieve certain Persons who have now on hand a quantity of Pickled Fish, packed in Barrels under the size appointed by Law.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Collector or Collectors of His Majesty's Customs, and the Naval Officer, at any time previous to the fifteenth day of May next, to clear outwards for any Foreign Port, any pickled Fish, without demanding a certificate from the sworn Surveyor of Pickled Fish; *provided*, the Merchant or person exporting the same, shall make oath that such Fish was not caught and packed since the thirty-first day of December last.

Export of Fish in barrels under the size.

## CAP. XXI.

An ACT in further addition to an Act, made in the third and fourth years of his present Majesty's reign, entitled, An Act to enable the Inhabitants of the several Townships within this Province to maintain their Poor.

Preamble.

**W**HEREAS, the time at present established for the meeting of the inhabitants of the town of Halifax to vote money for the maintenance of their Poor, is found to be inconvenient, and the fine imposed by Law, upon persons chosen assessors who refuse to serve, is too small; for remedy whereof:

Town Meeting to vote Money for Poor.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the Commissioners of the Poor of the Town and Peninsula of Halifax, shall summon the inhabitants of the said Town and Peninsula, to meet on the First Monday in November, annually, to vote such sums of money as may be necessary for the support of the Poor for the year then next following, instead of the First Monday in April, any law, usage or custom, to the contrary notwithstanding.

Assessors fine for refusing to serve

II. *And be it further enacted, by the authority aforesaid,* That if any person appointed an assessor, to assess the said money so voted, shall refuse, or neglect, to serve in the said Office, such person, so offending, shall forfeit and pay to the said Commissioners of the Poor, for the use of the Poor of the said Township the sum of Five Pounds, to be recovered by the said Commissioners before any two Justices of the Peace of the County of Halifax.

## CAP. XXII.

An ACT to prevent Boys and others from Coasting and Sliding down the Hills in the Streets of Halifax.

Preamble.

**W**HEREAS many accidents have happened by Boys and other Persons sliding and coasting down the Hills in the Streets of Halifax, for remedy whereof in future;

Regulations of Justices.

I. *BE it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the publication of this Act, it shall and may be lawful for the Justices of the Peace for the County of Halifax, in their General Sessions of the Peace, from time to time, to make regulations for preventing Boys, and other Persons, sliding or coasting on the Snow or Ice, in Sleds or Sleys, down the Hills upon the Streets of the Town of Halifax, and Suburbs thereof, and to enforce the said regulations by imposing a fine not exceeding the sum of twenty shillings for each offence.

Transgressors.

II. *And be it further enacted,* That the parent or parents of any child or children under age, who shall be found transgressing any of the said regulations so to be made as aforesaid, and the master or masters, mistress or mistresses, of any apprentice or apprentices, who shall be found transgressing any of the regulations so as aforesaid to be made, shall be subject and liable to the fine or penalty so to be imposed by the Justices as aforesaid, to be levied of their goods and chattles respectively.

Penalties.

III. *And be it further enacted,* That the said fines or penalties, shall be recovered, on conviction, before any one Justice of the Peace of the said County upon his own view, or upon the oath of one credible Witness.

IV.

IV. *And be it further enacted*, That all fines imposed and levied under this Act shall be applied to the use of the Poor of the Town of Halifax. Application.

## CAP. XXIII.

An ACT to extend the provisions of an Act passed, in the forty-ninth year of the reign of His present Majesty, entitled, An Act to encourage the raising of Bread Corn on new Lands. Expired

## CAP. XXIV.

An ACT in further addition to, and amendment of, the several Acts for the choice of Town Officers, and regulating of Townships.

**W**HEREAS, *from the great increase of the Inhabitants, in many of the Townships in this Province, the number of Town Officers limited by Law, has been found insufficient, whereby much inconvenience has arisen; for remedy whereof:* Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That, in future, the Grand Juries, in the several Courts of General or Quarter Sessions of the Peace, at such term as the Justices of such Courts shall direct, shall, annually, nominate such number of fit and proper persons for each Township and District, as the said Justices shall direct, to execute and discharge the duties of Town Officers for such Township or District as they shall be appointed for respectively, out of whom the said Court of Session shall appoint such number as they may deem expedient to serve in the several Offices to which they shall be so appointed, any law, usage or custom, to the contrary notwithstanding. Town Officers.

## CAP. XXV.

An ACT for the encouragement of Inland Navigation.

**W**HEREAS, *the opening a communication by means of Locks, between the head of Cape Forchu Harbour, and Lake George, through the several intervening Lakes, would be of great service to the neighbouring Settlers, and to this Province in general, as well by facilitating the carriage and transportation of Wood, Lumber, and other heavy articles in boats, and by rafts, from the interior of the Country to the place of shipment, as by carrying the produce of the Sea Coast to the inland settlers; and whereas Anthony Landers, John Killum, junior, Samuel Murshall, Jacob Tedford, John Killum, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Parry, Thomas Dane, John Trask, junior, Nehemiah Patch, Jonathan Strickland, Jabez Landers, Lemuel Crosby, John T. Phillips, John Raymond, Thomas Wilson, Miner Huntington, Christopher Strickland, John Patch, John Jenkins, Eliakim Killum, Nathaniel Saunders, William Critchton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senior, Benjamin Scott, Eleazor Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, residing in the Township of Yarmouth, have associated themselves, and subscribed the sum of Five Hundred Pounds, as a Capital Stock, for the purpose of opening and establishing such communication:* Preamble.



Incorporation  
of individuals.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the said Anthony Landers, John Killum, junior, Samuel Marshall, Jacob Tedford, John Killum, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Parry, Thomas Dane, John Trask, junior, Nehemiah Patch, Jonathan Strickland, Jabez Landers, Lemuel Crosby, John T. Phillips, John Raymond, Thomas Wilson, Miner Huntington, Christopher Strickland, John Patch, John Jenkins, Eliakim Killum, Nathaniel Saunders, William Crichton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senior, Benjamin Scott, Eleazer Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, and their assigns, are, and shall hereafter be, incorporated for the purpose of carrying the object of their Association into effect, and shall have power and authority to divide their said Capital Stock into one hundred equal shares, and annually from year to year, by consent of a majority of the proprietors of the said shares, to increase the said Capital Stock, to any amount not to exceed Five Thousand Pounds, and shall and may, at an annual meeting of said proprietors, by a majority of votes, proceed to choose and appoint Five Directors, being proprietors, for the government and conduct of their affairs, pursuant to rules and regulations to be made by the major part of said proprietors, at their said annual meeting, which said Five Directors, or the major part of them, shall have power to appoint one Clerk, and one Treasurer, for the said proprietors, and shall meet together once in every month for the purpose of examining the books and accounts of said Clerk and Treasurer, and for the purpose of concerting such measures as shall be deemed expedient relative to the interest of the proprietors; and at the expiration of the year for which the said Directors shall be appointed, or within ten days after the expiration of the said year, the said Directors shall, by public advertisement, notify the proprietors to attend at some convenient place in Yarmouth, for the purpose of revising the rules and regulations to be adopted for the government and conduct of their said affairs, and for the purpose of electing Directors for the ensuing year, at which said meeting the senior Directors, late in office, shall preside, and shall cause the account of the said Company, fairly stated, and the books and entries of the Clerk and Treasurer, to be laid before the said proprietors, for their inspection.

Directors.

Clerk and Treasurer.

Meeting of Directors.

Meeting of Proprietors.

Accounts.

Power of Directors.

Locks, Dams,  
&c.

II. *And be it further enacted, by the authority aforesaid,* That the said Directors shall and may have power and authority to erect one or more Locks, Dams, Weirs and Water Gates, with the necessary appendages, and to cut Canals, or deepen the Water at the places of junction of the said Lakes, beginning at the Falls at the head of Cape Forshú Harbour, and ending at Lake George, and the said Locks, Dams, Weirs and Water Gates, with their appendages, not extending beyond the margin of the solid land at high water mark, as it is now situated, together with the right of way, and a passage over and through the said Locks, Dams, Weirs and Water Gates, shall be the sole and exclusive property of the said Anthony Landers, John Killum, junior, Samuel Marshall, Jacob Tedford, John Killum, senior, Richard Patten, Benjamin Pitman, Cyrus Parry, Thomas Byrn, William Saunders, Henry Saunders, Hugh Conn, David Landers, Thorndike Landers, Joshua Crosby, Jonathan Tremain, junior, John Wenman Pyke, Thomas Cuff, Joseph Tooker, James Jenkins, Thomas Parry, Thomas Dane, John Trask, junior, Nehemiah Patch, Jonathan Strickland, Jabez Landers, Lemuel Crosby, John T. Phillips, John Raymond, Thomas Wilson, Miner Huntington, Christopher Strickland, John Patch, John Jenkins, Eliakim Killum, Nathaniel Saunders, William Crichton, Joseph Norman Bond, James Bond, Richard Fletcher, Nathaniel Allen, Nehemiah Porter, senr. Benjamin Scott, Eleazer

Eleazer Butler, Ansel Crosby, Nehemiah Porter, junior, Theophilus Crosby, and David Flynt, their associates and assigns, free passage for His Majesty's Troops, and for all or any of His Majesty's Military Stores alone excepted. *Provided always*, That the way and passage over and through the said Locks, Dams, Weirs and Water Gates, at convenient times and seasons, shall not be denied to any other of His Majesty's Subjects with their boats, vessels and goods, after payment, or tender, of the toll or pass-money, which shall hereafter be annually imposed and established by the said Directors, which toll, or pass-money, in case of just complaint shall thereafter, forever, be regulated by the Legislature of this Province. *And provided also*, That no damage be done to any particular person in his land or property without due recompence, to be made by the persons hereby incorporated, and their successors, as they and the parties interested may agree, or as shall be ordered by the Justices in General Sessions, upon enquiry into the same, by a Jury, to be summoned for that purpose.

Majesty's troops or stores

Proviso.

Toll or Pass-money.

Encroachments on others' lands

III. *And be it further enacted, by the authority aforesaid*, That the said Directors, so to be chosen and appointed, shall be, and they are hereby, incorporated, as a body politick, by the name of the Directors of the Yarmouth Lock and Canal Proprietors, and as a body corporate to sue, and be sued, in any or either of the Courts of Law or Equity in this Province, by the same name, to purchase and hold lands, tenements and hereditaments, appropriate and convenient for the said Lock and Canal Proprietors. *Provided*, the said lands do not exceed two hundred acres in the whole, nor more than one hundred acres in one place.

Name of Corporation.

IV. *And be it further enacted*, That at the annual meetings of the said Proprietors, hereafter to be held, each person shall be received and entitled to give one vote for each and every share held by such person, and that no person shall be entitled to vote in right of any property which does not amount to one entire Original Share of the said Capital Stock; and also, *it is hereby provided*, that no vote shall be binding on any of the Proprietors, unless two thirds of the said Proprietors shall be present in person, or by proxy.

Voting.

V. *And, lastly, be it enacted, by the authority aforesaid*, That Anthony Landers, Jacob Tedford, William Saunders, John Killum, and Miner Huntington, shall be, and they are hereby, constituted and appointed Directors of the Yarmouth Lock and Canal Proprietors, for, and during the present year of our Lord, One Thousand Eight Hundred and Eleven; and shall, in convenient time after the publication of this Act, call a meeting of the Proprietors, and proceed to put this Act in operation, according to its true intent and meaning, for the benefit of said Proprietors, and for carrying the object of the Association into effect.

Directors for this year.

Meeting of Proprietors.

CAP. XXVI.

An ACT in further addition to, and in amendment of, an Act, made and passed in the third and fourth years of His present Majesty's Reign, entitled, An Act for the Relief of Insolvent Debtors.

**W**HEREAS, *it is expedient that provision should be made to discharge Insolvent Debtors confined in Jail, under execution on judgment given by two Justices, for sums above three pounds, and not exceeding five pounds:*

Preamble.

*Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That, from and after the publication hereof, it shall and may be lawful for any two of His Majesty's Justices of the Peace

Extension of benefit of Insolvent Act.

Peace for the County by whom the commitment shall have been made, without fee or reward, to extend the benefit of the before recited Act to all and every such person or persons as shall, from time to time, be committed to prison, for any sum or sums of Money not exceeding Five Pounds, and the Costs, any thing in the before recited Act to the contrary notwithstanding.

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, in the Fifty-second year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the First Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight of the Most Honorable Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Deputy Secretary of the Council; and James B. Francklin, Clerk of Assembly.

### CAP. I.

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

[This Act, with the exception of the following Section, has been executed.]

*WHEREAS the bounty on Iron to be manufactured in this Province, granted by virtue of the seventh section of an Act, passed in the fifty-first year of his present Majesty's reign, entitled, An Act for applying certain monies therein mentioned, is found not to answer the purposes intended by the Legislature;*

XII. *Be it therefore enacted*, That the said seventh Section, and every thing therein contained, be repealed, and the same is hereby repealed; *And be it further enacted*, That to the first Adventurer, being an Inhabitant of the Province, who shall erect a good and sufficient Furnace in this Province, at which there shall be manufactured and made within four years, seventy Tons of good Merchantable Hollow Ware, there shall be paid the sum of Six Hundred Pounds, and to such Adventurer shall also be paid, a further sum of Six Hundred Pounds, when,

Iron manufactory.

when, by a Forge, to be established at or near such Furnace, he shall have made from Ore of this Province, cast into Pigs at the said Furnace, Seventy Tons of good Merchantable Bar Iron : *provided*, such Bar Iron be made, inspected and weighed, within the time limited as aforesaid.

## CAP. II.

### An ACT to regulate the expenditure of Monies hereafter to be appropriated, for the service of Roads and Bridges.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, by and with the advice of His Majesty's Council, some time between the fifteenth day of April, and the fifteenth day of May, annually, to nominate and appoint fit and proper persons, being freeholders, to act as Commissioners for directing and superintending the expenditure of such respective sums of Money as have been or may be granted for the purpose of making and repairing roads and bridges, in the several Counties and Districts of this Province.

Appointment of Road Commissioners.

II. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, at pleasure, to remove all or any of the said commissioners, and to appoint, from time to time, in their places, others, being freeholders as aforesaid : And the Secretary of the Province shall furnish the Treasurer of the Province with a list of the names of the commissioners, and the sums of money to be by them expended respectively, and also shall give due notice of all alterations made in the said commissions, and shall also, immediately after such appointments are made, transmit notice thereof to the persons appointed, and shall within twenty days after such appointments, have the commissions for such commissioners, and the bonds to be entered into by them, ready for execution.

Removal, &c. of Commissioners

Treasurer to be furnished with list of Commissioners.

Commissions, &c.

III. *And be it further enacted*, That the Commissioners, so to be appointed as aforesaid, shall, before entering upon the duties of the said office, give good and sufficient security, by bond, with two sureties, to the satisfaction of any two Justices of the Peace, for the County or District where such respective commissioners may be appointed, in double the amount of the sum to be expended under their direction, faithfully to lay out, and account for, such sum according to Law ; and such Justices shall certify their approbation and the sufficiency of such sureties, upon the back of the bond, to be entered into by the said commissioners ; and such commissioners shall be entitled to retain, and charge in their accounts, an allowance of five per cent. out of the money to be expended as aforesaid.

Commissioners to give security

Allowance to Commissioners

IV. *And be it further enacted*, That each and every commissioner, so to be appointed as herein before directed, shall be entitled to receive a warrant on the Treasury for the whole sum to be expended ; and it shall and may be lawful for the Treasurer to retain in his hands two third parts of the amount of such warrant, until the whole of the work is completed, approved and certified, according to Law.

Warrant for Road vote.

V. *And be it further enacted*; That it shall be obligatory upon the commissioners to prefer contract generally for the making and repairing such roads and bridges to which they may be respectively appointed ; and, in all cases where the commissioners shall judge it necessary

Contracts preferred to days work.

necessary

necessary to expend any sum of money by days' work, there shall not be employed, on any one day, more than twenty-five labourers to work under one commissioner, and the wages of all such persons shall be paid in cash.

VI. *And be it further enacted*, That when Contracts are intended to be entered into, due notice thereof shall be given by the said commissioner by posting up advertisements at least ten days, in the places usual for public notices in the County, Township or District; and the said commissioners shall require and receive sufficient security from the contractor or contractors for the performance of such contract within the time therein specified, and in all respects conform to the true intent and meaning thereof, and shall transmit to the Secretary of the Province copies of all contracts made by such commissioners; and the said commissioner shall pay and satisfy to such contractor from time to time, as the work shall be proceeded in, monies on account, until one third part of the sum contracted for shall have been paid and satisfied, but it shall not be lawful to pay the remaining two third parts until the whole work shall be completed and finished agreeable to contract, and certified as herein after directed; all which said contracts shall be made to expire on or before the last day of September in each year in which such contracts shall be entered into, and shall be in the words following:—

Articles of agreement had, made and agreed upon, this                    day of                    one thousand eight hundred and                    between A. B. commissioner for                    of the one part, and C. D. of and E. F. and G. H. of                    as sureties, for the said C. D. of the other part, as follows, viz.—The said C. D. and the said E. F. and G. H. as his sureties, for the consideration herein after mentioned, do for themselves, their heirs, executors and administrators, covenant, promise and agree, to and with the said A. B. his executors and administrators, that he, the said C. D. his heirs, executors or administrators, shall and will, on or before the last day of August next, in good and workmanlike manner, well and sufficiently

In consideration whereof, the said A. B. for himself, his heirs, executors and administrators, doth hereby covenant, promise and agree, to and with the said C. D. E. F. and G. H. their executors and administrators, that he the said A. B. his heirs, executors and administrators, shall and will well and truly pay, or cause to be paid, unto the said C. D. his executors or administrators, the sum of                    in manner following, that is to say:—one third part of the said sum of                    from time to time as the said work shall be proceeded in, and the remaining two third parts thereof, when the work shall be completed and finished agreeable to this contract, and the certificate prescribed by this Act shall be obtained; and for the performance of the articles and agreements aforesaid, the said parties bind and oblige themselves, their heirs, executors and administrators, each to the other, in the penal sum of                   , firmly by these presents. In witness whereof, they have hereunto interchangeably set their hands and seals, the day and year first above written.

Sealed and delivered }  
in presence of }

VII. *And be it further enacted*, That before any Commissioner shall be entitled to draw the remaining two-third parts of the money so by him to be expended, he shall procure a certificate from three or more Justices in the general or special Sessions to be held for that purpose in each county or district where the said money shall have been expended, that the contractor contracts entered into have been faithfully executed, and the money voted for such work hath been properly laid out, which certificate, together with a schedule of all contracts and accounts relative

Advertising  
Contracts.

Contractors to  
give security.

Copies of Con-  
tracts sent to  
Secretary of the  
Province.

Payment of  
Contractors.

Contractors'  
Bond.

Certificate of  
faithful expen-  
diture.

relative

relative to such expenditure, shall be by the said Justice transmitted to the Secretary of the Province, for the inspection of His Majesty's Council and the House of Assembly, on or before the first day of November in each and every year, which certificate shall be in the words following :

County of \_\_\_\_\_ In \_\_\_\_\_ Sessions, \_\_\_\_\_ day of \_\_\_\_\_ 18 \_\_\_\_\_

WE, \_\_\_\_\_ of His Majesty's Justices of the Peace for the said County, do hereby certify, that by the examination, on oath, of \_\_\_\_\_ credible persons, taken before us, it appears that the foregoing contract or contracts (as the case may be) hath, or have, been faithfully executed, and that the sums respectively mentioned in said contracts (if more than one) hath, or have, been properly laid out and expended.

Form of Certificate.

VIII. *And be it further enacted,* That, in future, no Commissioner shall be allowed to take or charge in his account, for his own services, any sum of money beside his commission by law established, unless such Commissioner shall have been employed superintending day labourers, in which case he shall be allowed five shillings per day, out of the money granted, for each day that he shall be employed overseeing, *Provided* he shall have at least ten labourers at work throughout such day.

Commissioner overseeing day labourers.

IX. *And be it further enacted,* That no labourer upon the roads shall be allowed or paid a greater sum than five shillings for each day's work : and no labourer shall be paid for a day's work unless he shall have diligently laboured at least ten hours each day.

Labourers daily pay.

X. *And be it further enacted,* That each and every Commissioner, who shall expend money by days' work, shall, in addition to the receipts of the persons by him employed, for all monies paid, render an account thereof upon oath, in writing, in which such Commissioner shall state that the account is just and true, and that the monies by him expended have been fairly and honestly applied to the purpose for which they were granted, and that he procured the best labour in his power to procure, and at the lowest rate of wages; which oath any one of His Majesty's Justices of the Peace are hereby required to administer without fee or reward.

Money expended in days work how accounted for.

XI. *And be it further enacted,* That it shall and may be lawful for commissioners hereafter to be appointed, to enter into and extend contracts for the opening of new roads, and improving such as have not been used for wheel carriages, and for erecting of bridges, until the thirty-first day of October.

Extension of Contracts.

XII. *And be it further enacted,* That the Court of General Session, in the several counties and districts, shall have power to enquire into the expenditure of all sums of money heretofore appropriated for the service of roads and bridges which have not been accounted for, as required by any former laws made for regulating the expenditure of money on roads and bridges, and to certify the actual expenditure thereof, according to the form prescribed by this Act.

Enquiry into expenditure of road money.

XIII. *And be it further enacted,* That this Act, and every matter and thing therein contained, shall be and remain in full force and effect, until the fifteenth day of March, which will be in the year of Lord one thousand eight hundred and thirteen, and from thence to the end of the next Session of the General Assembly, and no longer.\*

Continuation of Act.

\*Continued to 1815.

## CAP. III.

An ACT in further addition to the Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the Estate of Intestates.

- Preamble. **W**HEREAS *it is just and reasonable that in the settlement and distribution of Insolvent Estates, equal distribution thereof should be made to and among all the Creditors, without preference or partiality :*
- Distribution. **I.** *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That in the settlement and distribution of the Insolvent Estates of deceased persons hereafter to be made, the whole of the*
- Exception. *Real and Personal Estate (except such part thereof as shall have been allowed by the Judge of Probate or Surrogate for the expences of the funeral, and the necessary attendance on the deceased in his last illness) shall be equally distributed, divided and paid, to and among the creditors, in proportion to their several and respective debts, without partiality or preference : and no executor or administrator, being a creditor, shall be allowed to retain out of the estate or effects which may come into his hands, more than his equal or rateable share or proportion thereof, in payment or satisfaction of his own debt. Provided always, That nothing herein contained shall extend, or be construed to extend, to affect debts due to the Crown, or on Mortgage, or on judgments docketed in the life time of the intestate, or testator, or to the widow's dower in real estate.*
- Proviso. **II.** *And be it further enacted, That it shall be no longer necessary to advertise in any other Newspaper save the Royal Gazette, published in this Province, for the creditors to the estate of the deceased, to bring in their demands against such estate, any law, usage or custom, to the contrary notwithstanding.*
- Advertising. **III.** *And be it further enacted, That it shall not be lawful to grant licence to any executor or administrator for the sale of real estate, until such executor or administrator shall file, in the Secretary's Office, the certificate of the Judge of Probate for the County or District where the lands lie, that full and ample security has been given to account for the proceeds of such sale according to Law.*
- Licence for sale of Estate. **IV.** *And be it further enacted, That this Act shall be in force for three years from the publication thereof, and from thence to the end of the next Session of the General Assembly.*
- Continuation of Act.

## CAP. IV.

An ACT to provide for the support of a Light-House on the south end of Coffin's Island, on the eastern side of the entrance of Liverpool Harbour.

- Preamble. **W**HEREAS *a Light-House is now erecting on the south end of Coffin's Island, on the eastern side of the entrance of Liverpool Harbour, which will be highly beneficial to all Vessels going into that Harbour :*
- Light Duty. *therefore,*  
**I.** *BE it enacted by the Lieutenant-Governor, Council and Assembly, That so soon as the said*  
Light-

Light-House shall be completed, and a Light kept therein, all ships and vessels which shall enter the said Harbour, shall pay the same rate of tonnage duties that are now received from, and payable by, all vessels which enter the Harbour of Halifax.

II. *And be it further enacted*, That it shall and may be lawful to collect, receive and apply, the tonnage duties imposed by this Act, in the same manner, and under the same regulations, that the said tonnage duties are now collected, received and applied, in the said Harbour of Halifax. Collection and application of duty.

III. *And be it further enacted*, That the Act, passed in the thirty-third year of His late Majesty's reign, entitled, An Act for regulating and maintaining a Light-House on Sambro Island; also, an Act, passed in the twenty-eighth year of his present Majesty's reign, entitled, An Act for regulating and maintaining a Light-House at the entrance of the Harbour of Shelburne, and all the several Acts which have been since made and passed, in addition to and amendment thereof, and to revive, continue, and make the same perpetual, and all the several matters and things contained therein, shall be, and the same are hereby extended to the said Light-House, on the south end of Coffin's Island, and also made applicable to enforce the payment of the said tonnage duties on all vessels which enter the said Harbour of Liverpool. Act 33d, Geo. II.  
Act 28th, Geo. III. &c. extended to Light House at Coffin's Island.

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

## CAP. V.

An ACT to revive and continue an Act, passed in the thirty-second year of His Majesty's reign, entitled, An Act to regulate the Summary Trials of Actions, before His Majesty's Justices of the Peace, in the Town and Peninsula of Halifax, and to revive and continue the several Acts in amendment to the said Act.

**W**HEREAS the discontinuance of the said Act has been attended with much inconvenience, for Preamble.  
remedy whereof:

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That, from and after the publication hereof, the said recited Act, entitled, An Act to regulate the Summary Trials of Actions, before his Majesty's Justices of the Peace, in the town and peninsula of Halifax, and the several Acts in amendment to the said Act, and every matter, clause, and thing, therein contained, shall be, and the same are hereby revived and continued, in full force and virtue, until the thirty-first day of March, in the year of our Lord, one thousand eight hundred and thirteen, and thence until the end of the next Session of the General Assembly, and no longer, any thing in the said Acts contained, to the contrary notwithstanding. Acts revived and continued.



## CAP. VI.

Expired.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licensed to keep Public Houses or Shops for the retail of Spirituous Liquors.

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## CAP. VII.

Expired.

An ACT to alter and continue an Act for imposing an additional Duty of Excise on Rum, and other distilled Spirituous Liquors, and for appropriating the same.

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## CAP. VIII.

Expired.

An ACT to continue in Force the several Acts therein mentioned.

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## CAP. IX.

Expired.

An ACT to continue an Act for granting to His Majesty certain Duties on Wine, Rum, and other distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar.

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## CAP. X.

An ACT to continue, and in addition to, and amendment of, the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province. Expired.

## CAP. XI.

An ACT to authorise the Commanding Engineer at Halifax, to enclose a part of the Highway leading from Fort Massey, to the Exercising Ground, on the Common of Halifax.

**W**HEREAS it has been represented to His Excellency the Lieutenant-Governor, that His Majesty's service requires that a part of the public Road or Highway, which leads from Fort Massey to the Exercising Ground, on the Common of Halifax; should be enclosed for the purpose of enlarging His Majesty's Artillery Park : Preamble.

**I. BE** it enacted, by the Lieutenant Governor, Council and Assembly, That when the Officers of His Majesty's Ordnance, at Halifax, shall have laid out a new Road agreeably to the plan submitted to, signed, and approved of, by His Excellency Sir JOHN COAPE SHERBROOKE, and filed in the Surveyor General's Office, measuring fifty feet in breadth, through the Field now in the occupation of *John George Pyke*, Etquire, and described in the said plan by two curved lines, denoted and marked at the extremities on said plan by the letters A, B, C, D, and shall have procured from the said *John George Pyke*, or such other person or persons as shall be the owner or owners thereof, a release of his, her or their, right to such part of the said Field, as shall be required for the said road, and shall have made the same road in all respects good and sufficient for Horses and Carriages to travel thereon, so that the same road shall be fit and proper for the accommodation and use of His Majesty's Subjects, as a Public Highway, to pass and repass to and from Fort Massey towards the Military Exercising Ground, on the Common belonging to the Town of Halifax, that then it shall and may be lawful for the said Engineer to enclose and take in three hundred and ten feet in length of that part of the said road which now leads from Fort Massey aforesaid, to the said Exercising Ground, and to keep the same for ever after enclosed for the use and accommodation of His Majesty's Ordnance Department at Halifax, or for such other Military service, use or purpose, as His Majesty, His Heirs, or Successors, may at any time hereafter appoint and direct, and the new road which is to be laid out and made as aforesaid, for the public use, shall for ever after be and remain a public Highway and Road, to be used and considered as such by all His Majesty's Subjects, in lieu of that part of the present Highway, for the enclosing of which this present Act provides. Alteration of Road—purchase of Land, &c.

## CAP. XII.

An ACT to alter the time of the Sitting of the Inferior Court of Common Pleas, for the County of Halifax.

Preamble.

**W**HEREAS, it has been found inconvenient that the Sessions of the Peace and the Court of Common Pleas, in Halifax, should be held at the same time, for remedy whereof :

Sittings of Inferior Court.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the Inferior Court of Common Pleas, of the County of Halifax, shall, from and after the publication hereof, be opened and held at Halifax on the second Tuesdays of June, September, December and March, annually, any law, usage or custom, to the contrary notwithstanding.

## CAP. XIII.

An ACT in addition to an Act, made in the second year of His present Majesty's Reign, entitled, An Act for appointing Firewards, ascertaining their Duty, and for punishing Thefts and Disorders at the time of Fire.

Preamble.

**W**HEREAS, the provision made by Law for providing the Implements necessary to be used to put a stop to, or extinguish, Fire in the Town of Halifax, has been found insufficient ; for remedy whereof :

Fire Hooks, Chains, &c. provided—and kept in repair.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That at the next Session of the Peace, to be held for the County of Halifax, and at any other Sessions of the Peace for the same County, so often as the same shall be found necessary, the Firewards for the said Town of Halifax shall report in writing, to the said Sessions, the number of Hooks, Chains, Ropes, Ladders, Axes and Saws, which they may think necessary to be provided for the service of the said Town, and also the amount of the expenses of repairing and keeping the same in good and sufficient order ; and it shall and may be lawful for the Justices, in their said Sessions, from time to time, to order such, or so many, of the said implements to be provided, as the said Justices may deem expedient, and may from time to time order the cost and charge of providing the same, as well as the expense of repairing and keeping the same safe and fit for service, to be assessed and levied in the same manner, and with the same power and authority, that Money is now assessed and levied on the Inhabitants of the said Town of Halifax, for the support of the Poor.

Appointment of Fire men ; their duty ; and.

II. *And be it further enacted, by the authority aforesaid,* That it shall and may be lawful for the said Justices, in their said Sessions, from time to time, and so often as the same may be necessary, to choose and appoint such number of prudent and discreet men, not exceeding twenty, as may be found necessary, who shall be denominated Fire-Men, and shall have the charge of the said Hooks, Chains, Ropes, Ladders, Axes and saws, and shall be obliged to keep them in good order, and fit for service on all occasions ; and the persons so appointed shall be exempted from all Statute Labour upon the Highways.

Exemption from Statute Labour.

Duty of Fire-men in time of fire.

III. *And be it further enacted, by the authority aforesaid,* That at the time of any alarm, or breaking out, of Fire in the said Town of Halifax, or the suburbs thereof, the said Fire-men shall,

shall, without delay, repair to the place where the said before mentioned implements are kept and deposited, and shall bring the same to the place or places where the Fire shall have been discovered, and shall there diligently use and work with the same under the direction of the Firewards in such way as shall be deemed most likely to extinguish such Fire.

IV. *And be it further enacted, by the authority aforesaid,* That one of the said Fire-men, to be named by the Justices in their Sessions, shall have the power and authority of a Fireward, to order and command any necessary assistance in taking the said implements to or from the place where any Fire may happen, and any person or persons refusing to obey such orders, shall be subject to the same fine or fines imposed by the said Act, whereof this is an amendment, on any person or persons refusing or neglecting to obey the orders of said Firewards.

V. *And be it further enacted, by the authority aforesaid,* That if any person or persons shall have in his, her or their possession, any of the said Hooks, Chains, Ropes, Ladders, Axes or Saws, which belong to the said Fire-men, and shall neglect to return them for twenty-four hours after such Fire, or shall be found using the same except at the time of Fire, or the alarm of Fire, he, she or they, shall be subject to the same penalty as is provided for a similar offence in and by an Act, passed in the twenty-second year of His present Majesty's reign, in amendment of the said Act, the said penalty to be recovered and applied as is directed by said Act: and all and every Constable or Constables, who shall hereafter neglect to attend at the time of Fire, pursuant to the provisions contained in the said last mentioned Act, or who at the time of such Fire, or alarm of Fire, shall refuse or neglect to obey the orders of any Fireward, such Constable or Constables, on conviction thereof, before any one of His Majesty's Justices of the Peace, shall forfeit and pay a fine not less than five shillings, nor more than twenty shillings; and every such Constable for the Town and Suburbs of Halifax, if called on by the Justices in Special Sessions, after any Fire, or alarm of Fire, shall prove, by certificate from one or more of said Firewards, that he or they duly attended, and did his or their duty, at such Fire, or shall otherwise shew some good and sufficient cause to the satisfaction of said Justices, which prevented him or them from attending at such Fire, or alarm; and every one of said Constables, who shall, when called upon as aforesaid, neglect or refuse to produce such certificate, or other good excuse as aforesaid, shall be liable for each and every such neglect to the same fine of five shillings or twenty shillings herein last mentioned; and the Clerk of the Peace for the said County shall from time to time notify the said Constables of their duty in this respect, by reading to them this clause.

*And Whereas some doubt has arisen, whether the Firewards of said town who have been once sworn into Office, ought by Law to be again sworn, if re-chosen to serve in said Office:*

VI. *Be it further enacted, by the authority aforesaid,* That it shall be lawful for the Firewards of said town to continue to serve in said office after having once taken the oaths appointed by Law, so long as they may be annually re-chosen to the said office, without being obliged to take again the said oaths at the time of such re-appointment; and that they shall be bound by their first oath to the performance of the duties of their office, as fully and effectually as if an oath had been administered to them upon each renewal of the appointment.

VII. *And be it further enacted,* That two sufficient Fire Bells shall be procured, and paid for in the manner directed in the first clause of this Act, which Bells shall be placed and fixed in such convenient and proper parts of the said town as shall by the said Justices be appointed.

VIII. *And be it also enacted,* That it shall and may be lawful for the Justices aforesaid, in their Sessions, to make regulations for preventing Boys and other persons from unnecessarily ringing

Power of a Fireward vested in one of the Fire-men.

Penalty for improper use or detention of Fire-Hooks, Chains, &c.

Constables neglecting their duty.

Firewards sworn.

Fire Bells.

Improper Ringing of Bells.

ing the said Bells, or either of them, and from destroying or injuring them, or either of them, or injuring the Ropes thereof, and to enforce the said regulations by imposing a fine not exceeding the sum of twenty shillings for each offence.

Punishment of transgressors.

IX. *And be it further enacted,* That the parent or parents of any child, or children, under age, who shall be found transgressing any of the said regulations so to be made as aforesaid, and the master or masters, mistress or mistresses, of any apprentice or apprentices, who shall be found transgressing any of the regulations so as aforesaid to be made, shall be subject and liable to the fine or penalty so to be imposed by the Justices as aforesaid, to be levied off their goods and chattles respectively.

Chimney Sweeps to give Bond.

Violation of Bonds.

X. *And be it further enacted,* That all persons to whom licences shall be granted, shall enter into bonds for carrying on the sweeping of chimnies during the time for which their licence shall be granted; and in case of neglect or refusal of the persons licensed, or those employed by them, to comply with such regulations as shall from time to time be made by the Firewards, and approved of at a Court of General or Special Sessions of the Peace, that the person so neglecting or refusing shall forfeit and pay for each and every offence, a fine not less than five shillings, nor more than twenty shillings, to be recovered before any one of his Majesty's Justices of the Peace, on the oath of one credible witness, and if the person or persons convicted of such neglect or refusal, shall not have sufficient goods and chattles, whereon distress may be made to the value of the penalty recovered for such offence, or shall not pay such penalties within ten days after such conviction, then, and in such case, such Justices may, by warrant, commit such offender to the County Jail or House of Correction, there to remain for a term not exceeding ten days.

#### CAP. XIV.

An ACT to alter the time of the Sitting of the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of Hants.

Sittings.

**B**E *it enacted by the Lieutenant-Governor, Council and Assembly,* That in future the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Hants, shall be held at Windsor, in the said County, on the first Tuesday of January, and first Tuesday of July, annually, the first sitting to be held on the first Tuesday of January next, any law, usage or custom, to the contrary notwithstanding. *Provided always,* That nothing herein contained, shall affect the sittings of the said Courts to be held in Windsor in the present month of April.

Proviso.

#### CAP. XV.

An ACT to alter the Meetings of Parishioners for the choice of Vestry Men and Church Wardens, for the several Parishes in this Province.

Future Vestry Meetings.

**B**E *it enacted, by the Lieutenant-Governor, Council and Assembly,* That such meetings shall hereafter be held annually, on the Monday next after Easter Day, and not otherwise.

At the **GENERAL ASSEMBLY** of the Province of Nova-Scotia, begun and holden at Halifax, on Tuesday the Twenty-first day of July, 1812, in the Fifty-second year of the Reign of our Sovereign Lord **GEORGE** the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, **KING**, Defender of the Faith, &c. &c. &c. being the Second Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight of the Most Honorable Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Deputy Secretary of the Council; and James B. Francklin, Clerk of Assembly.

## CAP. I.

An ACT to empower the Lieutenant-Governor, or Commander in Chief for the time being, to appoint Commissioners to issue Treasury Notes.

**B**E it enacted, by the Lieutenant Governor, Council and Assembly, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, when, and as soon as he may deem necessary, to appoint three fit and proper persons as Commissioners to issue Treasury Notes, to the amount of Twelve Thousand Pounds, as follows, viz :

Fifty notes of fifty pounds each ; one hundred notes of twenty pounds each ; two hundred notes of twelve pounds ten shillings each ; four hundred notes of five pounds each ; four hundred notes of two pounds ten shillings each ; and two thousand notes of twenty shillings each : making in the whole twelve thousand pounds ; which Treasury Notes shall bear lawful interest from the day they shall be issued in payment from the Treasury, and shall be indented and impressed with the words "Nova-Scotia," signed by the Treasurer of the Province, and countersigned by the said Commissioners, and containing the following figures and words, to wit :

No.

Province of Nova-Scotia, Treasurer's Office. Form of Notes.

£.

By a Law of this Province, the bearer of this note is entitled to receive at the Treasury the sum of \_\_\_\_\_ with interest, at the rate of six per cent, per annum, from the day it issued by the Treasurer.

Dated at Halifax, the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord one thousand eight hundred and \_\_\_\_\_

All which notes shall be of the same date, and when so completed and signed, be delivered to \_\_\_\_\_

Notes delivered to Treasurer

to the Treasurer by the persons appointed to countersign the same; and the Treasurer shall be accountable for such notes so delivered to him.

Payment of Warrants on Treasury.

II. *And be it further enacted,* That when and as often as money shall become due and payable by virtue of any Act or Acts already passed, or that may be passed during the present Session of the General Assembly, and warrants for the same are produced for payment to the Treasurer of the Province, he shall pay the amount of such warrants on demand, in gold or silver, or in the said notes, to the person or persons entitled to receive the same, at his or their election, which notes shall be again received at the Treasury, and also by the Collectors of Impost and Excise for the several Districts in this Province, at their specified value, equal to the like value in gold or silver, when, and as often, as the same are presented and offered in payment of duties, and the interest from the day of their being issued in payment, computed and allowed.

Notes taken for duties.

Date and signature of Notes.

III. *And be it further enacted,* That the Treasurer of the Province shall, on the day, and before, he issues any of the notes in payment as aforesaid, write on the same the day of the month and year they are so issued, and sign his name thereto, and from the time so written by him on the said notes so issued, they shall bear lawful interest.

Interest on Notes.

Cancelling of Notes.

IV. *And be it further enacted* That the said notes, or any of them, when received by the Collectors of Impost and Excise for the several districts in this Province, in payment for duties, the said Collectors shall write on the said notes the day of the month and year the same were so received; and the person or persons delivering them in payment shall sign his name thereto; and the said notes, when received by the Treasurer of the Province from the said Collectors, shall not again be issued from the Treasury, but shall be cancelled in such manner as the Lieutenant-Governor or Commander in Chief for the time being, shall deem expedient.

Counterfeiting of Notes.

V. *And be it further enacted,* that if any person or persons whatsoever, shall counterfeit any of the notes aforesaid, issued by virtue of this Act, or alter any of the same so that they shall appear to be of greater value than when originally issued, or shall knowingly pass, or give in payment, any of the notes aforesaid so counterfeited or altered, every person convicted thereof shall be set in the Pillory for the space of one whole hour, and one of the ears of such offender shall be nailed thereto, and such offender shall also be publicly whipped through the streets of the town or place where such offence shall be committed, and shall pay all charges of the prosecution.

Calling in of Notes.

VI. *And be it further enacted,* That so soon as, by the report of the Joint Committee of His Majesty's Council and the House of Assembly, in their annual examination of the Public Accounts, it shall appear that the state of the Treasury will admit the calling in to the value of two thousand pounds and upwards of the notes so issued and paid out, the Treasurer shall, by advertisement in the Royal Gazette, appoint a time at which he will receive such notes and pay the amount of the same, together with the interest due thereon, in gold or silver, giving sixty days notice of such redemption, and mentioning the number so required to be produced for payment, calling in first the notes of the largest amount then in circulation; and on failure of such notes being produced, at the time limited, all future interest on the same shall cease, and no other or greater amount of interest shall be paid on such notes so called in, than was due and payable at the date the same were required to be presented to the Treasury as aforesaid.

Printing of Notes.

VII. *And be it further enacted,* That the Treasurer of the Province, together with the persons appointed to countersign the said notes, are hereby empowered to contract for and superintend the printing and completing the blanks of such notes as are directed to be issued by virtue of this Act.

VIII.

Re-issuing of  
Notes.

VIII. *And be it further enacted*, That in case the Lieutenant-Governor, or Commander in Chief shall, by his warrant or warrants, require the said Commissioners to re-issue notes to the amount of the notes so received in payment at the Treasury, or to the amount of any part of such notes, it shall and may be lawful for the said Commissioners to issue new notes to the amount which such warrant or warrants shall require, provided the amount of new notes so to be issued, shall not exceed the amount of the notes so from time to time received at the Treasury.

## CAP. II.

An ACT for granting to His Majesty an additional Revenue to defray the expense of the War; and to appoint Commissioners to borrow Money for the use of the Province.

Additional Du-  
ties—On Wine,  
On Rum,Collection of  
Duties.Drawbacks on  
exportation of  
dutiable arti-  
cles.Holders of duti-  
able articles to  
render an ac-  
count of the  
quantities on  
oath.

Form of oath.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the twenty-fifth day of August in this present year of our Lord one thousand eight hundred and twelve, there shall be granted and paid to His Majesty, His Heirs and Successors, a further duty of six pence per gallon on all wine; a further duty of four pence per gallon on all Rum; and a further duty of six pence per gallon on all other Distilled Spirituous Liquors, which shall then be and remain in, or which shall thereafter be imported into, this Province: to be raised, levied, collected and paid, by the ways, means, rules, provisions and directions, and under the regulations, forfeitures and penalties, expressed, prescribed and declared, in and by an Act, passed in the forty-eighth year of His present Majesty's reign, entitled, An Act for granting to His Majesty certain duties on Wine, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries of this Province.

II. *Provided always, and be it further enacted*, That if any Wine, Rum or other Distilled Spirituous Liquors, upon which the duty hereby imposed shall be paid, or secured to be paid, shall be exported from this Province, under the limitations and provisions of the said Act, of the forty-eighth year of his present Majesty, then the duty hereby imposed shall be endorsed by the Collector on the securities of such exporter, or if the same shall have been paid, then such exporter shall be entitled to receive the amount of the said duty, from the Treasurer of the Province.

III. *And be it further enacted*, That all and every person and persons who on the said twenty-fifth day of August, shall have in his, her, or their custody or possession, any quantity of Wine, exceeding one hundred gallons; of Rum exceeding one hundred gallons; or other Spirituous Liquors, exceeding one hundred gallons, shall render to the Collector of the district or place wherein the same shall be, an exact account of the quantity of such Wine, Rum or Spirituous Liquors, and shall pay or give security to such Collector, for payment of the additional duty thereon imposed by this Act, and shall at the foot of such account make and subscribe the following Oath, which the said Collectors are hereby empowered to administer, that is to say:—

I. A. B. do swear, that the foregoing account now produced by me, is just and true, and that it contains the whole of the Wine, Rum, and other Spirituous Liquors in my custody

or



or possession, or in the custody or possession of any other person or persons within this Province for me, or on my account. And the said Collectors, respectively, shall immediately after the said twenty-fifth day of August, proceed to secure or collect, according to law, the said additional excise duty imposed by this Act.

False returns  
by holders of  
dutiable arti-  
cles.

IV. *And be it further enacted*, That if any Wine, exceeding the quantity of one hundred gallons; or any Rum, exceeding one hundred gallons; or any other Spirituous Liquors, exceeding one hundred gallons, on which the duty imposed by this Act shall not have been paid or secured, shall, after the said twenty-fifth day of August be found in the custody or possession of any person or persons whatsoever, it shall be lawful for the Collectors, or other Seizing Officers of Excise, respectively, to seize the said Wine, Rum, or other Spirituous Liquors, and to prosecute the same to condemnation; and the person or persons in whose custody or possession the same shall have been so found, shall forfeit fifty pounds, which seizures and forfeitures shall be sued for, recovered and applied, in the way and manner directed by the said Act herein before mentioned.

Allowance for  
collection of ad-  
ditional duty.

V. *And be it further enacted*, That no fee or per centage whatsoever, shall be allowed to, or retained by, the Collector of Impost and Excise for the district of Halifax, for receiving, collecting, and paying over, any monies to be raised under and by virtue of this Act; and that the Collectors in all the other districts and ports of this province respectively, shall be allowed and paid two pounds ten shillings on every hundred pounds which shall be collected and paid by them, under and by virtue of this Act, within their respective districts and no more; any thing in any former Act of the General Assembly, to the contrary thereof notwithstanding.

Collector's ac-  
counts.

VI. *And be it further enacted*, That the Collectors of Impost and Excise, in the several districts and ports of this Province, shall specify and state distinctly and separately in their accounts, the amount of all monies which shall be received and paid over by them to the Treasurer of the Province, by virtue of this Act; and the same shall also be separately stated in the Public Accounts, to be hereafter laid before the General Assembly of this Province.

*And whereas the exigencies of the Province may make it necessary to procure money, before the monies to be raised by this Act shall come into the Treasury:*

Commissioners  
to borrow mo-  
ney.

VII. *Be it therefore further enacted*, That Foster Hutchinson, George Grassie and Winkworth Allan, Esquires, be, and they are hereby, appointed Commissioners on the part of the Province, to borrow, from time to time, such sum or sums of money, as the Lieutenant-Governor, or Commander in chief for the time being, shall direct, not exceeding in the whole the sum of twenty thousand pounds: which money, so to be borrowed, shall be paid into the Treasury, and applied by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to the payment of the several appropriations made this Session for the defence of the Province.

Sum.

Death, &c. of  
Commissioners

VIII. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant Governor, or Commander in Chief for the time being, by warrant under his hand and seal, to direct the said Commissioners to borrow such sum or sums of money as he may think fit to require, and to approve or disapprove of the terms upon which the same may be borrowed; and on the death, removal from the Province, resignation, or misconduct in office, of any of the Commissioners by this Act appointed, to nominate and appoint others to act as Commissioners in their place and stead.

Application of  
new duties.

IX. *And be it further enacted*, That the monies to be raised by virtue of the duties hereby imposed, shall be appropriated and applied to the payment and discharge of the monies so to

be borrowed, with the interest thereof, and also to the payment of such part of the several appropriations made this Session, for the defence of the Province, as shall not be paid and discharged by the monies so to be borrowed.

X. *And be it further enacted*, That the second, third, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-third, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth and thirty-seventh, sections of the said Act, made and passed in the forty-eighth year of His present Majesty's reign, entitled, An Act for granting to His Majesty certain duties on Wine, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, so far as the same are necessary to the securing and collecting of the additional duties imposed by this Act, shall be and continue, and the same are hereby continued in full force and effect during the continuance of this Act, in as full and ample a manner as the same Clauses would be, were the same again herein repeated word for word.

Sections of Revenue Act, 48th Geo. III. applied to the purposes of this Act.

XI. *And be it further enacted*, That this Act shall continue and be in force until the said monies so to be borrowed, with the interest thereof, shall be paid off and discharged, and also until such parts of the appropriations made this Session shall not otherwise be paid, shall be paid and discharged, and no longer.

Continued.

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### CAP. III.

An ACT for applying certain Monies to the purposes therein mentioned.

Expired

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Thirteenth day of February, 1813, in the Fifty-Third year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Third Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight of the Most Honorable Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Acting Secretary of the Council; and James B. Francklin, Clerk of Assembly.

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### CAP. I.

Executed.

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

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### CAP. II.

An ACT to alter, amend and continue, the several Acts of the General Assembly of this Province, now in force, relating to a Militia.

Penalty for non-enrolment of militia-men.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That, each and every captain or commanding officer of a company, who shall neglect to enrol any militia-man within his district, liable to enrolment, for the space of seven days after he shall be informed that such person is within his District, shall forfeit and pay for the first offence, the sum of twenty shillings; and after the payment and conviction of the said offence, the sum of twenty shillings for each and every following week he shall so neglect.

Penalty of non-attendance of militia-men at drill.

II. *And be it further enacted.* That if any militia-man (having had notice) shall neglect to attend at such meetings of the militia company in which he is enrolled, as by law he is bound

bound to attend, not being prevented by sickness, unavoidable accident, or other reasonable excuse satisfactory to the commanding officer of his company, he shall be subject for the first offence to a fine of five shillings; for the second offence to a fine of ten shillings; for the third offence to a fine of fifteen shillings; and for every subsequent offence to a fine of twenty shillings—which fines shall be imposed by the captain or commanding officer of the company.

III. *And be it further enacted*, That notice of the imposition of the said fines shall be given by the clerk, or a non-commissioned officer, or such person as shall for the time being perform the duty of clerk of the company district such militia men belong to, either personally, or in writing left with the master, parent or wife, or with his child, or servant of the age discretion.

Notice of Fines.

IV. *And be it further enacted*, That it shall and may be lawful for every militia man, upon whom a fine shall be imposed as aforesaid, within the period of four days, if he shall adjudge himself aggrieved, to appeal to a Board of Officers, to be formed as hereafter is directed; and any person or persons so appealing, shall give notice of the appeal to the clerk, or person doing the duty of clerk, within the period herein before limited.

Appeal against Fine.

V. *And be it further enacted*, That the notice to be given of the meeting of any battalion or company of militia under the Act of which this is an amendment, shall be by the commanding officer, or any other commissioned or non-commissioned officer of the battalion or company, and not by a private militia man, unless such private militia man has the written orders of the commanding officer of the battalion or company to that effect.

Notice of Militia Meetings—by whom given.

VI. *And be it further enacted*, That when a militia man is not found at his own usual place of dwelling, to receive personal notice, the leaving notice either verbally, or in writing with such militia man's master, parent or wife, or with his child or servant, of the years of discretion, or giving him notice in any other reasonable and discreet manner, according to the special circumstances of the case, shall be deemed a sufficient notice until the delinquent militia man shall fully satisfy the commanding officer of his company, or a Board of Officers, that he was ignorant of such notice having been given.

Notice of Militia Meetings—how given.

VII. *And be it further enacted*, That all officers, under the rank of lieutenant-colonel, who shall fail to attend any meeting of the battalion or company of militia to which they respectively belong, without reasonable excuse, to be adjudged by a Board of Officers, to be appointed as is herein directed, for the purpose of hearing and determining appeals, shall respectively forfeit and pay for each and every default, according to their rank, that is to say—if a major, five pounds; if a captain, three pounds; and if a subaltern officer, two pounds—which fines shall be sued for by the adjutant of the battalion, and recovered in like manner as fines are that are imposed upon militia men for non-attendance; and out of the said fines the said adjutant shall deduct, to his own use, one fourth part for his trouble of collecting; and the other three fourth parts he shall pay over to the quarter-master of the battalion, to the use of the battalion.

Officers neglecting to attend Militia Meetings.

VIII. *And be it further enacted*, That it shall be lawful for the lieutenant-colonel, or commanding officer of each battalion, from time to time as occasion may require, to form a Board of Officers of his battalion, consisting of three captains, or of a field officer and two captains, for the purpose of hearing and determining all appeals which shall be made by any militia man under the provisions of this Act; and if the said Board shall confirm the proceedings of the officers who shall have imposed the fine or fines upon the militia man, the said Board shall certify the same in a schedule, signed by the field officer or President of the said Board, and the said fines shall be levied by warrant, as in and by this Act is directed.

Board of Officers—how formed.

Recovery of  
Fines.

IX. *And be it further enacted*, That all fines incurred by this Act, and imposed upon any militia-man, conformable to the provisions of the same, shall be recovered before any one of His Majesty's Justices of the Peace, not being an officer of the company to which the militia-man belongs; which Justice of the Peace shall have no power to remit any such fine or fines; but, on proof that the delinquent militia-man had the notice by this Act required of the imposition of the fine, and that he had not been relieved upon appeal, the said Justice shall issue process for collecting the same as in cases of debt.

And Whereas, *during the time of war, the services of every inhabitant of this Province in the militia may be required:*

Persons liable  
to perform Mili-  
tia duty.

X. *BE it therefore enacted*, That no able bodied man (people called Quakers excepted), between the age of sixteen and sixty, shall be exempted from the provisions of this Act, and of the several Acts respecting the Militia, which this Act is made to alter, amend and continue, excepting established or licensed Clergymen, or regularly ordained Ministers of the Gospel; His Majesty's Council; the Speaker and Members of the Assembly for the time being; the Chief Justice and Judges of the Supreme Court; the Judge of the Admiralty; the Attorney and Solicitor General; the Secretary of the Province; the Surveyor General; the Treasurer of the Province; the Collectors of the Customs and Excise, and established Waiters; Store-keepers of Government appointment; and persons actually in the constant employ of the Civil and Military Departments of the Army or Navy, if exempted by special order of the Lieutenant-Governor, or Commander in Chief, and not otherwise.

Negro Militia-  
men.

XI. *And be it further enacted*, That all negro militia men, or people of colour, commonly so called, shall be set apart by the commanding officer of each and every battalion respectively, and formed into district companies or bands of pioneers, as their numbers may admit, to be commanded by such trusty non-commissioned officer of colour or otherwise, as the said commanding officer may appoint; under which non-commissioned officer, such companies or bands of pioneers shall assemble and train, at such times as the commanding officer of the Battalion shall direct, so as that no greater share of militia training or other militia duty be imposed on such men of colour, than is authorized by the several Acts relative to the militia to be imposed on other militia men.

And Whereas, *great inconvenience is experienced by reason of the frequent changing of the militia-men of the second battalion of militia out of one company of the said battalion into another company of the same:*

Removal from  
Company Dis-  
trict.

XII. *Be it further enacted*, That each and every militia man of the second or Halifax battalion of militia, shall be bound to do and perform his several militia duties in and with that company of militia in which he is properly enrolled before the first day of April in each and every year: to which company he shall be deemed as belonging for the year next following such enrolment; any transfer of his residence within the limits of the said battalion notwithstanding.

Notice of Re-  
moval from  
Company Dis-  
trict.

XIII. *And be it further enacted*, That any militia man of the said battalion, who shall remove from the limits of the company district in which he is enrolled, shall, one week after the removal to another company district, give notice to the clerk of his company of his new place of residence, and in like manner shall notify the said clerk of any removal; and in case of neglect the said militia man shall, for each offence forfeit and pay a fine of ten shillings.

Volunteers in  
behalf of New-  
Brunswick.

XIV. *And be it further enacted*, That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to accept the voluntary service of any one or more of the embodied militia-men of this Province, for the defence of the neighbouring Province

vince

vince of New-Brunswick against the common enemy; and such militia-men, while serving in the said Province of New-Brunswick, shall be subject to, and governed by, the Laws and Regulations made for the ordering and government of the embodied militia of this Province, and to none other.

XV. *And be it further enacted,* That from and after the publication of this Act, every male inhabitant of this Province, between the age of sixteen years and sixty, and liable by Law to serve in the Militia of this Province, shall be bound to enrol himself, and shall be subject to be enrolled in the militia company of the district in which he resides, within thirty days after the time of his coming into this Province, and shall not, as heretofore, be allowed the term of three months in which to enrol himself.

All persons to enrol themselves within 30 days.

XVI. *And be it further enacted,* That where militia guards shall be appointed for the purpose of watching and warding; that the said duties shall be equally and fairly distributed to and amongst, and equally and fairly borne, by each and every able bodied militia man of the District, as well officers and those exempted from militia trainings as others, in his turn, according to a list or roster to be kept by the commanding officer of each militia company; and every person refusing or neglecting, by himself, or sufficient substitute, to perform his fair term of watching and warding in manner, and at the time, directed by the commanding officer of his company, shall forfeit and pay, for each and every neglect or refusal, a fine of ten shillings to the use of the company, and to be disposed of for the use and benefit of the company in such manner as the commanding officer of the said company shall direct.

Watching and Warding.

XVII. *Provided always, nevertheless,* That nothing in this Act contained, shall extend, or be construed to extend, the number of days required for training to be performed by militia men between the age of fifty and sixty years, or to subject any militia man above fifty years of age, to any of the fines imposed by this Act for non-attendance at company or battalion trainings.

Proviso—Limitation of training.

XVIII. *And be it further enacted,* That where, from the exposed situation of the District and the appearance or threatenings of the enemy, or by direction of the Lieutenant-Governor or Commander in Chief for the time being, militia guards shall be so appointed, and kept, as that any militia man's duty of watching and warding shall exceed the number of six days or nights in any one year, it shall and may be lawful for the Lieutenant-Governor or Commander in Chief for the time being, to cause every such militia man's service over and above the said number of six days or nights, to be paid for out of the Treasury of this Province, according to the rate of militia pay, by the Act allowed, whereof this Act is in amendment, upon such over-service being duly stated and certified, by the commander of each battalion of militia respectively, in manner and form as shall be prescribed by the said Lieutenant-Governor or Commander in Chief.

When watching and warding exceeds the time limited.

XIX. *And be it further enacted,* That every person or persons who shall wilfully make or cause to be made any false alarm shall forfeit and pay for every and each offence the sum of ten pounds, to be recovered by bill, plaint or information, in any Court of Record in this Province, one half thereof to the person who shall prosecute for the same, the other half to the use of the battalion in the district of which the offence shall be committed.

False alarm.

XX. *And be it further enacted.* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to draw by warrant from the Treasury of the Province, such sum and sums of money, as may be necessary to defray the expence attending such militia Courts of Inquiry as the Lieutenant-Governor or Commander in Chief may from time to time think proper to form for the purpose of enquiring into such charges and allegations as may be exhibited against militia officers.

Expense of Courts of Inquiry—how defrayed.

And Whereas, certain persons are herein exempted from militia trainings, and it is reasonable that they should pay a sum of money for such exemption, in order that militia duties may be borne equally by all the inhabitants of the Province :

Persons exempted from militia trainings to pay a sum of money.

XXI. *Be it therefore enacted*, That every person above exempted, except Clergymen, shall pay seven shillings and six pence for each and every day he would have been liable to trainings in case he had not been exempted ; which sum shall be recovered and applied in the manner as is directed for fines for the non-attendance of militia men.

Continuation of Militia Acts of 48th and 49th Geo. III. and of this Act.

XXII. *And be it further enacted*, That this Act, and the Act, passed in the forty-eighth year of his Majesty's reign, entitled, An Act to provide for the greater security of the Province by a better regulation of a militia, and to repeal the Militia Laws now in force ; And the Act, passed in the forty-ninth year of his Majesty's reign, in amendment thereof, except such parts of the said Acts as are altered and repealed by this Act, shall be in force, and continue, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fourteen, and from thence until the end of the next Session of the General Assembly.

### CAP. III.

An ACT in addition to, and amendment of an Act, passed in the thirty-fourth year of his late Majesty's Reign, entitled, An Act for appointing Commissioners of Sewers.

Record of proceedings of Commissioners of Sewers.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That the Commissioners of Sewers within each Township and District in this Province, shall keep a record of all their proceedings, and a fair account of all work and monies expended and laid out by them, or under their direction, and of monies by them received : which record and account shall be open for the inspection of all and every person or persons interested therein, upon paying six pence for each inspection or search ; and a copy thereof shall be furnished to the proprietors of lands who are interested therein, when demanded, he or they paying for such copy or copies, six pence for every ninety words.

And Whereas doubts have arisen, whether the proceedings of Commissioners are removable into the Supreme Court :

Proceedings of Commissioners of Sewers removable into Supreme Court

II. *BE it therefore enacted*, That it shall and may be lawful to remove the proceedings of the Commissioners of Sewers into the Supreme Court, by *Certiorari*, where the whole of such proceedings shall be examined, if necessary, and such determination made thereon, as by the said Court shall be deemed proper ; any thing in the said Act, of which this is an amendment, to the contrary notwithstanding. *Provided*, That before any Writ of *Certiorari* shall be issued, sufficient security shall be given, by the person or persons applying for the same, for payment of such costs as may be awarded and taxed by the said Court.

### CAP. IV.

An ACT for granting to his Majesty an additional Revenue.

Expired.

## CAP. V.

## An ACT for the improvement of the Great Roads through the Province.

**W**HEREAS it is expedient that a more effectual system should be established for the improvement of the Great Roads leading from the Capital through the Province :

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to nominate and appoint one fit and proper person, being a substantial freeholder, and having his freehold and residence within one of the Counties through which the Great Road passes, that leads from Sackville Bridge to the Half-Way River, between Falmouth and Horton, to be Supervisor of that part of the said Road ; and also to nominate and appoint one other fit and proper person, being also a substantial freeholder, and having his freehold and residence within the County through which the Great Road passes that leads from the Windsor Road to M'Keen's Mill, at the entrance of the Town of Truro, to be Supervisor of that part of the said last mentioned road.

Appointment of Supervisors.

II. *And be it further enacted,* That the said Supervisors shall continue in office for the space of three years next following the date of their respective appointments, unless sooner superceded by the Lieutenant Governor, or Commander in Chief, with the advice of his Majesty's Council, or removed by death, or absence ; in either of which cases, the vacancy shall be filled up, from time to time, out of the same description of persons, that the office of Supervisor may continue, for the space of three years from its commencement.

Servitude of Supervisors.

III. *And be it further enacted,* That every Supervisor, to be appointed by virtue of this Act, shall give such security, for the faithful performance of the duties required of him, and for accounting, at certain stated periods, as the Lieutenant-Governor, or Commander in Chief, with the advice of His Majesty's Council, shall deem fit and proper.

Supervisors to give security.

IV. *And be it further enacted,* That the Supervisors appointed under the authority of this Act, shall, respectively, have the sole ordering of the repairs and alterations necessary for the completing the said roads, and keeping them at all times, during their continuance in office, in the best practicable state for the passage of men, horses, cattle, teams and carriages.

Duty of Supervisors.

V. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to direct the Treasurer of this Province to pay into the hands of such Supervisor, from time to time, out of the monies granted by the General Assembly of the Province for the repairs of the said Roads respectively, such sum or sums as shall be necessary for the purchase of Working Tools, and Implements, and for the payment of Overseers, Labourers, Workmen, Contracts, and necessary Materials, for the making and repairing said roads.

Payment of Labourers, &amp;c.

VI. *And be it further enacted,* That for the expenditure of all such monies, as well as the amount of the balance in hand, and the quantity and state of the tools, implements and materials in store, the said Supervisors shall, respectively, faithfully and regularly, account with the Auditor of Accounts, for the time being, at such periods before the Sittings of the General Assembly, as the said Lieutenant-Governor or Commander in Chief shall require.

Expenditures accounted for.

VII. *And be it further enacted,* That at and after the expiration of forty days from the publication hereof, all logs, spars, bark, scantling, boards, planks, slabs, cord wood, hoop poles, staves,

Road Incumbrances.



slaves, laths, fencing materials and stones, rubbish and timber of any kind, which shall be found in the ditches, or track of the roads, under the direction of the said Supervisors, shall be, *ipso facto*, forfeited; and it shall and may be lawful for the said Supervisors, or either of them, without any suit or process of Law whatever, to cause all articles so found, to be instantly seized, and disposed of, in such way and manner, as he or they shall think proper; and if the same shall be sold, the proceeds of such sale shall be applied by the said Supervisor or Supervisors, for the repair and improvement of the said roads.

Statute Labour.

VIII. *And be it further enacted*, That the ordinary Statute Labour of all persons liable by Law to work on the said roads, shall be done and performed by direction, and under the authority of the said Supervisors respectively; who shall have the sole power to compel and direct the performance of the same, at such times and seasons, as to them shall respectively appear convenient and proper; and to collect and expend, as by Law is provided, the fines payable by those who neglect or refuse to perform the same.

Materials required for repair of roads.

IX. *And be it further enacted*, That in case it be necessary or expedient for the said Supervisors to go out of the said roads, to procure materials for the repair of the said roads, it shall and may be lawful for such Supervisors (where from the absence or obstinacy of the owner or possessor of the soil, no agreement can be made with him) to enter with workmen, carts, carriages and horses, upon any uncultivated lands, and therefrom to dig up, take, and carry away, for the repairs of the said roads, stones or gravel, and also therefrom to cut down, and carry away, trees and bushes, for logs, poles and brushwood, to repair the same roads; and the damage done thereby, shall be appraised and ascertained by the judgment of three indifferent freeholders, to be nominated by the nearest Justice of the Peace, for that purpose; and the sum so ascertained, shall be paid or tendered by the Supervisors to the owner of the soil, if demanded, within three months from such appraisement.

Action of Trespass against Supervisors.

X. *And be it further enacted*, That in case any action of trespass, or on the case, shall be brought against either of the said Supervisors, by reason of any thing done by him in the execution of his office, he may plead the General Issue thereto, and give this Act, and the special matter in evidence, on the trial of such action.

Interruption of Supervisors.

XI. *And be it further enacted*, That any person or persons, who shall be convicted of wilfully hindering or interrupting a Supervisor, or any of the overseers under him, in the lawful exercise of the duties incident to his or their office, shall forfeit and pay a fine to His Majesty not exceeding five pounds nor less than twenty shillings for each and every offence.

Allowance to Supervisors.

XII. *And be it further enacted*, That the said Supervisors shall respectively be paid, for every day they shall be actually employed in superintending the repair of the said roads the sum of fifteen shillings, in lieu of Commissions, for their said service, and no more; which sum shall be retained by the said Supervisors out of the monies paid for the service of the said roads, from time to time, as the same shall become due to them, and be charged in their accounts respectively. *Provided*, that the sum so to be retained, shall not exceed the sum of one hundred pounds to either of the said Supervisors in any one year.

Allowance to Overseers.

XIII. *And be it further enacted*, That no overseer to be employed upon the said roads shall be allowed or paid a greater sum than seven shillings for each day's service; and that no labourer, to be employed on the said roads, shall be allowed or paid a greater sum than five shillings for each day's labour.

Fines.

XIV. *And be it further enacted*, That all fines imposed by this Act, shall be levied by warrant of distress, of the goods and chattles of the offender or offenders, upon conviction, by any two of His Majesty's Justices of the Peace, on the oath of one credible witness, and

and shall be paid to the said Supervisors respectively, to be applied to the use of the said Roads.

### CAP. VI.

An ACT imposing a Duty on Articles to be imported from the United States of America, and for appropriating the same.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, all goods, wares and merchandise, which shall be imported from any port or place within the United States of America, except the articles hereinafter enumerated, shall be liable to, and pay a duty of ten per cent. *ad valorem*; to be levied and received in the current money of the Province, by the Collectors of Impost and Excise, to be estimated according to the original invoice, to be produced by the importer or importers thereof, on oath, before the landing of any such articles, except wheat, rice, rye, Indian corn, barley, flour, grain, pease, beans, seeds, meal of any sort; pitch, tar, turpentine, rosin, hemp, and goods condemned as prize.

Duty on articles imported from United States.

II. *And be it further enacted*, That any importer, or importers, owner, or owners, who shall import and land any of the articles, except such as are herein excepted, without paying the duty thereon imposed by this Act, shall, upon discovery thereof, forfeit such articles, so imported and landed.

Seizure of Dutiable Articles.

III. *And be it further enacted*, That the master of any vessel employed in the importation of goods as aforesaid, or any other person who shall land, or attempt to land, any of the articles subject to duty by this Act except as herein before excepted, before the duty imposed by this Act shall be paid, shall forfeit and pay the sum of fifty pounds.

Fine for Illicit Trade.

IV. *And be it further enacted*, That the Collectors or Receivers of the Duties for the time being, shall render a just account, and pay into the hands of the Treasurer of the Province, all such monies received by him or them for the duties collected in pursuance of this Act, within thirty days after receipt of the same, under penalty of fifty pounds for his or their neglect; which duties shall be applied to the relief of the poor of the County or Town where the same shall be collected.

Appropriation of Duty.

V. *And be it further enacted*, That all forfeitures, and penalties, incurred by this Act, shall be appropriated: one half to the informer, and the other half to the use of the Poor of the County or Town wherein the same is collected or recovered; the forfeiture to be recovered, on complaint or proof, before any one of His Majesty's Justices of the Peace, and the penalty by action of debt, bill, plaint or information, in any Court of Record within this Province.

Appropriation of Fines.

VI. *And be it further enacted*, That no fee, or per centage, whatsoever, shall be allowed to, or retained by, the Collector of Impost and Excise for the District of Halifax, for receiving, collecting and paying over, any monies to be raised under and by virtue of this Act; and that the Collectors in all the other Districts and Ports of this Province, respectively, shall be allowed and paid two pounds ten shillings on every hundred pounds which shall be collected and paid by them, under and by virtue of this Act, within their respective Districts; and no more, any thing in any former Act of the General Assembly to the contrary notwithstanding.

Allowance for Collection of Duty.

VII. *And be it further enacted*, That this Act, and every matter and thing therein contained, shall continue and be in force, until the Eighteenth day of March, which will be in the year of our Lord, one thousand eight hundred and fourteen and no longer.\*

Continuation.

\* In force in 1815.

## CAP. VII.

An ACT to revive and continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

**Revival.** **B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the thirty-second year of His present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province; and the Act, made in the forty-eighth year of His said Majesty's reign, for repealing so much of the aforefaid Act as exempts from such duty certain articles therein enumerated, and for declaring what Goods, Wares and Merchandise, shall hereafter be exempt from such Duty of Excise, and every clause, matter and thing, therein mentioned, be revived, and the same are hereby revived.

**Continuation.** II. *And be it further enacted,* That the said Acts be, and the same are hereby, continued in force until the Eighteenth day of March, which will be in the year of Our Lord one thousand eight hundred and fourteen, and no longer.

**Allowance to Collector.** III. *And be it further enacted,* That out of the monies which shall hereafter be secured, collected, and paid in cash into the Treasury of the Province by the Collector of Imposts and Excise for the District of Halifax, by virtue of the Acts hereby revived and continued, or by virtue of this Act, there shall be allowed and paid to the said Collector the sum of three pounds ten shillings for every hundred pounds so by him collected and paid into the Treasury.

**Allowance limited.** IV. *Provided always,* That if the amount of the commission granted by this Act, or any other Act of the General Assembly, to the Collector of Impost and Excise of the District of Halifax, shall exceed in the whole the sum of Seven Hundred Pounds for the year ending on the eighteenth day of March, one thousand eight hundred and fourteen, the surplus shall be accounted for, and paid by the said Collector into the Treasury of the Province.

**Appropriation of Duty.** V. *And be it further enacted,* That all Monies which shall be paid into the Treasury, by virtue of the before recited Acts, shall from time to time be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by warrant under his hand and seal, pursuant to the instructions and directions of his Majesty, in payment and discharge of any Monies appropriated, or to be appropriated, by any Act or Acts of the General Assembly.

## CAP. VIII.

An ACT to revive and continue an Act for imposing an additional Duty of Excise on Rum, and other Distilled Spirituous Liquors, and for appropriating the same.

**Revival.** **B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, passed in the forty-ninth year of His Majesty's reign, entitled, An Act for imposing

imposing an additional Duty of Excise on Rum, and other Distilled Spirituous Liquors, and for appropriating the same; and every matter, clause and thing, therein mentioned be revived, and the same is hereby revived.

II. *And be it further enacted*, That the said Act be, and the same is hereby, continued in force until the eighteenth day of March, which will be in the year of Our Lord one thousand eight hundred and fourteen, and no longer.

Continuation.

III. *And be it further enacted*, That all Monies raised, or to be raised, by virtue of the Act hereby revived and continued, after defraying the expences which were incurred previous to the thirty-first day of December, one thousand eight hundred and eleven, by any Act, Resolution or Vote, of the General Assembly, for the providing of Arms and Accoutrements for the non-commissioned officers and soldiers of the Militia, shall be added and carried to the credit of the General Funds of the Province.

Appropriation of Duty.

## CAP. IX.

An ACT to revive, alter and continue, an Act for granting to His Majesty certain Duties on Wine, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce, and Fisheries, of this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, passed in the forty-eighth year of his present Majesty's reign, entitled, An Act for granting to His Majesty certain duties on Wine, Rum, and other distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of the Province; and every matter, clause and thing, therein mentioned, be revived, and the same is hereby revived.

Reviol.

II. *And be it further enacted*, That out of the monies which shall hereafter be secured, collected and paid, in cash, into the Treasury of the Province, by the Collector of Impost and Excise for the District of Halifax, by virtue of the Act hereby revived and continued, or by virtue of this Act, there shall be allowed and paid to the said Collector, the sum of three pounds ten shillings, for every hundred pounds so by him collected and paid into the Treasury. *Provided always*, That if the amount of the commission granted by this Act, or any other Acts of the General Assembly, to the Collector of the District of Halifax, shall exceed in the whole the sum of seven hundred pounds for the year ending the eighteenth day of March, which will be in the year one thousand eight hundred and fourteen; the surplus shall be accounted for, and paid by the said Collector into the Treasury of the Province.

Allowance to Collector.

Allowance limited.

III. *And be it further enacted*, That the said Act hereby revived, together with this Act, shall be, and the same is hereby continued in force until the eighteenth day of March, which will be in the year of Our Lord one thousand eight hundred and fourteen, and no longer.

Continuation.

## CAP. X.

Expord.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be Licensed to keep Public Houses or Shops for the retail of Spirituous Liquors.

## CAP. XI.

An ACT for repealing so much of an Act, made in the thirty-second year of the late King, George the Second, entitled, An Act relating to Treasons and Felonies, as respects the privately murdering, or concealment of the death, of Bastard Children, and for making other provisions in lieu thereof.

Preamble.

**W**HEREAS doubts have been entertained respecting the true sense and meaning of the Fifth Section of an Act of the General Assembly, made in the thirty-second year of the reign of his late Majesty, King George the Second, entitled, An Act relating to Treasons and Felonies, which Section provides for the punishment of the Mothers of Bastard Children, privately destroying, or concealing the death of such children; and whereas, the provisions, therein made have been found in sundry cases difficult and inconvenient to be put in practice:

Repeal of 5th  
sec. 32d  
George II.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the publication hereof, the said Fifth Section of the said entitled Act, shall be and the same is hereby repealed; and the Trials of Women charged with the murder of any Issue of their Bodies, male or female, which, being born alive, would by Law be Bastard, shall thereafter proceed and be governed by such and the like rules of evidence, and of presumption, as are by Law used and allowed to take place in other Trials of Murder, and as if the said section of the said entitled Act had never been made.

Punishment of  
certain women.

II. *Provided always, and be it further enacted,* That it shall and may be lawful for the Jury, by whose verdict any Prisoner charged with such murder as aforesaid, shall be acquitted, to find, in case it shall so appear in evidence, that the Prisoner was delivered of Issue of her Body, male or female, which if born alive would have been Bastard; and that she did, by secret burying, or otherwise endeavour to conceal the Birth thereof—and thereupon it shall be lawful for the Court before which such Prisoner shall have been tried, to adjudge that the said Prisoner shall be committed to the common Gaol or House of Correction, for any time not exceeding Two Years.

CAP. XII.

An ACT in further addition to an Act, made in the fifth year of His Majesty's Reign, entitled, An Act for the choice of Town Officers, and regulating of Townships.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That if any Collector or Collectors that hereafter may be appointed for any Town, Township or District, within any County or District of this Province, shall neglect, delay, or refuse, to collect and pay to the Treasurer of the County, the several and respective sum or sums of Money, which he or they are, or shall be required and empowered to collect within their respective Districts or Precincts for the County or District Rate, pursuant to the Warrants delivered to them for the space of three Months after the receipt of the said Warrants, that the said Collector or Collectors so neglecting, delaying or refusing, to collect and pay the same to the County Treasurer within the time before mentioned, shall forfeit and pay the sum of ten pounds, to be recovered by the County Treasurer, by bill, plaint or information, in any Court of Record within this Province; one half to the use of the said County Treasurer, and the other half to the use of the County to which such Treasurer belongs.

Collectors liable to be fined.

Fine—how recovered.

Appropriation of Fine.

CAP. XIII.

An ACT in addition to, and in amendment of, an Act for preventing Trespasses.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the second and third Sections of an Act, passed in the thirty-third year of his late Majesty's reign, entitled, An Act in addition to an Act, entitled, An Act for preventing Trespasses,—shall be, and is hereby extended throughout the County of Halifax, and throughout every County and District of this Province.

2d and 3d sections extended.

II. And be it further enacted, That the Monies and Penalties which, by the said two Sections of the aforesaid Act, are directed to be paid to the Overseers of the Poor, and to the Church Wardens and Overseers of the Poor, for the use of the Poor of the Town of Halifax, shall be paid to the Overseers of the Poor for the Township where the said Monies shall have been received, or the offence shall have been committed.

Appropriation of Monies and Penalties.

CAP. XIV.

An ACT in addition to, and amendment of, an Act, passed in the third and fourth years of His present Majesty's reign, entitled, An Act for the relief of Insolvent Debtors.

**W**HEREAS, it is expedient to alter and amend those parts of the said Act, which relate to the detention in Prison of persons who may be desirous to procure their discharge by complying with the directions of the said Act:

Preamble.

How persons confined for debt may obtain their discharge.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That where any person detained in prison for debt, shall apply for his discharge, and shall in all respects comply with the directions of the said Act, such person shall be forthwith discharged from his, or her imprisonment, unless good and sufficient reason for the further detention of such prisoner, shall be shewn, by affidavit, to the satisfaction of the Court or Justices to which or whom the application for the discharge shall be made; in which case, if the creditor or creditors shall desire it, and shall agree to supply the prisoner with bread, according to the directions of the said Act, it shall and may be lawful for the said Court, or Justices, to direct such prisoner to be remanded, and detained in Jail for such time as the said Court or Justices shall think proper, not exceeding three months; at the expiration of which time, such prisoner shall be discharged; but if it shall appear to the said Court or Justices, by affidavit, that such prisoner has been guilty of fraud or deceit towards such creditor or creditors; or if, at the end of the said three months, further and satisfactory cause shall be shewn, by affidavit, to the said Court or Justices for a longer detention of the said prisoner, and if the creditor or creditors shall require the said debtor to be further confined, and shall agree to supply him with bread as aforesaid, he may be again remanded and detained for a further time, at the discretion of the said Court or Justices, not exceeding in any case two years from the time of his first imprisonment at the suit of such creditor or creditors; at the expiration of which time he shall be finally discharged—any thing in the said Act contained to the contrary notwithstanding.

*And Whereas, the time limited by the said Act for Prisoners to apply for their discharge is too short:*

Petition for discharge.

II. *Be it therefore enacted,* That any person shall be entitled to petition for his discharge within the first term after such person shall be charged in execution, or if the application is made to two Justices within forty days next after such person shall be charged in execution.

Persons at present imprisoned for debt.

III. *And be it further enacted,* That such prisoners as are now in execution for debt, shall be entitled to take the benefit of this Act, *provided,* that within sixty days from and after the publication hereof, they make application for that purpose in the manner directed by the aforesaid Act for the relief of Insolvent Debtors.

Exception to persons confined at suit of the Crown.

IV. *And be it further enacted,* That nothing herein contained, shall extend, or be construed to extend, to persons who are or shall be confined in execution at the suit of the Crown, or to persons confined for any debt or debts exceeding in the whole five hundred pounds.

## CAP. XV.

An ACT to authorise the Treasurer of the Province to call in and pay the Treasury Notes heretofore issued, and to empower the Lieutenant-Governor, or Commander in Chief for the time being, to appoint Commissioners to issue other Treasury Notes.

Notes of twenty shillings called in and paid by 1st August; and

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That all Treasury Notes of twenty shillings, issued under an Act, passed in the last Session of the General Assembly, entitled, "An Act to empower the Lieutenant-Governor, or Commander in Chief for the time being, to appoint Commissioners to issue Treasury Notes," shall be called in and paid, with the interest due thereon, in gold or silver, by the Treasurer of the Province, on the first day of August next, he the said Treasurer giving notice of such payment in the Royal Gazette,

zette, at least sixty days before the said first day of August ; and all Notes of the above description which shall not be then presented at the Treasury for payment, shall cease to bear interest from the said first day of August, and shall not thereafter circulate, or be received by the Collectors of Impost and Excise, in payment of Duties, for any more than the sum expressed on the face of such Notes, with interest from the day of issuing to the said first day of August next.

II. *And be it further enacted,* That all other Treasury Notes issued under the said Act shall in like manner be called in and paid by the Treasurer, on the thirty-first day of December next, giving at least sixty days notice thereof in manner aforesaid ; and if any of the said Notes shall not be presented for payment accordingly, they shall cease to bear interest from the day last mentioned.

all other Notes by 31st December.

III. *And be it further enacted,* That there shall be no further issue of Treasury Notes, of any description, under the Act of the General Assembly above mentioned.

No further issue of Notes under late Act.

IV. *And be it further enacted,* That the said Notes, to be called in and paid as aforesaid, shall be by the Treasurer delivered over to the Commissioners herein after mentioned, who, in the presence of the Treasurer, shall cut therefrom the name of the Treasurer, and deliver the whole thereof into the hands of the Secretary of the Province, to be lodged in his office, to be examined and destroyed by the joint Committee of His Majesty's Council and House of Assembly, appointed to examine the Public Accounts.

Notes paid to be destroyed.

V. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, when and as soon as he may deem necessary, to appoint three fit and proper persons as Commissioners to issue Treasury Notes to any amount, not exceeding twenty thousand pounds, as follows : three thousand Notes of Forty Shillings each, and fourteen thousand Notes of Twenty Shillings each : which Notes shall be indented and impressed with the words "Nova-Scotia," and shall contain the following figures and words :

New issue of Notes.

No.

Province of Nova-Scotia,  
Halifax,

1813.

Form of Note.

By Law the Bearer of this Note is entitled to receive at the Treasury the sum of  
shillings.

And the said Notes shall be signed by the Treasurer of the Province, and countersigned by two or more of the said Commissioners, and the Treasurer, together with the said Commissioners, are hereby authorized and required to superintend the printing and completing of the Blanks of the said Notes.

Notes printed and signed.

VI. *And be it further enacted,* That the whole of the said Notes shall be of the same date, and when so completed and signed shall be delivered to the said Treasurer by the persons appointed to countersign the same, and the Treasurer shall be accountable for such Notes so delivered.

Date and delivery of Notes to Treasurer.

VII. *And be it further enacted,* That when, and as often as money shall become due and payable by virtue of any Act or Acts already passed, or that may be passed, and Warrants for the same are produced for payment to the Treasurer of the Province, he shall pay the amount of such Warrants, on demand, in gold or silver, or in the said Notes, to the person or persons entitled to receive the same, at his or their election ; which Notes shall be again received at the Treasury, and also by the Collectors of Impost and Excise for the several Districts in this Province, at their specified value, equal to the like value in gold or silver, when and as often as the same are presented and offered in payment of Duties.

Payment of Warrants.

Notes accepted in payment of Duties.

VIII. *And*



Counterfeiting  
Notes.

VIII. *And be it further enacted,* That if any person or persons whatsoever shall counterfeit any of the Notes aforesaid, issued by virtue of this Act, or alter any of the same, so that they shall appear to be of greater value than when originally issued; or shall knowingly pass, or give in payment, any of the Notes aforesaid so counterfeited or altered, every person convicted thereof shall be set in the Pillory for the space of one whole hour; and one of the ears of such offender shall be nailed thereto; and such offender shall be publicly Whipped through the Streets of the Town or Place where such offence shall be committed; and shall pay all charges of the Prosecution.

Re-issue of  
Notes.

IX. *And be it further enacted,* That in case the Lieutenant-Governor, or Commander in Chief for the time being, shall, by his warrant or warrants, require the Treasurer of the Province to re-issue the Notes received at the Treasury, or to require the Commissioners to issue other Notes in lieu of those so received, or any part thereof, it shall and may be lawful for the said Treasurer to re-issue the said Notes, or the Commissioners to issue other Notes agreeably to the said Warrants. *Provided,* The new Notes, so to be re-issued, shall not exceed the amount of the Notes so from time to time received at the Treasury.

Funding Notes.

X. *And be it further enacted,* That if any person at any quarterly period after the thirty-first day of December next, that is to say, at the thirty-first day of March; thirtieth of June; thirtieth of September; and the thirty-first day of December, in any succeeding year, shall tender for payment at the Treasury any number of said Treasury Notes, amounting in value to one hundred pounds or upwards, in case the Treasurer shall not be able to pay the same in gold or silver, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by warrant under his hand and seal, to direct the Commissioners, under and by virtue of an Act, passed in the fifty-second year of his Majesty's reign, entitled, An Act for granting to his Majesty an additional Revenue to defray the expenses of the War, and to appoint Commissioners to borrow Money for the use of the Province, to fund such sum or sums of Treasury Paper as shall be so tendered for payment from time to time as aforesaid, and to grant certificates to the amount thereof on interest, the same as have been done for the Money borrowed under and by virtue of said recited Act; and the said Commissioners shall take a receipt from the Treasurer for the amount of said Notes so funded; and the Treasurer shall be charged with, and accountable for the same: and the same may be issued again into circulation, if the Governor, Lieutenant-Governor, or Commander in Chief, shall, by warrant, authorise the Treasurer so to do.

Notes may be  
presented for  
payment to  
Treasury

XI. *And be it further enacted,* That if at the end and expiration of three years from the publication hereof, all the Notes which shall be issued under and by virtue of this Act, shall not have been received in payment of duties by the Collectors of Impost and Excise, and paid into the Treasury, it shall and may be lawful for the holders of any such Notes to present the same for payment at the Office of the Treasurer of the Province; and the Treasurer is hereby directed and required to pay all such Notes on demand, in gold and silver, out of any Monies then in the Treasury, not otherwise specially appropriated.

Loan of Notes  
to Army Pay-  
Office.

XII. *And be it further enacted,* That it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, to lend to the Deputy Paymaster General of His Majesty's Forces in this Province, for the use of the said Forces, any sum in Treasury Notes not exceeding in the whole ten thousand pounds—the said Deputy Paymaster General, or the officer or officers in the charge of the Army Pay-Office, giving a proper undertaking to repay such sum in Treasury Notes, or in Specie, within six months after the same shall be required.

## CAP. XVI.

An ACT in amendment of an Act, passed in the thirty-fourth year of His present Majesty's Reign, entitled, An Act for the Preservation of Partridges, and Blue-Winged Ducks.

**W**HEREAS, the time prescribed by the said Act for the preservation of Partridges, has been found by experience not to answer the purpose fully :

Preamble.

I. BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, no person or persons (except as in the Act of which this is an amendment are excepted) shall, under any pretence whatsoever, kill any Partridge within this Province from the first day of March until the first day of October : any person or persons transgressing shall be subject to the same penalty for each and every offence, as is imposed by the Act of which this is an amendment.

Partridges not to be killed between April and October.

## CAP. XVII.

An ACT to continue and amend the Act, passed in the forty-eighth year of his present Majesty's Reign, entitled, An Act to provide for the accommodation and billeting of his Majesty's Troops, or of the Militia, when on their march, from one part of the Province to another ; and the Act, passed in the fifty-first year of his said Majesty's reign, in amendment of the said Act.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the said Act, passed in the forty-eighth year of his present Majesty's reign, entitled, An Act to provide for the accommodation and billeting of his Majesty's troops, or of the militia, when on their march from one part of the Province to another, except such part thereof as is amended by this Act ; and the said Act, passed in the fifty-first year of his said Majesty's reign, in amendment thereof —be, and the same is hereby continued until the fifteenth day of March, which will be in the year of our Lord, one thousand eight hundred and fourteen, and from thence until the end of the next Session of the General Assembly, and no longer.

Billeting Act continued.

II. And be it further enacted, That, instead of one shilling allowed by the said Act to the Innkeepers for each meal furnished by them to Soldiers when on their march, there shall be allowed and paid fifteen pence for each meal which shall be by them furnished to Soldiers under the provisions of the said Act, of which this is an amendment, and no more : any law, usage or custom, to the contrary notwithstanding.

Allowance for Billeting.

## CAP. XVIII.

An ACT to continue in force the several Acts therein mentioned.

Expred.

## CAP. XIX.

An ACT in addition to an Act, passed in the fifty-second year of His Majesty's Reign, entitled, An Act for granting to His Majesty an additional Revenue to defray the expense of the War, and to appoint Commissioners to borrow Money for the Use of the Province.

Preamble.

**W**HEREAS, *the Money borrowed, or to be borrowed, under and in virtue of the said Act, passed in the fifty-second Year of his Majesty's Reign, may not be sufficient for the immediate exigencies of the Province:*

Money may be borrowed.

I. *Be it therefore enacted, That the Commissioners appointed by the said Act are hereby authorised and empowered, on the part of the Province, to borrow from time to time such additional sum and sums of Money as the Lieutenant-Governor, or Commander in Chief for the time being, shall direct, not exceeding twenty thousand pounds; which money, so to be borrowed, shall be paid into the Treasury, and applied by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to the payment of the several appropriations made for the defence of the Province.*

Payment of the Interest.

II. *And be it further enacted, That the interest on the money borrowed under this Act, shall be paid out of the General Funds of the Province until the Money borrowed under and in virtue of the said Act, passed in the fifty-second year of His Majesty's reign, and the interest thereof, shall be fully paid and discharged by the Monies raised by virtue of the duties imposed by the said Act; and from and immediately after the payment thereof, the Monies to be raised by virtue of the Duties imposed by the said Act, shall be appropriated and applied to the payment and discharge of the Monies so to be borrowed under this Act, with the interest thereof.*

Continuation.  
Repealed by  
Stat. 55, Geo.  
III. C. XII.

III. *And be it further enacted, That the said Act, passed in the fifty-second year of His Majesty, shall continue and be in force until the said Money, so to be borrowed under this Act, with the interest thereof, shall be paid off and discharged, and no longer.*

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Tenth day of February, 1814, in the Fifty-Fourth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Fourth Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight of the Most Honorable Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Acting Secretary of the Council; and James B. Francklin, Clerk of Assembly.

### CAP. I.

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

Executed.

### CAP. II.

An ACT to continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act made in the thirty-second year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a duty of Excise on all goods, wares, and merchandize, imported into this Province; and the Act made in the forty-eighth year of his said Majesty's reign, for repealing so much of the aforesaid Act as exempts from such duty certain articles therein enumerated, and for declaring what goods, wares and merchandise, shall hereafter be exempt from such Duty of Excise, and every matter, clause and thing, therein mentioned, be continued, and the same is hereby continued until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fifteen, and no longer.

Act 32d Geo. III.

Act 48th Geo. III.

Continued to 18th March, 1815.

Allowance to  
Collector of  
Impost and  
Excise.

II. *And be it further enacted*, That out of the monies which shall hereafter be secured, collected and paid, into the Treasury of the Province by the Collector of Impost and Excise for the District of Halifax, by virtue of the Acts hereby continued, or by virtue of this Act, there shall be allowed and paid to the said Collector the sum of three pounds ten shillings for every hundred pounds so by him collected and paid into the Treasury.

Proviso.

*Provided always*, That if the amount of the commission granted by this Act, or any other Act of the General Assembly, to the Collector of Impost and Excise, of the District of Halifax, shall exceed in the whole the sum of seven hundred pounds for the year ending on the eighteenth day of March, one thousand eight hundred and fifteen, the surplus shall be accounted for and paid by the said Collector into the Treasury of the Province.

Application of  
Revenue.

III. *And be it further enacted*; That all monies which shall be paid into the Treasury, by virtue of the before recited Acts, shall, from time to time, be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by warrant, under his hand and seal, pursuant to the instructions and directions of His Majesty, in payment and discharge of any monies appropriated or to be appropriated by any Act or Acts of the General Assembly.

### CAP. III.

Expired.

An ACT to continue an Act, for granting to His Majesty an additional Revenue.

### CAP. IV.

An ACT to continue an Act for imposing an additional Duty of Excise on Rum, and other Distilled Spirituous Liquors.

Continued to  
18th March,  
1815.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, passed in the forty-ninth year of his Majesty's reign, entitled, An Act for imposing an additional Duty of Excise on Rum, and other distilled Spirituous Liquors, and for appropriating the same, be continued, and the same is hereby continued, until the eighteenth day of March, which will be in the year of Our Lord one thousand eight hundred and fifteen, and no longer.

Revenue of the  
Act.

II. *And be it further enacted*, That all monies raised, or to be raised, by virtue of the Act hereby continued, after defraying the expences which were incurred previous to the thirty-first day of December, one thousand eight hundred and eleven, by any Act, Resolution or Vote, of the General Assembly for the providing of Arms and Accoutrements for the Non-Commissioned Officers and Soldiers of the Militia, shall be added and carried to the credit of the general Funds of the Province.

CAP. V.

An ACT in amendment of an Act, made and passed in the fifty-first year of his Majesty's reign, entitled, An Act to establish Grammar Schools in the several Counties and Districts of this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That before any money shall be drawn from the Treasury for the support of such Grammar Schools, the Trustees thereof shall certify to His Excellency the Lieutenant-Governor, or Commander in Chief for the time being, in one Schedule, the names and ages of the Scholars taught therein, and the branches of Education which such Scholars are severally learning; which Schedule shall be filed in the Secretary's Office.

Certificate of the Trustees.

II. And be it further enacted, That no such Schools shall be entitled to the Provincial Allowance for its support unless the number of male Scholars of the age of seven years or upwards taught therein shall be ten at the least.

Free Scholars.

CAP. VI.

An ACT to continue and amend an Act, made and passed in the fifty-first year of his Majesty's reign, entitled, An Act for encouraging the Establishment of Schools throughout the Province.

Expired.

CAP. VII.

An ACT to enable the Justices of Halifax, to pay the Clerk of the Peace for his services in transacting Crown Business.

**W**HEREAS the Clerk of the Peace for the town of Halifax, from his attendance on the Magistrates is frequently required to give his time and attendance, in taking examinations and depositions in Criminal Cases, and in performing other services in Crown business, for which he receives no pay or allowance:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That the Clerk of the Peace for the town of Halifax, shall hereafter receive for all services performed by him in Crown business, in attending to take examinations, and depositions, in Criminal Cases, the following fees, Viz:

Fees for Crown business.

For every examination or deposition, in writing—for every ninety words, nine pence.

Examinations.

For every summons or warrant two shillings and six pence.

Summons, &c.

For every recognizance—each person, two shillings.

Recognizance.

For every commitment, or order of discharge, two shillings and six pence.

Commitment or discharge.

II. And be it further enacted, That the Clerk of the Peace aforesaid, shall render his account for services, and for which the foregoing fees are allowed, to the General Quarter Sessions of the Peace, at Halifax, and such sum or sums as shall be taxed for them, at each Quarter Sessions,

Payment of fees

conformable to the provisions of this Act, shall be paid out of the License Fund for the Town of Halifax, by the Clerk of the same, on certificate of the first Justice of the said Court.

Continuation

III. *And be it further enacted*, That this Act shall continue and be in force until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fifteen, and no longer.

## CAP. VIII.

An ACT to alter the time of the fitting of the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of Sydney.

Preamble.

**W**HEREAS *the times at which the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Sydney, now meet, have been found in many respects inconvenient :*

Sitting of Court

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That in future the Inferior Court of Common Pleas, and General Sessions of the Peace for the County of Sydney, shall be held at Guysborough in the said County of Sydney, on the first Tuesday of July, and second Tuesday of December, annually; the first sitting to be held on the first Tuesday of July next: any Law, Usage or Custom, to the contrary notwithstanding.

Town and District Officers for Sydney County

II. *And be it further enacted*, That at the Court of General Sessions of the Peace for the said County, which will be held as aforesaid, on the second Tuesday of December next, and, thereafter in each year, at the December Sessions, the Grand Jury for the said County, shall nominate, and the Justices shall appoint, Town and District Officers, and regulate the several Townships and Districts of the said County, in the same manner as is by law directed, and has been heretofore accustomed to be done at the first General Sessions of the Peace, in each year, for the said County. And the Town and District Officers for the several Townships and Districts of said County, already appointed to serve the ensuing year, shall continue in Office, and be bound to perform the duties of their respective offices, until others are appointed and sworn in their stead, agreeable to the provisions of this Act.

## CAP. IX.

An ACT to continue an Act imposing a Duty on Articles to be imported from the United States of America, and for appropriating the same.

Expired.

## CAP. X.

An ACT to alter and amend an Act, passed in the fifty-third year of His Majesty's Reign, entitled, An Act for the improvement of the Great Roads through the Province.

Preamble.

**W**HEREAS, *it has been found that the Jurisdiction of the Supervisors, on the Great Roads, is too extensive :*

I. B.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That from and after the publication hereof, it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of his Majesty's Council, to nominate and appoint two fit and proper persons, qualified as the Act directs, to be Supervisors for the Main Road leading from Sackville Bridge to the Half Way River between Falmouth and Horton; and two fit and proper persons qualified as aforesaid to be Supervisors for the Main Road from the Windsor Road to M'Keen's Mill, at the entrance of the Town of Truro.

Supervisors of Road between Sackville and Horton.

Supervisors of Road to Truro.

II. *And be it further enacted,* That the jurisdiction of one of the said Supervisors shall extend from Sackville Bridge to the western end of the new Ardoise Road; the jurisdiction of one other of the Supervisors aforesaid from the western end of the said new Ardoise Road to the Half-Way River aforesaid; and that the jurisdiction of the Supervisors for the Road between the Windsor Road and M'Keen's Mill, shall be as follows—one from the Windsor Road aforesaid to Keys's Tavern; the other from Keys's Tavern aforesaid to M'Keen's Mill, at the entrance of the Town of Truro.

Jurisdiction of Supervisors.

III. *And be it further enacted,* That no Supervisor shall have more than thirty Labourers, in any one day, employed upon the extent of the Road over which he shall have jurisdiction as aforesaid.

Labourers employed by Supervisors.

## CAP. XI.

An ACT to revive and continue the several Acts for regulating the Summary Trial of Actions, before His Majesty's Justices of the Peace in the Town and Peninsula of Halifax.

Expired.

## CAP. XII.

An ACT to continue the several Acts of the General Assembly of this Province, now in force, relating to a Militia, and in further amendment of the same.

**B**e it enacted by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the forty-eighth year of His Majesty's reign, entitled, An Act to provide for the greater security of the Province by a better regulation of the Militia, and to repeal the Militia Laws now in force; and also the several Acts made in the forty-ninth and fifty-third years of His Majesty's reign, for altering, continuing and amending, the said Act, and the further amendments thereto, herein after mentioned, shall be continued, and the same are hereby continued in force, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fifteen, and thence to the end of the next Session of the General Assembly.

48th Geo. III.

49th Geo. III.  
53d Geo. III.

Continuation.

*And Whereas, in and by the thirty-eighth Section of the Act first herein mentioned, the Colonels or other Officers commanding Regiments or Battalions, and Captains, or Officers commanding Companies, are required to make Returns of the Strength of their Regiments and Companies, but no penalty is imposed upon such as neglect to comply with the directions therein contained:*

Preamble.

II. *Be*



Neglecting to  
make Returns  
of Battalions or  
Companies.

II. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That if any Colonel, or other officer commanding a Regiment or Battalion, shall neglect to make the Return in the said Section directed, he shall, for every such neglect, forfeit and pay a fine of twenty pounds.

Captain neg-  
lecting to  
make Returns.

And if any Captain or other Officer commanding a Company, shall neglect to make the Return in the said Section directed, he shall forfeit and pay a Fine of Five Pounds for every such neglect.

Removal of  
Officers.

III. *And be it further enacted,* That if any Officer shall remove out of the limits within which the Regiment or Battalion to which he belongs is comprised, and shall not perform any Militia Duty in the said Regiment or Battalion for the space of one year, he shall, upon his return, be considered and held to be the Junior Officer of his Rank.

Supernumerary  
Officers.

IV. *And be it further enacted,* That all supernumerary Militia Officers, who shall be resident within the District or Limits of any Battalion of Militia, and are not attached to the same by any Regimental Order, or shall not do duty therein, shall be liable to the payment of the same sum per day for each and every day's Muster or Training, as persons exempt from duty are liable to by the twenty-first section of the Militia Act, passed in the fifty-third year of His Majesty's reign, of which this is an amendment, except such supernumerary Militia Officers shall be excused by the Commander in Chief of the Militia of this Province.

### CAP. XIII.

An ACT for altering the time appointed for holding the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of King's County, in the Spring of the Year.

Preamble.

**W**HEREAS, *the time for holding the Courts of Common Pleas, and General Sessions of the Peace, at Horton, in the County of King's County, on the second Tuesday of April, has been found very inconvenient :*

Sitting of Court

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the Court of Common Pleas, and General Sessions of the Peace, for the County of King's County, shall be annually held at Horton, in said County, on the third Tuesday of May, and second Tuesday of October—any law, usage or custom, to the contrary notwithstanding.

### CAP. XIV.

An ACT to continue the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licensed to keep public Houses or Shops for the Retail of Spirituous Liquors.

Continuation.

**B**E *it enacted, by the Lieutenant Governor, Council and Assembly,* That the Act, made in the thirty-ninth year of His present Majesty's reign, entitled, An Act for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter

to be licensed to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses or Shops. Also, the several Acts made in the fortieth, forty-first, forty-sixth, and forty-eighth years of His Majesty's reign, for reviving, altering, continuing, adding to, and amending, the said Act, shall be continued, and the same are hereby continued in force until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and fifteen, and no longer.

II. *And be it further enacted*, That it shall and may be lawful for the County Treasurer to pay to the Clerk of the Peace out of the monies received under and by virtue of the said Acts hereby continued, all such sums of money as the Clerk of the Peace shall be entitled to under and by virtue of an Act, passed the present Sessions of the General Assembly, entitled, "An Act to enable the Justices of Halifax to pay the Clerk of the Peace for his services in transacting Corwn business:" any thing in the said Acts hereby continued to the contrary notwithstanding.

Application of  
Revenue.

### CAP XV.

An ACT for protecting Justices of the Peace in the execution of their Office, and for indemnifying Constables and others acting in obedience to their Warrants; and also for apprehending persons in any County or Place, upon Warrants, granted by Justices of the Peace in any other County or Place.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That if any action shall hereafter be brought against any Justice of the Peace, for any thing by him done by virtue of his Office, such action shall be laid in the County or District where the fact complained of was committed; and the Justice or Justices may plead the general issue to such action, and give the special matter in evidence.

Action against  
Justice of the  
Peace.

II. *And be it further enacted*, That no writ shall be sued out, nor any summons or process at the suit of a subject shall be served on any Justice of the Peace for any thing done by him in the execution of his office, until notice of such intended writ, summons, or process, shall have been delivered to him or left at his usual place of abode, at least one calendar month before the suing out or serving the same, in which notice shall be plainly expressed the cause of action, which such party has, or claims to have against such Justice, and the party or his attorney shall affix his name and place of abode to the said notice.

One month's  
notice to be given.

III. *And be it further enacted*, That it shall and may be lawful for such Justice, at any time within one calendar month after such notice, given as aforesaid, to tender amends to the party complaining or his attorney, and in case the same is not accepted, to plead such tender in bar to any action, to be brought against him grounded on any such writ, summons or process, together with the plea of not guilty, and any other plea, with leave of the Court; and if upon issue joined the jury shall find the amends to tendered to have been sufficient, then they shall give a verdict for the defendant; and in such case, or if the plaintiff shall become nonsuit, or shall discontinue his action, or in case judgment shall be given for the defendant or defendants, on demurrer, such Justice shall be entitled to the like costs as if he had pleaded the general

Justice may  
tender amends.

Verdict may be  
given for the  
defendant.

Verdict may be given for the plaintiff.

neral issue only; and if upon issue so joined the jury shall find that no amends were tendered, or that the same were not sufficient, and also against the defendant or defendants, on such other plea or pleas, then they shall give a verdict for the plaintiff, and such damages as they shall think proper, which the plaintiff shall recover with costs of suit.

Exceptions.

*IV. And be it further enacted,* That no such plaintiff shall recover any verdict against such Justice, in any case when the action shall be grounded on any act of the defendant as Justice of the Peace, unless it appear on the trial that the action is laid in the County or District where the fact complained of was committed, and unless also it is proved on the trial of such action, that such notice was given as aforesaid, but in default thereof, such Justice shall recover a verdict and costs as aforesaid.

Justices neglecting to tender amends.

*V. And be it further enacted,* That if any such Justice shall neglect to make tender of amends or shall have tendered insufficient amends before the action brought, it shall be lawful for him, by leave of the Court at any time before Issue joined, to pay into Court any sum of money he may see fit, and thereupon, such proceeding, order and judgment, shall be had, made and given, by the Court, as in other actions, when the defendant is allowed to pay money into Court.

Evidence of plaintiff.

*VI. And be it further enacted,* That no evidence shall be permitted to be given by the Plaintiff on the trial of any such action as aforesaid, or any cause of action, except such as is contained in the notice hereby directed to be given.

Prosecution of a constable, or other person acting under warrant of the Justice.

*VII. And be it further enacted,* That no action shall be brought against any constable or other officer, or against any person or persons acting by his order, and in his aid, for any thing done by him in obedience to any warrant under the hand and seal of any Justice of the Peace until demand has been made and left at the usual place of his abode, by the party or parties intending to bring such action, or by his, her, or their attorney, in writing, signed by the party demanding the same, of the perusal and copy of such warrant and the same has been refused for six days after such demand, and if after such demand and compliance therewith, by shewing the said warrant to, and permitting a copy thereof to be taken by, the party demanding the same, any action shall be brought against such constable or other officer, or against any such person acting in his aid, for any such cause as aforesaid, without making the Justice or Justices who signed or sealed the said warrant, defendant or defendants, that on producing or proving such warrant, at the trial of such action, the jury shall give their verdict for the defendant or defendants notwithstanding any defect of jurisdiction in such Justice or Justices: and if such action be brought jointly against such Justice or Justices, and the constable or other officer, or persons acting in his or their aid as aforesaid, then on proof of such warrant, the jury shall find for such constable, or other officer, and persons so acting as aforesaid, notwithstanding such defect of jurisdiction, and if the verdict shall be given against the Justice or Justices, the plaintiff or plaintiffs shall recover costs of suit against him or them, to be taxed by the Court, so as to include the costs which the plaintiff or plaintiffs are liable to pay to the other defendant or defendants for whom such verdict shall be found as aforesaid.

Prosecution of a Justice.

*VIII. And be it further enacted,* That in case any person against whom a warrant shall be issued by any Justice or Justices of the Peace, of any County, District or Place, out of the jurisdiction of the Justice or Justices granting such warrant as aforesaid, it shall and may be lawful for any Justice or Justices of the Peace of the County, District or Place, where such person shall escape, go into, be, or reside, and such Justice or Justices is, and are hereby required, upon proof being made upon oath, of the hand writing of the Justice or Justices, granting such warrant to indorse his or their name or names on such warrant, which shall be a sufficient

Execution of a warrant out of the immediate jurisdiction of the Justice who issues it, by indorsement.

ent authority to the person or persons bringing such warrant, and to all other persons to whom such warrant was originally directed, to execute such warrant in such other County, District, or place, out of the jurisdiction of the Justice or Justices granting such warrant as aforesaid, and to apprehend and carry such offender or offenders before the Justice who indorsed the warrant or some other Justice or Justices of such other County, District, or place, where such warrant was indorsed; and in case the offence shall be bailable in Law, and the offender shall be ready and willing to give bail for his appearance at the next sitting of the Supreme Court, or next General Quarter Sessions of the Peace, to be held in and for the County or District within which the offence was committed, such last mentioned Justice or Justices shall and may take bail of such offender or offenders, for his or their appearance at such next sitting of the Supreme Court, or General Quarter Sessions of the Peace in the same manner as if the Justice or Justices of the Peace of the County, District, or place, where the offence was committed might have done, and the Justice or Justices who shall take bail, as aforesaid, shall deliver the recognizance, together with the examination or confession of such offender or offenders, and all other proceedings relative thereto, to the constable, or other person so apprehending such offender as aforesaid, who is hereby required to receive and deliver over such recognizance, examination, and other proceedings to the clerk of the Supreme Court, or Clerk of the Peace of the County or District where such offender or offenders, is, or are required to appear by virtue of such recognizance: and such recognizance, examination and confession, shall be as good and effectual in Law to all intents and purposes, and of the same force and validity as if they had been taken or acknowledged before a Justice or Justices of the Peace of the County or District where the offence was committed, and the same proceedings shall be had thereon; and if such Constable, or other person to whom such Recognizance, Examination or Proceedings, shall be delivered as aforesaid, shall neglect or refuse to deliver over the same to the Clerk of the Supreme Court, or Clerk of the Peace of the County or District where such offender or offenders is or are required to appear by virtue of such Recognizance, such Constable, or other Person, shall forfeit the sum of Ten Pounds, to be recovered against him by Bill, Plaint or Information, in the Supreme Court, and in case the offence for which such offender or offenders shall be so apprehended and taken, be not bailable in Law, or such offender or offenders shall not give bail for his or their appearance as aforesaid, to the satisfaction of the Justice or Justices before whom he or they shall be brought as aforesaid, then and in that case the Constable, or other Officer or Person, so apprehending such offender or offenders, shall carry and convey such offender or offenders before one of His Majesty's Justices of the Peace of the proper County, District or place, where such offence was committed, there to be dealt with according to Law.

*IX. And be it further enacted,* That no action of Trespass, false Imprisonment, Information or Indictment, or other Action, shall be brought, sued, or prosecuted by any person or persons whatsoever, against the Justice or Justices who shall endorse such Warrant, for or by a reason of his, or their indorsing such Warrant. *Provided always,* that the Justice or Justices who originally granted such Warrant, shall remain liable to any Action or Suit, in like manner, as if the preceding clause had not been enacted.

*X. And be it further enacted,* That no Action shall hereafter be brought against any Justice of the Peace for any thing done in the execution of his office, or against any Constable or other Officer, or Person acting as aforesaid, unless such Action shall be commenced within six Calendar Months, after the act complained of, shall have been committed.

Bailing offender.

Return of Recognizance, &c.

Constable neglecting to return recognizance.

Actions against Magistrates.

Actions against Magistrates, &c. to be brought within six months.

## CAP. XVI.

An ACT to regulate the Exportation of Ton Timber, and to repeal two Acts made in the twelfth and thirty-third years of His Majesty's Reign, declaring what shall be deemed Merchantable Timber, for exportation to Great-Britain.

**B**E it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, all hewed Timber, commonly called Ton Timber, which shall be exported from this Province, shall be strait lined, and well squared, without offsets or joints, and square butted at both ends, and shall also be square edged and free from all marks of scoring, rots, splits, or worm holes which may be detrimental to the same.

Timber fit for exportation.

Length of Spruce, Pine, Birch or Hard-wood Timber.

II. *And be it further enacted*, That no Spruce or Pine Timber, shall be less than sixteen feet in length, nor any Birch or other Ton Timber, commonly called Hard Wood Ton Timber, less than ten feet in length, nor shall any Ton Timber be considered Merchantable, unless the same shall square at least ten inches; and where the Timber does not exceed the length of sixteen feet; it shall be of equal bigness at both ends.

Squared Timber certified for exportation.

III. *And be it further enacted*, That if any Surveyor of Ton Timber after the publication of this Act, shall certify as Merchantable for exportation, any Ton Timber contrary to this Act, he shall forfeit and pay, for each and every offence, the sum of ten pounds.

Penalty for Shipping Timber unless surveyed.

IV. *And be it further enacted*, That if any person or persons shall, after the publication of this Act, ship or export out of this Province, any Ton Timber, which shall not have been regularly surveyed by a sworn Surveyor, and by him certified as Merchantable and fit for exportation, he or they shall forfeit and pay, for each and every offence, the sum of twenty pounds: the above fines to be recovered by bill, plaint, or information, in any Court of Record within this Province; the one half of the said fines to be applied to the use of his Majesty, his Heirs, and Successors, and the other moiety thereof, to him or them who shall prosecute for the same.

Application of Penalties.

Allowance to Surveyors.

V. *And be it further enacted*, That the Surveyors of Timber shall be entitled to receive three pence per Ton for Surveying the same, with four pence per mile for every mile they shall necessarily travel in coming to the place of performing such duty, and shall in all cases measure Ton Timber by the girth, one quarter part of the girth to be taken as the side of the square.

Timber Contracts.

VI. *And be it further enacted*, That when any Contract or Bargain shall be made for any quantity of Timber for exportation, the same shall be understood to be for Timber according to the directions of this Act, and no person shall be obliged to take any other kind of Timber, unless he shall have previously made a special agreement for the same.

Acts 12th Geo. III. and 33d Geo. III. repealed.

VII. *And be it further enacted*, That the Act passed in the twelfth year of his present Majesty's Reign, entitled, An Act declaring what shall be deemed Merchantable Timber for exportation to Great-Britain, and also the Act passed in the thirty-third year of his said Majesty's Reign, entitled, An Act in addition to, and amendment of, an Act, passed in the twelfth year of the Reign of his present Majesty, entitled, An Act declaring what shall be deemed Merchantable Timber for exportation to Great-Britain—and every clause and thing therein contained, be, and the same are hereby repealed.

## CAP. XVII.

An ACT to give Power to the Firewards of the Town of Halifax, to prevent dangerous quantities of Gunpowder being kept within the said Town, and the Harbour thereof.

**W**HEREAS by an Act, made and passed in the twenty-eighth year of his present Majesty's reign, entitled, *An Act in further addition to an Act, passed in the second year of his Majesty's reign, entitled, An Act for appointing Firewards, and punishing Thefts, and Disorders at the time of Fire, it is enacted, that not more than twenty-five pounds of Gun-Powder, shall be kept at any one time, in any one house, shop, or building, in the town of Halifax, and the Justices of the Peace, for the said town of Halifax, not being authorised by Law to grant their Warrants to search for dangerous quantities of Gun-Powder, in houses, shops or buildings, whereby persons are enabled to evade the provisions of the said Act; and whereas private armed ships, and other ships and vessels, frequently anchor in the harbour of Halifax, and lie alongside the wharves, having dangerous quantities of Gun-Powder on board, to the apparent danger of the lives and fortunes of his Majesty's subjects, for remedy whereof:*

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication of this Act, it shall be lawful for any Justice of the Peace residing within the town of Halifax, upon complaint made on oath by any Fireward or other person, that he or they have reasonable cause to suspect that dangerous quantities of Gun-Powder are kept within the said town of Halifax, in any houses, storehouses, warehouses, shops, cellars, yards, wharves, or other places, whatsoever, or any ships, boats, or other vessels, in the harbour of Halifax, and within the said town of Halifax, to issue his Warrant or Warrants to search for the same, in the day time, and for that purpose, admittance being first demanded by such Fireward or Firewards, and refused by the proprietor or occupant or occupants of such building, store or vessel, it shall and may be lawful for any one of the said Justices, upon information on oath made before him, to grant a Warrant to break open any such houses, storehouses, warehouses, shops, cellars, yards, wharves, or other places aforesaid, or any ships, boats, or other vessels, if there shall be occasion, and that upon any or every search or searches, a greater quantity of Gun-Powder than the Law allows, shall be found by him or them, or either of them, it shall and may be lawful for any such Fireward or Firewards for the said town of Halifax, to seize the same, as forfeit to the use of the Poor of the Town of Halifax, and to sell, dispose of and apply the same as is directed, in and by the said Act.*

Information.

Search for dangerous quantities of Gun-Powder in Houses, &amp;c.

Discovery of dangerous quantities of Gun-Powder, &amp;c.

II. *And be it further enacted, by the authority aforesaid, That not more than twenty-five pounds of Gun-Powder shall be kept at any one time, in any one ship, boat or other vessel in the harbour of Halifax, longer than twelve hours after such ship, boat or other vessel, shall have come alongside of any vessel or wharf, within the Harbour of Halifax. Provided always, That this Act, or any thing herein contained, shall not extend, or be construed to extend, in any wise to affect any ship, boat or other vessel, belonging to his Majesty, his Heirs, or Successors, wherein Gun-Powder, or other Stores shall be kept for the use of the Public.*

Powder in vessels.

Provide.

*And whereas the penalties, and forfeitures imposed by the said Act passed in the twenty-eighth year of his Majesty's Reign, have been found insufficient to prevent persons keeping dangerous quantities of Gun-Powder:*

III. *Be it further enacted, by the authority aforesaid, That if any person or persons shall hereafter have or keep any larger or greater quantity of Gun-Powder than twenty-five pounds at any time in any house, storehouse, warehouse, shop, cellar, yard, wharf, or other place, within the said town of Halifax, or in any ship, boat, or other vessel in the harbour of Halifax, con-*

Penalty for keeping greater quantities of Gun-Powder in

Houses, &c.  
than allowed by  
Law.

Proviso

Application of  
Penalties.

trary to the provisions of this Act, all and every such person or persons shall forfeit and pay for every pound thereof, the sum of five shillings to be recovered by any action, plaint, bill, or information, at the suit of any Fireward or Firewards for the said town of Halifax, in his Majesty's Supreme Court for this Province, together with full costs of suit to be taxed by the Justices of the said Court. *Provided always*, that such action, plaint, bill, or information, shall be commenced, sued and prosecuted, within twelve months next after such forfeiture or penalty shall be incurred.

IV. *And be it further enacted, by the authority aforesaid*, That all fines, penalties and forfeitures, incurred by this Act, shall be applied in the same manner, as is directed in and by the said Act, made and passed in the twenty-eighth year of his present Majesty's Reign.

### CAP. XVIII.

An ACT to enable the Proprietors to repair the Meeting-House at Truro, and to inclose the Burying-Place belonging to the same, and also to assess Monies for defraying the expences thereof.

Meeting of Proprietors.

**B**E it enacted, by the Lieutenant Governor, Council and Assembly, That whenever the Proprietors of the Meeting House at Truro, shall find it expedient to repair the same, or to make or repair any wall, fence, or inclosure, around the Burying Place thereto appertaining, it shall and may be lawful for such Proprietors to meet and consult about the making of such repairs or inclosure, and the votes or determination of the major part in number and interest of such Proprietor, at such meeting, shall bind the whole.

Notice of Meeting.

*Provided always*, That every Proprietor or Person, acting in his or her behalf, shall have at least four days previous notice of the time, place and purpose, of such Meeting, and that all votes or resolutions agreed on by the majority at such meetings, shall be entered into the Meeting House Books, or into a book to be provided and kept for that purpose, which book shall be open for the inspection of every Proprietor.

Appointment of Trustees to make repairs.

II. *And be it further enacted*, That it shall be lawful for the said Proprietors or such major part of them, to appoint three or more fit and proper persons to act as Trustees for directing and completing such repairs or inclosures, as shall be determined and agreed on at any meeting to be held as aforesaid; and such Trustees may enter into any agreements or contracts for making such repairs or inclosures, and, whenever the expences thereof shall be ascertained, shall apportion the same by a just and equal assessment on all the Proprietors of the said Meeting-House, according to their several shares and interests therein; and such assessment shall be made in writing, and be submitted to the inspection of any of the Proprietors who may require to view and examine the same.

Refusal of Proprietor to pay his proportion of repairs.  
Power of Trustees.

III. *And be it further enacted*, That if any Proprietor shall refuse or neglect, for the space of ten days after due notice to him or her of such assessment, to pay his or her share thereof to the said Trustees, it shall and may be lawful for the said Trustees to advertise such delinquent's share or shares in the said Meeting House, to be Let, and to Letse the same for such term of time as shall be sufficient to raise the amount of his or her assessment, and if no person shall appear within the space of one month after such advertisement, to hire the said share or shares, it shall be lawful for the said Trustees to sell the same to the highest bidder; and to make and execute a good and sufficient deed thereof, and also to deliver the possession of such share or shares

shares to the purchaser or purchasers thereof, and the overplus, if any, shall be paid over to the delinquent Proprietor or Proprietors.

IV. *And be it further enacted,* That if any such Trustees, or Purchasers, shall be sued or prosecuted for any thing done by them, or any of them, in pursuance of this Act, it shall be lawful for such Trustees or other persons to plead the general issue, and to give this Act and the special matter in evidence.

Action against Trustees.

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CAP. XIX.

An ACT to continue an Act for granting to His Majesty certain Duties on Wine, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar.

Expired.

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CAP. XX.

An ACT to alter the time of the Sitting of the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Cumberland.

**W**HEREAS it has been found inconvenient to hold the said Inferior Court, and Sessions of the Peace, immediately after the sitting of the Supreme Court in the month of June, for remedy whereof:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That from and after the next sitting of the said Court and Sessions at Amherst, the said Inferior Court, and General Sessions of the Peace, shall be held at Amherst, in the said County, on the Second Tuesday of April in each year, instead of the month of June; any law, usage or custom, to the contrary notwithstanding.

Sitting of Inferior Court at Amherst to be Second Tuesday of April.

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CAP. XXI.

An ACT to continue in force the several Acts therein mentioned.

Expired.



At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Ninth day of February, 1815, in the Fifty-Fifth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Fifth Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight Grand Cross of the Most Honourable Military Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Deputy-Secretary of the Council; and James B. Francklin, Clerk of Assembly.

### CAP. I.

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

*May it please your Excellency;*

**W**E, His Majesty's dutiful and loyal Subjects, the House of Assembly of His Majesty's Province of Nova-Scotia, towards appropriating the Supplies granted to His Majesty in this Session of the General Assembly, and for supplying the exigencies of His Majesty's Government, do humbly beseech that it may be enacted, and *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That by or out of such Monies as now are, or from time to time shall be and remain in the Public Treasury of this Province, there shall be paid:

The sum of 200l. to the Speaker of the House of Assembly, for his salary during the present year.

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

And a further sum of 500l. to the Treasurer of the Province, for his salary, and as Comptroller and Auditor of Public Accounts, and in lieu of office rent, clerks, and all other contingent expences, for the present year.

And a further sum of 116l. 13s. 4d. to Scroop Barnard Morland, Esq. the Agent of the Province, for his services for the present year.

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

And

200l. Speaker  
of Assembly.

100l. [Solicitor  
General.

500l. Treasurer

116l. 13s. 4d.  
Agent of Pro-

100l. Clerk of  
Council

- And a further sum of 30*l.* for defraying the expences of the Council, in General Assembly, for the same year; the same to be paid on the certificate of the President of the Council, and not otherwise. 30*l.* Expences of Council.
- And a further sum of 100*l.* to the Clerk of the House of Assembly for his services for the present year. 100*l.* Clerk of Assembly.
- And a further sum of 175*l.* to Messrs. Howe & Son, Printers, for printing for Government and the General Assembly, for the same year. 175*l.* Howe and Son.
- And a further sum of 50*l.* to the Keeper of the House of Assembly, and the Council Chamber, for the same year. 50*l.* Keeper of Assembly
- And a further sum of 90*l.* to be paid on the certificate of the Commissioners of the Revenue, to the Land Waiter for the Port of Halifax, for his services for the same year. 90*l.* Land Waiter
- And a further sum, to be paid on the certificate of the Commissioners of the Revenue, at the rate of seven shillings and six pence per day, to such person or persons as shall be employed during the year aforesaid by the Collector of Impost and Excise of the District of Halifax, as Extra Waiter or Waiters for the Port of Halifax; and five shillings per day to such Extra Waiter or Waiters when unemployed; and at the rate of five shillings per day to Temporary Waiters, together with ten per cent. to be paid out of the net-proceeds of the Government part of such seizure or seizures as such Extra Waiter or Waiters, or Temporary Waiter or Waiters, may be instrumental in making. Pay of Extra Waiters, &c.
- And a further sum of 200*l.* to the Gauger and Weigher for the Collector of Impost and Excise in the District of Halifax, for his services for the same year. 200*l.* Gauger & Weigher
- And a further sum of 40*l.* to the Messenger to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and His Majesty's Council, as well in their Legislative capacity as otherwise, for the present year. 40*l.* Messenger to Council
- And a further sum of 900*l.* to defray the contingent expences of the House of Assembly during the present Session, to be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief, on the certificate of the Speaker of the House of Assembly, and not otherwise. 900*l.* Contingent Expences of Assembly
- And a further sum of 25*l.* to the Reverend Robert Stanser, for his services as Chaplain to His Majesty's Council and the House of Assembly during the present Session. 25*l.* Rev. Robert Stanser
- And a further sum of 25*l.* to Robert Angus, for his services as Sergeant at Arms to the House of Assembly for the present Session. 25*l.* R. Angus
- And a further sum of 20*l.* to John Gibbs, for his services as Messenger to the House of Assembly during the present Session. 20*l.* John Gibbs
- And a further sum of 30*l.* to the Secretary of the Province, to defray the expence of his Office Rent for the present year. 30*l.* Sec. of Province
- And a further sum of 30*l.* to the Surveyor-General of Lands, to defray the expence of his Office Rent, for the same year. 30*l.* Surveyor General
- And a further sum of 30*l.* to the Clerk of the Commissioners of the Revenue, for the same year. 30*l.* Revenue Clerk
- And a further sum of 20*l.* to the Secretary of the Province, for Stationary on account of Warrants, to be drawn on the Treasury, for the service of the same year. 20*l.* Sec. of Province
- And a further sum of 10*l.* to the Trustees of the Law Library, to be disposed of in such way as they may think proper, for the advantage of such Library. 10*l.* Law Library
- And a further sum not exceeding 530*l.* to enable the Commissioners of the Revenue to enter into a contract or contracts, for supporting and lighting the Light-Houses on M'Nutt's and Sambro Island, for the present year. 530*l.* Light-Houses

- 50*l.* Ratchford and Shannon And a further sum of 50*l.* to James Ratchford and James Noble Shannon, for the encouragement of a Packet, to run between Windsor and Patridge Island, under such regulations as may be made and ordered, by the Justices in their Sessions for the County of Hants, for the present year.
- 50*l.* Adj. Gen. of Militia And a further sum of 50*l.* to the Adjutant General of Militia, for the payment of his Clerk, Stationary and Postage, and all other contingent expences, for the present year.
- 50*l.* Qr. Mr. Gen. of Militia And a further sum of 50*l.* to the Quarter-Master-General of Militia, as aforesaid.
- 222*l.* 4*s.* 5*d.* Attorney General And a further sum of 222*l.* 4*s.* 5*d.* to the Attorney General, for his services for the present year, to be paid as heretofore.
- 75*l.* Keeper of Gunpowder And a further sum of 75*l.* to be paid to the person who has the care of the Gun-powder at Halifax; for his services for the present year.
- 100*l.* Assistant Justices of Supreme Court And a further sum of 100*l.* to each of the Assistant Justices of the Supreme Court, in addition to their salaries, for the present year.
- 100*l.* Treasurer And a further sum of 100*l.* to the Treasurer of the Province, in addition to his salary, for the present year.
- 250*l.* Contingencies And a further sum of 250*l.* to defray such contingent expences as may arise during the present year; to be drawn by Warrant from the Lieutenant-Governor, or Commander in Chief for the time being.
- 200*l.* Briar Island Light-House And a further sum, not exceeding 200*l.* for supporting and lighting the Light-House on Briar Island.
- 10*l.* E. Wheaton And a further sum of 10*l.* to Ebenezer Wheaton, towards his support for the present year, in consideration of his being deprived of the use of one of his arms; which disability happened while he was employed in the embodied Militia at Halifax, in the year one thousand eight hundred and seven.
- 300*l.* Messrs. Cochran And a further sum of 300*l.* for the rent of the building hired of Messrs. Cochran.
- 35*l.* Sec. of Province And a further sum of 35*l.* to the Provincial Secretary, for extra-services in carrying into effect the Laws respecting Schools.
- 300*l.* Isle of Sable And a further sum of 300*l.* to the Commissioner of the Island of Sable, (in addition to the balance now in the hands of said Commissioner) for the support of that establishment the present year.
- 100*l.* Staff Sergeants And a further sum, not exceeding 100*l.* to defray the expence of three Staff Sergeants of Militia for the present year, to be drawn by Warrant from the Treasury, and expended under the direction of the Lieutenant-Governor, or Commander in Chief for the time being.
- 190*l.* Survey of Lakes, &c. And a further sum, not exceeding 190*l.* to be drawn by Warrant from the Treasury, to enable his Excellency the Lieutenant-Governor to pay for completing the Surveys and Plans of the several Lakes and Streams between the Shubenaccadie River and the Harbour of Halifax.
- 43*l.* 15*s.* J. Fennel And a further sum of 43*l.* 15*s.* to Joseph Fennel, in full for a drawback of the duty on four hundred and eighty-five gallons of Rum exported from Antigonishe to Charlotte Town in Prince Edward Island in the month of September, in the year one thousand eight hundred and thirteen.
- 450*l.* Post Communication And a further sum, not exceeding 450*l.* to defray the expence of keeping up a communication by Post, from one part of the Province to the other, to be drawn by Warrant from the Lieutenant-Governor, or Commander in Chief for the time being.
- 75*l.* W. Harding And a further sum of 75*l.* to Lieutenant William Harding, of the twenty-second battalion

tation of Nova-Scotia Militia, in consideration of his having, while in the discharge of his duty as a Militia Officer, received a severe wound in his leg by the accidental discharge of a musket by which he has been put to great expence, and rendered a cripple for the remainder of his life.

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

And a further sum of 1000l. to be paid to the Commissioners of the Poor as aforesaid, to assist in paying the arrears for the erection of the Lunatic House, and for debts incurred for the support of the Transient Poor for the past year. 1000l. Commissioners of Poor

And a further sum of 140l. for finishing and completing the Light-House on Coffin's Island, at the entrance of the Harbour of Liverpool, (in addition to the sum of 460l. granted for the said Light-House in the last Session, and not yet drawn from the Treasury) to be paid into the hands of such Commissioners as his Excellency the Lieutenant-Governor shall appoint for that purpose. 140l. Light-House on Coffin's Island

And a further sum of 297l. 14s. ½d. to Lydia Collins, and James Baris, Administratrix and Administrator to the estate of the late George Collins, of Liverpool, deceased, for sundry articles supplied, and disbursements made, by the said George Collins, for the use of the Light-House, aforesaid, per account. 297l. 14s. ½d. Lydia Collins and J. Baris

And a further sum of 152l. 2s. 11½d. to William Freeman, Joshua Newton, and Nathaniel Smith, late Commissioners for the Light-House before mentioned, in full of the sum expended by them, over and above the monies granted by the Legislature, and for their services as Commissioners for the said Light-House. 152l. 2s. 11½d. Messrs. Freeman, Newton and Smith

And a further sum of 29l. 3s. 4d. to Christian Muller, Sheriff of the County of Sydney, for his expences in coming from Manchester and attending at the Bar of the House of Assembly, on the subject of the late election of a Representative for the said County. 29l. 3s. 4d. C. Muller

And a further sum of 10l. to the Clerk of the House of Assembly, to defray the expence of sending a Messenger for the Sheriff of the County of Sydney. 10l. Clerk of Assembly

And a further sum, not exceeding 388l. 1s. 0½d. for painting, white washing, and other necessary repairs, to the Government House, and for keeping the out-houses, drains, and fences of the same, in repair; and also for paying off the balance now due for repairs done, and carpets furnished, for the said building. 388l. 1s. 0½d. Govt. House

And a further sum, not exceeding 509l. 12s. for purchasing Copper, Nails, Rivets and Solder, and to pay Carpenters, Mafcons, Labourers, &c. in repairing the roof of the Government House. 509l. 12s. Govt. House

And a further sum of 23l. 5s. 7d. to Henry H. Cogswell, for superintending the expediture of the sum of money granted the last Session for the service of the Government House. 23l. 5s. 7d. H. Cogswell.

And a further sum of 34l. 10s. to the Surveyor General of Land, to discharge the balance due for expences incurred in running the line between Lunenburg and Queen's Counties, per account. 34l. 10s. Surveyor General

And a further sum of 133l. 5s. to the Surveyor General of Lands, to defray the expence incurred for surveying, making and planning, a line designated for a new road through the interior of the Province from Annapolis to Halifax, per account. 133l. 5s. Surveyor General

And a further sum of 22l. 10s. to John Howe & Son, for printing Forms of Prayers, per account. 22l. 10s. Howe and Son

And a further sum of 200l. to be applied by His Excellency the Lieutenant-Governor in such 200l. Acadian School

such manner as he may judge proper, to the payment of expences incurred in the establishing and conducting the Acadian School in Halifax, up to the present time.

111l. 2s. 2½d.  
N. Atcheson

And a further sum of 111l. 2s. 2½d, to Nathaniel Atcheson, Esq. for his services for the present year, in soliciting and obtaining on the part of the Province many important commercial privileges.

79l. 12s. 6d.  
Sec. of Province

And a further sum of 79l. 12s. 6d. to be paid to the Secretary of the Province to defray the expence incurred for Medicines and other articles furnished to sundry poor persons vaccinated at Dartmouth, Preston, &c. as per abstract.

105l. 15s. Seth  
Coleman.

And a further sum of 105l. 15s. to Seth Coleman, in full for his services for vaccinating four hundred and twenty-three poor and distressed persons at Dartmouth and Preston, being at the rate of five shillings for each person.

90l. Clerk of  
Assembly.

And a further sum of 90l. to the Clerk of the House of Assembly, to defray the expence of Extra Clerks, Servants, and other incidental expences, during the present Session, and also for discharging sundry accounts for articles furnished and services performed for the use of the House.

10l. Clerk of  
Council.

And a further sum of 10l. to the Clerk of the Council, to defray the expence of Fuel for the Council, in the present Session.

11l. 7s. 6d. Clk.  
of Assembly.

And a further sum of 11l. 7s. 6d. to the Clerk of the House of Assembly, to defray the expence of Fuel, furnished for the use of the House of Assembly, in the present Session.

14l. 10s. 4d.  
Clk. of Assem-  
bly.

And a further sum of 14l. 10s. 4d. to the Clerk of the House of Assembly, to defray the expence of Stationary for the use of His Majesty's Council and the House of Assembly, during the present Session.

500l. to pro-  
mote Vaccina-  
tion.

And a further sum of 500l. to be applied by His Excellency the Lieutenant-Governor, in such manner as he shall deem most effectual to prevent the spreading of Small Pox, by promoting Vaccination throughout the Province.

5000l. Province  
House.

And a further sum of 5000l. towards erecting the Province House, to be drawn for by Warrant from the Governor, Lieutenant-Governor, or Commander in Chief on the Treasury, and expended under the direction of the Commissioners appointed for the said Building.

500l. Expences  
of Militia.

And a further sum, not exceeding 500l. to be appropriated and applied by His Excellency the Lieutenant-Governor, in paying any expences which may have arisen under the Militia Laws of the Province, since the ratification of the Treaty of Peace between Great-Britain and the United States of America, and in securing Ammunition and other Warlike Stores, furnished and provided for the defence of different parts of the Province.

1000l. His Ex-  
cellency the Lt.  
Governor.

And a further sum of 1000l. for the purchase of a Service of Plate, or any other testimonial, to be presented to His Excellency the Lieutenant-Governor, as a token of the grateful approbation entertained by the inhabitants of the Province, for the great care and œconomy of His Excellency in administering the Government of this Country during the late war with the United States of America.

[The Second Section of this Act has been executed.]

Road Emer-  
gencies.

III. *And be it further enacted*, That if any accident shall happen to any of the Bridges on the main roads in the Province, or if any unforeseen obstruction to travelling shall arise from the fall of trees, or otherwise, it shall and may be lawful for His Excellency the Lieutenant-Governor, or Commander in Chief, to order a Commissioner or Commissioners to rebuild or repair such Bridges, or remove such obstructions; and it shall be further lawful for the Lieutenant-Governor, or Commander in Chief, from time to time, to draw Warrants on account,

in favor of such Commissioner or Commissioners. *Provided*, the whole amount of the money drawn for such services, shall not exceed 140l. in addition to the sum of 484l. being the balance of the sum of 500l. granted last year) remaining at present unappropriated.

*WHEREAS*, it is expedient that the sum of Five Thousand Pounds, borrowed for the defence of the Province, should be now repaid: And as a compensation to the persons who advanced the said Loan, for receiving it without notice, it is reasonable that they be allowed interest thereon up to the thirtieth day of September next:

Preamble.

IV. *Be it therefore further enacted*, That it shall and may be lawful for his Excellency the Lieutenant-Governor, to draw by Warrant on the Treasury, for the said sum of 5000l. and interest, to be computed to the thirtieth day of September next, to be forthwith paid to the several persons who advanced the said sum to Government, and no further interest to be allowed after that date.

Payment of  
Loan to Pro-  
vince.

V. *And be it further enacted*, That so soon as the Settlers, who were actually on the Douglafs and Philadelphia Grants, claiming titles, either by purchase from the original proprietors of the said Grants, or who were entitled to hold from their improvements as original Grantees at the time the said Grants were escheated under a promise of His Majesty's Officers, who were appointed to conduct the Escheats, that such Settlers should be confirmed in their possessions without any expense whatever, are confirmed in their titles without expense, it shall and may be lawful for His Excellency the Lieutenant-Governor, or the Commander in Chief for the time being, to draw by Warrant on the Treasury for a sum not exceeding 250l. to be applied to the payment of the fees of the Officers of His Majesty's Government who shall so confirm the said Titles; provided the said Titles are completed on or before the thirtieth day of March next.

Philadelphia  
Grants.

VI. *And be it further enacted*, That it shall and may be lawful for his Excellency the Lieutenant-Governor, to draw by Warrant on the Treasury, from time to time, as he may require it, any sum or sums of money, provided the whole sum to be so drawn, shall not exceed the sum of 400l. to be applied by his Excellency, in such manner as he may think proper, towards the temporary relief of such old, infirm and helpless persons, as the unforeseen events of the late War may have cast upon this Province.

Relief of dis-  
tressed persons

VII. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by Warrant on the Treasury, from time to time, for all such sums of Money as may become due and payable by virtue of the several Laws now in force for the establishing of Schools in the Province.

Schools.

VIII. *And be it further enacted*, That the ninth, twelfth, fifteenth, sixteenth, eighteenth and nineteenth sections or clauses of the Act, made and passed in the forty-first year of His Majesty's Reign, entitled, "An Act for applying certain Monies therein-mentioned for the service of the Year of our Lord one thousand eight hundred and one, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province," shall be and continue in full force and virtue, until the eighteenth day of March, which will be in the Year of our Lord one thousand eight hundred and sixteen, in as full and ample a manner as the same clauses would be, were the same again here repeated word for word.

Sections of the  
Act 41st Geo.  
III. continued.

## CAP. II.

An ACT for granting to His Majesty certain duties on Wine, Brandy, Gin, Rum, and other distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries, of this Province.

**B**E it enacted, by the Lieutenant Governor, Council and Assembly, That there shall be raised, levied, collected and paid, to his Majesty, his heirs and successors, on all wine, brandy, gin, rum, and other distilled spirituous liquors, molasses, coffee, and brown sugar, maple sugar only excepted, which shall or may hereafter be imported or brought into this Province, or manufactured therein, the respective rates and impositions herein after mentioned; that is to say:

Duty on Wine. For and upon the following wines; that is to say: champaigne, Madeira, port, claret, Lisbon and sherry, one shilling and three pence per gallon.

For and upon all other wines, nine pence per gallon.

Duty on Brandy and Gin. For and upon all brandy and gin, one shilling and three pence per gallon.

Duty on Rum, &c. imported. For and upon all rum, and other distilled spirituous liquors, one shilling per gallon.

Duty on Rum, &c. distilled in Province. And for and upon all rum, and other spirituous liquors, distilled in this Province, ten pence per gallon.

Duty on Molasses. For and upon every gallon of molasses, one penny.

Duty on Coffee. For and upon every pound of coffee, one penny.

Duty on Sugar. For and upon every hundred weight of brown sugar, (maple sugar excepted) three shillings and six pence, the same to be paid by the importer or manufacturer of any such articles.

Dutiable articles imported—how and when to be entered. II. *And be it enacted by the authority aforesaid,* That all merchants and other persons, who shall import, or bring into this Province, in any ship or vessel, or otherwise, or who shall receive, or have consigned to him, or them, respectively, any wine, brandy, gin, rum, or other distilled spirituous liquors, molasses, coffee or brown sugar, (maple sugar excepted,) shall, within twenty-four hours after the arrival of any such ship or vessel, into any port, harbor, or creek within this Province, and due notice thereof given to such merchant, consignee, or importer, render an account in writing, and upon oath, to the collector of the excise for the district in which such merchant, consignee, or importer, shall or may reside, setting forth therein the quantity of each of the said enumerated articles so imported or received, the nature and description of the casks and packages in which the same may be contained and packed, with the marks and numbers thereof, and also the name of the place from whence they shall have been imported or brought, and the master or owner, and the supercargo, (if any there be), of any ship or vessel, so importing or bringing any of the said articles, shall also within twenty-four hours after the arrival of such ship or vessel, in any port, harbour or creek, within this Province, report to such collector for the district in which

which such port, harbour or creek, shall be, the quantity of each of the said enumerated articles so laden on board such ship or vessel; the casks or packages in which the same may be contained, with their respective marks and numbers, and the name or names of the person or persons to whom the same may be consigned; and shall also verify his and each of their said report by oath, the same to be administered by the said collector.

*Importer or Consignee's Oath.*

I, A. B. do solemnly swear, that the account which I have now rendered and subscribed of the wines, brandy, gin, rum, and other distilled spirituous liquors, molasses, coffee, and brown sugar, laden on board and imported in the ship or vessel called \_\_\_\_\_, at \_\_\_\_\_, is a true and faithful account of all the said articles of which I am owner or consignee, laden on board or imported in such ship or vessel, and that no part of the cargo to me belonging or consigned of such ship or vessel, hath, since her arrival, and to my knowledge or belief, been landed, sold, delivered, bartered or exchanged, at any port or place within this Province, or on the coasts thereof.—So help me God.

Importer or  
Consignee's  
Oath.

*Master and Supercargo's Oath.*

I, A. B. do solemnly swear, that the report which I have now made and subscribed, contains a true and just account of all the wines, brandy, gin, rum, and other distilled spirituous liquors, molasses, coffee, and brown sugar, laden on board the ship or vessel called the \_\_\_\_\_, at \_\_\_\_\_, and that I have not landed or suffered to be landed, sold, delivered, bartered, or exchanged, from or out of the said ship or vessel, any wine, brandy, gin, rum, or other distilled spirituous liquors, molasses, coffee, or brown sugar, at any port or place within this Province, or on the coasts thereof, since my sailing from \_\_\_\_\_.—So help me God.

Master and  
Supercargo's  
Oath.

And such master shall also obtain a permit from the said collector for landing the said wines, brandy, gin, rum, and other distilled spirituous liquors, molasses, coffee, and brown sugar, on some certain wharf or place within his district; which said permit shall be in the words following:

Permit A. B. master of the ship or vessel called the \_\_\_\_\_, to begin to unload her cargo at \_\_\_\_\_ wharf or landing within the district of \_\_\_\_\_, and to continue to unload the same betwixt sun rising and sun setting each day, until the cargo of such ship or vessel shall be wholly discharged. Given under my hand, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18

Permission to  
land Dutiable  
Goods.

And if such master, owner, or consignee, or other persons, shall neglect to make such report, or shall break bulk of, or on board such ship or vessel, or shall unlade or land any of the said enumerated articles before he or they shall have made such report and obtained such permit, or shall unlade or land the same, or any part thereof, at any other place than is specified in the said permit, or shall remove or carry away, or suffer or cause to be removed or carried away, any of the said articles from the place specified in the said permit for landing, before such wines, brandy, gin, rum, or other distilled spirituous liquors, or molasses, shall have been duly gauged, or before such coffee and brown sugar shall have been duly weighed, under the direction of the said collector; and the said rates, duties and impositions, shall have been paid or secured in manner as herein after directed, and not having a permit for removing the same in the words following:

Breaking Bulk  
without permit,  
or removing du-  
tiable articles  
before they are  
gauged, &c.

Permit A. B. to remove \_\_\_\_\_, from \_\_\_\_\_, within the town of \_\_\_\_\_, to \_\_\_\_\_, the duties thereon having been already paid or secured in the Excise Office at \_\_\_\_\_ . Given under my hand at \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, A. D. 18 ; every such master, owner, or consignee, or other person, shall forfeit for each and every such offence the sum of one hundred pounds; and the ship or vessel from or out of which such articles

Permit to re-  
move dutiable  
articles.



articles, or any or either of them, shall have been clandestinely landed, is hereby rendered forfeit, and the same being first duly seized by the said Collector, shall be prosecuted to condemnation, and afterwards sold, and the nett proceeds thereof shall be distributed in manner as is herein after directed.

III. *And be it further enacted*, That on the accounts and reports being respectively made as aforesaid by the persons herein before mentioned, of all and every part of the said herein enumerated articles which shall be imported into this Province as aforesaid, the Collector of Excise for the district into which such articles shall or may be imported, shall give to such merchant, consignee or master, a permit to break bulk of, and to unlade from, such ship or vessel, all and every the herein before enumerated articles, and to land the same at such wharf or place as such collector shall think most convenient to the owner or consignee of such articles and shall forthwith proceed to gauge such wines, brandy, gin, rum, and other distilled spirituous liquors, and molasses, and mark the name of the island from whence the said spirituous Liquors or molasses came, on the heads of the hogheads or casks in which they are contained, and to weigh such sugar and coffee, and after weighing and gauging the said articles respectively, shall proceed, in case the duties on the articles so imported shall not amount to more than ten pounds, to collect the same before the importer shall have a permit for the removal of the said articles; and in case such duties shall amount to more than ten pounds, then such Collector shall proceed to secure the said duties, by taking a bond from such importer, owner or consignee, to His Majesty, His Heirs and Successors, with sufficient sureties for the payment of the rates and duties herein before mentioned, in manner and form following, viz. One-fourth part of the said rates and duties in three months from the giving such security; one other fourth part of the said rates and duties in six months from the giving such security; one other fourth part of the said rates and duties in nine months from the giving such security; and the residue of the said rates and duties in one year from the giving such security.

Dutiable articles to be gauged, &c.

Duties—how paid or secured.

Distilled articles liable to duty.

IV. *And be it further enacted*, That the owner or owners of any distillery or distilleries, or other person who shall manufacture any distilled spirituous Liquors in this Province, and in case such distillery or distilleries shall be carried on by any servant or servants having the care and management of the same, such owner, master, servant or servants respectively, shall, on the Saturday of each and every week after the publication of this Act, render a true and faithful account to the collector of Impost and Excise of the quantity of rum, or other distilled spirituous liquors, that hath been, manufactured or distilled in his, her, or their distillery or distilleries, and shall make and subscribe before the said collector, the following oath:

Distiller's oath.

I, \_\_\_\_\_, do solemnly swear, that the account which I have now rendered and subscribed of the rum, and other distilled spirituous liquors manufactured or distilled at the distillery of \_\_\_\_\_, is a true and faithful account of all the rum and other distilled spirituous liquors manufactured or distilled at the said distillery since the \_\_\_\_\_ day of \_\_\_\_\_ last, and that no rum or other distilled spirituous liquors have been manufactured or distilled at the said distillery since the \_\_\_\_\_ day of \_\_\_\_\_ last, except what the said account contains.

And I further swear, that no rum, or other distilled Spirituous liquors, to my knowledge or belief, have been removed from the said distillery, without being duly gauged by the gauger for the district of \_\_\_\_\_, or without a permit to remove the same from the Collector of Impost and Excise for the said district.—So help me God.

And after making and subscribing the said oath, the said owner, master or servant, shall give security for the payment of the rates and duties on such rum, or other spirituous liquors by this Act imposed, in manner and form as in this Act is directed with respect to such articles as shall be imported into this Province, under the penalty of one hundred pounds for each and every neglect.

V. *And*

V. *And be it further enacted*, That in case no person shall appear to pay, or give security for, the rates and duties herein imposed on the said enumerated articles, within twenty-four hours after the same shall have been landed and gauged or weighed, or reported by the distiller thereof as above required, that then it shall and may be lawful for the said Collector to take such enumerated articles into his custody, and to store the same, and shall, within five days from receiving the same into his possession, give notice for the space of ten days for the sale thereof, and to proceed to sell at public auction so much of the said articles as shall be necessary to pay the rates and duties imposed by this Act, with all the reasonable costs and charges attending the storing and selling such articles : and shall deliver up, to any person lawfully authorized to receive the same, the residue of such articles as may remain in the hands of the said Collector, after paying such rates, duties, costs and charges.

Neglecting to pay or secure the duties on dutiable articles.

VI. *And be it further enacted*, That none of the herein enumerated articles of the value of five pounds or above, shall be transferred by, or removed from the store or stock of, any importer or owner of the same, to any other person or persons whatsoever, without a Permit from the said Collector of the District wherein the same shall be, in the words following :

Permit A. B. to receive from the stock of C. D. the following articles, namely, and to carry the same from within the Town of \_\_\_\_\_ to \_\_\_\_\_ the duties thereon having been paid or secured in the Excise Office at \_\_\_\_\_ Given under my hand at this day of 18\_\_

Permit to remove dutiable articles.

VII. *And be it further enacted*, That in case any of the above enumerated articles shall be found in the possession of any person or persons whomsoever, or shall be found laden on any cart, truck, waggon, sled, horse or horses, or on board any boat or vessel, the rates and duties herein mentioned not being paid or secured, or without the respective Permits by this Act required, the person or persons in whose possession they shall be so found shall forfeit fifty pounds ; and all and every such articles, carts, trucks, waggons, sleds, horses, boats and vessels, shall be forfeit ; and that when any question shall arise, whether the aforesaid rates and duties have been paid or secured, the proof of the payment or the securing the same, shall lie on the possessor or claimer of such articles.

Penalty for removing dutiable articles without permit.

VIII. *And be it further enacted*, That in case any person shall be desirous to export or carry in any one ship or vessel, registered according to law, any quantity of wine, exceeding two hundred gallons ; or any quantity of brandy, gin, rum, or other distilled spirituous liquors, exceeding four hundred gallons ; or any quantity of molasses exceeding one thousand gallons ; or any quantity of brown sugar exceeding ten hundred pounds weight ; or any quantity of coffee exceeding five hundred pounds weight, out of this Province, to any Kingdom, State or Colony, such person or persons shall, previous to re-shipping, exporting, or carrying the same out of the Province, obtain a Permit, authorising him, her or them, to export the said article or articles ; which Permit the said Collector shall give without fee : and thereupon it shall and may be lawful, after the said articles have been duly gauged and weighed by the proper officer, to lade the same on board any ship or vessel for exportation in the presence of the Collector, or of the Weigher or Guager for the District ; and the exporter, and master of the vessel on board which such articles shall be laden, shall respectively make and subscribe before, and leave in the hands of, the Collector who shall give the said Permit, the following oath :

Drawback on the exportation of dutiable articles.

I, A. B. do swear, that the dutiable article or articles now actually by me shipped on board whereof C. D. is master, bound for \_\_\_\_\_ which articles are hereunder specified, is really part of the stock of \_\_\_\_\_ imported from \_\_\_\_\_ in the \_\_\_\_\_ entered in this office, and

Exporter's Oath.

is or are of the proof or quality, and description, as imported, and also hereunder specified, and that the same article or articles is or are not intended to be reloaded in this Province.

*Master's Oath.*

Master's Oath.

I, C. D. do swear that \_\_\_\_\_ is now actually shipped on board the \_\_\_\_\_ of which I am master, bound for \_\_\_\_\_ and that the same hath been laden on board the said \_\_\_\_\_ for the purpose of exportation out of this Province, and that the same is not intended to be reloaded, sold or exchanged, in any part of this Province.

Drawback, how obtained.

After which oaths, made and filed as aforesaid with the said Collector, the duties secured on such articles as are specified in such permit and affidavit, shall not be demanded for the space of twelve months after the date of such permit; and in case such exporter shall, at or before the expiration of the said twelve months, produce to the collector from whom he obtained such permit for exportation as aforesaid, a certificate under the hand and seal of the principal officer or officers of his Majesty's Customs at the place to which such articles shall be exported, of the description of the said wines, and the proof of the said spirituous liquors, and that the same have been to his knowledge landed within the port of which he or they is or are principal officer or officers; or in case such enumerated articles shall be exported to any foreign country, such exporter shall produce the like certificate from his Majesty's Consul or Vice-Consul, for such Foreign State or Country; then and in that case the said exporter shall have credit with the said collector of Excise for five-sixth parts of the amount of the duties secured for and on the articles so by him exported, out of this Province; and in case the rates and duties herein laid and imposed shall have been paid such certificate shall entitle such exporter to receive the amount of the five-sixth parts of the said rates and duties so paid, from the Treasurer of the Province; and if any of the enumerated articles which shall be so shipped for exportation shall be fraudulently reloaded in this Province, such articles so reloaded shall be forfeit to his Majesty, his heirs and successors, together with the ship, boat or vessel, from which they shall be reloaded; and all and every person or persons who shall be aiding and assisting in reloading such articles shall forfeit and pay the sum of fifty pounds, to be prosecuted for, recovered and distributed, as is herein after directed.

Time for obtaining drawback extended

IX. *Provided always, and be it further enacted,* That if it shall happen, by reason of accidents and delays during the time of war, that persons who have exported, or shall hereafter export, any of the said herein enumerated articles, shall not be able to procure and produce the certificates aforesaid within the said period of twelve months, then and in such case it shall be lawful for the Commissioners of the Revenue to allow a reasonable time beyond the said period of twelve months for the production of the necessary certificates of the landing of such articles at any port or place out of this Province. And if such articles before their arrival at the port or place to which they were or shall be destined, shall be lost, or taken by his Majesty's enemies, it shall and may be lawful for the said commissioners, upon full proof of such loss or capture, to direct and order that the exporter or exporters thereof shall receive credit for, or repayment of, the duties by him or them paid or secured thereon, in like manner as if the regular certificates of the exportation and landing of such articles had been procured and produced according to law.

Dutiable articles imported coastwise and afterwards exported.

X. *And be it further enacted,* That whenever any merchant or merchants resident at the outports of this Province, shall send or consign for sale, to his or their agent or agents at Halifax, any wines, brandy, gin, rum, or other spirituous liquors, sugar, molasses or coffee, which have been actually imported by him or them, and on which the duties have been paid or regularly secured in such out-port, it shall and may be lawful for the agent or agents

to whom such article or articles shall be consigned, to export the same and receive the drawback or drawbacks on the export thereof in the name of the original importer. *Provided always,* That the quantity of such dutiable articles so imported and sent coastways to Halifax at one and the same time, shall amount to the full quantity on which a drawback is herein allowed, and provided such article or articles shall be accompanied with a regular permit from such out-port to shew that the several duties thereon have been paid or secured at such out-port, and also expressing the place from, the time when, and the vessel's name in which the same were imported, and the marks or numbers of such casks or packages.

And whereas, *it is prejudicial to the navigation of this Province, to oblige merchants importing any of the dutiable articles enumerated in said Act, to put on shore and land such part thereof, as it may be the intention of the owners to send in the same vessel to some other colony, port, or place :*

**XI.** *Be it enacted,* That after the publication of this Act, if any of the dutiable articles enumerated in said Act, shall be imported and brought into this Province on board any ship or vessel, it shall and may be lawful for the master, owner, factor, or supercargo, to report and enter at the Impost and Excise Office, conformably to the provisions contained in the said recited Act, such part or portion of the said dutiable articles as he or they may think proper to be landed for sale and consumption in the Province, and to enter and report the residue or remainder for exportation in the same vessel to some other port, place or colony, out of the Province; and the officers of Impost and Excise shall permit the landing, and shall gauge and weigh, and secure the duties on the several parts of such vessel's cargo so to be put on shore for sale and consumption in the manner usual and heretofore practised under the several clauses and provisions contained in this Act, and shall also secure the duties of Impost and Excise on such parts of the cargo of such vessel or vessels as may be reported and entered as aforesaid for exportation in the same bottom without unloading or landing the same; and for that purpose shall demand and require the person or persons entering the same for exportation, to produce and deliver to such officer or officers the original invoice of the goods so entered for exportation; and the proper officer or officers of Impost and Excise shall require the person or persons making such entry, to verify such invoice on oath; which oath it shall and may be lawful for the officer or officers of Impost and Excise to administer in the following words —

I do solemnly swear, that the invoice now by me produced, is the original invoice of the goods, wares and merchandize, now by me entered for exportation, and such invoice was actually and truly made at the port or place where such goods were shipped, and does actually and truly contain, to the best of my knowledge and belief, a true and just account of the quantities of each and every article so by me now entered for exportation.

And the said officers shall calculate upon such invoice, the amount of the duties, and shall thereby ascertain the same in like manner as if the articles so entered for exportation, had been actually landed, and regularly weighed and gauged; and bonds shall be taken with sufficient sureties in the usual form, for the payment of such duties at the usual times and periods; and the said officers shall, on such duties being bonded and secured as aforesaid, grant a permit for the exportation of the goods, on which the duties have been so secured in the usual and customary form; and the exporter of such dutiable articles shall be entitled to have, and be allowed, a drawback without any deduction whatsoever of the duties so secured, in the same manner and form, and upon the same certificates of landing, and under the same rules and regulations, that persons obtain drawbacks who export dutiable articles after having landed the same in the Province.

Dutiable articles may be exported without being landed.

Duties secured upon original invoice.

False report or entry of dutiable articles.

XII. *And be it further enacted,* That if on examination, it shall be discovered that the report and entry made of dutiable goods, part for consumption, and part for exportation, shall be false, and that there was a greater quantity of dutiable goods laden on board the ship or vessel than was reported and entered with the Impost and Excise officers, all the surplus goods, together with the ship or vessel, shall and may be seized by the proper officer or officers, and the party making such false entry, shall be subject to all the penalties and forfeitures imposed in and by this Act on persons making a false report or entry; and if any part of the goods so permitted to be exported as aforesaid, shall be fraudulently, or clandestinely discharged, or unladen within the Province of Nova-Scotia, from on board the vessel in which the same were imported, such vessel, and all the goods so discharged or landed, together with the vessels, boats, carts, horses and carriages, employed in landing, or removing the same, shall be seized and forfeited to His Majesty; and all and every person and persons, who shall be aiding and assisting, in such fraudulent or clandestine landing of any such goods, shall forfeit and pay the sum of fifty pounds, to be sued for, recovered and distributed, in the manner herein after directed.

Refusal, &c. to produce original invoice.

XIII. *And be it further enacted,* That in case the party making such report and entry for exportation, shall neglect or refuse to produce such original invoice, and to verify the same as aforesaid, or shall neglect or refuse to secure the duties, then, and in such case the goods so entered for exportation shall be landed, and the duties ascertained and secured in manner herein before directed.

Suspicion of original invoice

XIV. *And be it further enacted,* That in case the Collector of Impost and Excise shall have any just cause to doubt the truth or authenticity of any report or entry, or of the invoice produced, he shall and may search and examine into the contents of the cargo so reported and entered, and may remove, or cause to be removed, the packages from one part of the vessel to the other, so as to ascertain as far as possible, the true contents of each package, and the master, officers and crew, of such vessel, shall aid, and assist the officer or officers in making such search and examination, and in case he or they refuse such assistance, then, and in such case the goods shall be landed, and the truth of such report and invoice ascertained: and it shall and may be lawful for the officer making such search, to call to his aid, three respectable merchants to assist therein, and if in the opinion of such merchants, there shall be any reasonable cause for further suspicion, they shall certify the same, which certificate shall be sufficient to authorize the proper officer to order the cargo to be discharged, and the truth or falsity of the report and invoice actually ascertained, by weighing and gauging such cargo. *Provided always,* That if the difference between the invoice and the return of the gauger and weigher shall, in the opinion of three merchants, not exceed the difference which frequently occurs between the gauge and weight of two different ports or places, in such case no penalty or forfeiture shall attach to the person making such report or entry.

The sailing of vessels with dutiable articles delayed.

XV. *And be it further enacted,* That if the master, owner, or others concerned in the ship or vessel in which goods are entered for exportation as aforesaid, shall unnecessarily delay unloading the part or parts of her cargo entered to be landed, or shall, after the unloading thereof, delay for a space longer than ten days, proceeding on her voyage, and departing from the Province with the goods so to be exported, the said master, owner, or others concerned, shall pay each and every day to the tide waiter employed to attend such vessel during such delay, the daily pay established for a tide waiter to receive from the Province when on duty, and on refusal, it shall be lawful for such tide waiter to recover the same in a summary way, before one of His Majesty's Justices of the Peace for the county or place within which such tide-waiter shall have been so employed.

XVI. *And*

*And whereas, vessels not bound to this Province, are oftentimes obliged by stress of weather, or other sufficient causes, to put into some or one of its ports, and such vessels may have on board some of the hereinafter enumerated articles which it may be necessary to unlade in order to repair such vessels, and enable them afterwards to proceed on their intended voyage:*

XVI. *Be it therefore enacted, by the authority aforesaid, That it shall and may be lawful for the collector of Impost and Excise within the district where any such vessel or vessels may arrive, upon application to him, by the master or consignee thereof, to permit such master or consignee to unlade all such dutiable articles, and to deposit and store the same in the custody of the said Collector, who shall take an exact account of the packages in which such articles are contained, and the contents of each package, and make a correct entry thereof in his book; and such dutiable articles shall remain in the custody of the said Collector until such vessel or vessels shall have been put in a condition to receive the same on board again, and be ready for sea; and upon payment of store rent, and all other reasonable charges that may have been incurred by the unlading and storing the whole or any part of such cargo or cargoes, the said Collector is hereby required to deliver up the same to the said master or consignee, to be exported upon the same restrictions and conditions as such articles duly imported into this Province, and the same shall not be subject to any of the said duties. Provided always, That no person as aforesaid shall be entitled to the benefit of this clause, who shall be proved to have sold any part of the said dutiable articles, except such part as may be sufficient to pay for the necessary repairs of such vessel or vessels, and shall have been permitted to be sold for that purpose by the Commissioners of the Revenue. And provided always, That if any part of the said dutiable articles shall be sold for the payment of the repairs, and other necessary charges that may arise in refitting such vessel or vessels for the prosecution of her or their intended voyage, the same shall be subject to, and pay, the whole of the duties thereon imposed by this Act.*

Vessels laden with dutiable articles, putting into ports in distress.

XVII. *And be it further enacted, That any merchant or distiller, or other person, who shall supply for the use of his Majesty's army, navy or careening yard, any brandy, gin, rum, or other distilled spirituous liquors, or any wines, or brown sugars, for which he shall have paid or secured the duties and rates imposed thereon by this Act, shall be entitled to have credit for, or to be repaid such rates and duties; provided, the said brandy, gin, rum, or other spirituous liquors, or wines, shall immediately on the importation or manufacture thereof, or being prize goods, shall immediately on the sale thereof, pursuant to any orders of the Court of Vice Admiralty, be stored under the inspection of the Collector of Impost and Excise, in a proper warehouse, in the joint custody of the said Collector, and of the merchant, distiller, or other person or persons, who shall supply the same; and unless such brandy, gin, rum, or other spirituous liquors, or wines, shall be delivered out of such warehouse, to the proper person or persons, authorized to receive the same for the use of his Majesty's navy, army, or careening yard, in the presence of such Collector; and unless the same shall also be immediately conveyed from the said store or warehouse, on board of some one of his Majesty's ships of war, or into the careening yard, or delivered over to the Commissary of his Majesty's army, in the presence of such Collector; and if any such brandy, gin, rum, or other distilled spirituous liquors, or wines, so delivered for his Majesty's service, shall afterwards be fraudulently reloaded or sold in this Province, the same shall become forfeited to his Majesty; and every person and persons concerned in such fraudulent reloading, or sale thereof, shall forfeit and pay the sum of fifty pounds, to be recovered in the manner prescribed by this Act.*

Drawback on articles supplied Navy or Army.

Survey of wine,  
&c. intended for  
Navy or Army.

XVIII. *And be it further enacted*, That all brandy, gin, rum, and other distilled spirituous liquors, and wines, which shall be so stored, for the purpose of supplying his Majesty's army, navy, or careening yard, shall be exactly gauged without any allowance of five per cent. for leakage, and the quantity contained in each cask shall be marked by the gauger on the head thereof, on which quantity and no more the person supplying the same shall be repaid or allowed credit, for the rates and duties by him secured or paid.

*And Whereas, it is expedient, that Officers of His Majesty's Navy, be relieved from the payment of any Provincial Duties, on Wines by them exported, and consumed on board the ships of war, or elsewhere, without the limits of the Province :*

Licence to purchase wines, &c. for the Navy.

XIX. *Be it therefore further enacted, by the Lieutenant-Governor, Council and Assembly*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, on the application of the captain or officer commanding any of His Majesty's ships of war, about to leave the Province, to grant a licence to purchase, for the use of the officers of such ships respectively, so many gallons of wine as shall be recommended by the Commissioners of the Revenue as a reasonable allowance for the use of the officers of such ships, so as the same be calculated to supply such officers for a period of at least three months; and the name or names of the person or persons from whom such wines are intended to be purchased shall be inserted in such licence.

Permission to export dutiable articles.

XX. *And be it further enacted*, That the person or persons so selling such wines, shall obtain the necessary Permit, and ship the said wines according to the provisions and under all the regulations herein before prescribed in cases of exportation of dutiable articles out of the Province; and shall also take the exporter's oath required in such cases; and the officers for whose use such wines shall have been so purchased and shipped, shall certify that such wines are actually on board one or more of His Majesty's ships then ready for sea, and that no part thereof shall, with their consent, privity or knowledge, be relanded in this Province; which certificate, together with the licence for such purchases, shall be lodged with the Collector of Impost and Excise, and thereupon the person or persons from whom such wines shall have been purchased, shall be entitled to a drawback of the duties which shall have been paid or secured thereon, in the same manner and proportion as is allowed by this Act, on wines exported out of the Province.

*And whereas, it is highly necessary, for promoting the Agriculture, Fisheries, and Commerce of this Province, that merchants, traders, and others, who shall export the produce or manufactures of the Province, to the West-Indies, or other parts beyond the sea, and who shall bring back the produce of the West-Indies in return for the same, should have some encouragement for carrying on a trade so beneficial to this Country :*

Additional duty on rum, &c. imported—one third of which not purchased with the produce of the Province.

XXI. *BE it therefore enacted, by the authority aforesaid*, That from and after the publication hereof, there shall be paid, levied and collected, to the use of His Majesty as aforesaid, on all brandy, gin, rum and other distilled spirituous liquors, molasses, brown sugar and coffee, which hereafter shall be imported into this Province, the additional rates, duties and impositions, herein after mentioned, over and above the duties herein before imposed thereon, unless one full third part of such brandy, gin, rum and other distilled spirituous liquors, molasses, brown sugar and coffee, shall have been purchased with the proceeds of the produce or manufactures of this Province, to be exported as herein after directed, and unless such brandy, gin, rum, and other distilled spirituous liquors, molasses, brown sugar and coffee, shall be imported in a vessel or vessels owned by an inhabitant or inhabitants of this Province, resident therein, and who shall have resided therein at least six months previous to such importation, or by any firm, or trading

ding company, any of the partners of which have resided as aforesaid, which said further rates, duties and impositions, are as follow, to say :

For and upon every gallon of brandy, gin, rum and other distilled spirituous liquors, one third part of which shall not have been purchased with the produce of the Province, and imported thereinto as aforesaid, Three pence. Duties.

For and upon every gallon of molasses, one third part of which shall not have been purchased and imported as aforesaid, One penny.

For and upon every hundred weight of brown sugar, one third part of which shall not have been purchased and imported as aforesaid, Two shillings and six pence.

For and upon every pound of coffee, one third part of which shall not have been purchased and imported as aforesaid, One penny.

XXII. *And be it further enacted,* That all the said additional rates, duties and impositions by this Act imposed and laid, shall be raised, levied, collected and paid to his Majesty, his heirs and successors, by the ways, means, methods, rules, provisions and directions, and under the penalties, and by the collectors herein prescribed, mentioned, named and expressed. Collection of the Duty.

XXIII. *And be it further enacted,* That all and every of the said herein enumerated articles which have been or shall be brought into this Province under the denomination of prize goods, and which shall be sold therein, by any order of the Court of Vice-Admiralty, and all such enumerated articles which shall hereafter become forfeit to his Majesty on account of illegal importation, or upon any other causes whatsoever, shall be subject to all the rates, and duties imposed upon such articles by this Act, and the respective purchasers of such articles shall be considered as the *bona fide* importers thereof, for the purposes of this Act, and shall make the payments, or give the necessary bonds and securities accordingly, for the amount of the said rates and duties thereon. Prize Goods, &c.

XXIV. *And be it further enacted,* That every owner or master of any ship or vessel, who shall ship and export any goods or merchandise whatsoever, the produce or manufacture of this Province, and who intends to obtain an exemption from the duties herein last before imposed on brandy, gin, rum, or other distilled spirituous liquors, molasses, sugar and coffee, one third of which shall not have been purchased with the produce or manufacture of the Province, shall, at the time of shipping and exporting such goods and merchandise, the produce or manufacture of the Province, deliver to the Collector of Impost and Excise for the district wherein such export and shipment shall be made, an invoice of the articles, goods or merchandise, so to be shipped, specifying the quantities of each article so shipped; and the owner or master so making such shipment and export, shall, at the foot of such invoice, make and subscribe the following affidavit, or, if a Quaker, affirmation, viz :

I, A. B. do swear or affirm that the foregoing invoice is just and true, and that the several articles specified therein, are now actually shipped on board the bound for

and also that the several articles therein specified have been actually and truly purchased or otherwise procured by me within this Province ; which invoice and affidavit or affirmation shall be filed with such Collector, and no brandy, gin, rum, or distilled spirituous liquors, sugar, molasses or coffee, shall be exempted from paying the additional rates and duties herein last before mentioned, unless such brandy, gin, rum, and other spirituous liquors, sugar, molasses and coffee, shall be imported into this Province within eighteen months from the time that the produce or manufactures of this Province, shall have been exported with the proceeds of which produce or manufactures; one third of such Exporters' Oath.



such brandy, gin, rum or other spirituous liquors, sugar, molasses and coffee, shall have been purchased.

Entry of dutiable articles purchased in part with Produce of the Province.

XXV. *And be it further enacted,* That every owner or master of any ship or vessel, who shall import into this Province, any brandy, gin, rum, or other distilled spirituous liquors, molasses, sugar and coffee, which such master or owner, shall require to be freed from the said last mentioned additional duty, by reason of one third part of such brandy, gin, rum or other distilled spirituous liquors, sugar, molasses and coffee, having been purchased with the produce of the Province, shall, within twenty-four hours after such importation, deliver to the Collector of the Impost and Excise for the district, an invoice specifying therein the quantity of such brandy, gin, rum or other distilled spirituous liquors, sugar, molasses and coffee, and shall, at the foot of such invoice, make and subscribe the following affidavit or affirmation, viz: I, A. B. do swear or affirm that the foregoing Invoice is just and true, and that the several articles specified in such Invoice are actually owned by, and belonging to of in and that one full third part in value of the several articles mentioned in such Invoice, were actually and truly purchased with the proceeds of certain goods and merchandizes, the produce or manufacture of the Province, shipped on board the whereof was master, at the day of as will more fully appear by such Invoice and Affidavit thereunto annexed: which Invoice and Affidavit or Affirmation is lodged in the hands of the Collector of in this Province; and I do further swear or affirm, that who is or are an inhabitant or inhabitants within this Province, and whose place of residence has been at within the same for six months last past, is or are the owner or owners of the ship or vessel called the on board of which the several articles contained in the said Invoice are imported.

And it shall and may be lawful for the Collector of Impost or Excise for the District to free so much of the brandy or gin, rum or other spirituous liquors, sugar, molasses or coffee, so imported or specified in such Invoice, as shall amount to three times the value of the proceeds of the goods, wares and merchandizes, the produce or manufacture of the Province, so exported as aforesaid, shall have sold for at the place where the same shall have been sold or disposed of.

Non-resident importers and exporters.

XXVI. *And be it further enacted,* That if any person or persons not being resident inhabitants of this Province, shall import or bring into this Province, any of the said herein enumerated articles, and shall afterwards export the same to any port or place out of this Province, agreeably to the Provisions of this Act, such person or persons on producing the certificates by this Act required, in such cases, shall be entitled to receive credit for, or repayment of, the whole of the additional duties herein before imposed on such articles, besides the drawbacks allowed in the like cases of the duties herein first imposed on the said articles.

The Collector of Impost and Excise, importers, &c. liable to a penalty in certain cases.

XXVII. *And be it further enacted,* That if any Collector of Impost and Excise in this Province shall exempt or free any brandy, gin, rum, or other distilled spirituous liquors, sugar, molasses, or coffee, from the said additional rates and duties herein last before imposed thereon, without the several requisites herein before specified, having been fully complied with, by the master or owner claiming such exemption, and without it fully appearing to such Collector, that such brandy, gin, rum, or other distilled spirituous liquors, sugar, molasses or coffee, is by this Act exempted from such additional duty, such Collector for every such offence shall forfeit and pay the sum of two hundred pounds, the same to be recovered by any person who will sue for the same, in any of His Majesty's Courts of Record within this Province; and any person or persons who make any declarations by this Act required

to be made, on oath or affirmation, which declaration, when made on oath or affirmation, shall be in any respect false and untrue, such person or persons, on due conviction thereof, shall suffer the pains and penalties, by law appointed for persons guilty of wilful and corrupt perjury.

XXVIII. *And be it further enacted*, That on the importation into this Province of any wines, brandy, gin, rum or other distilled spirituous liquors, molasses or sugar, subject to the duties in this Act specified, after the same shall be exactly gauged and weighed, the Collector of Impost and Excise for the district wherein such importation shall have been made, shall deduct five per cent. from the nett weight or quantity of such brandy, gin, rum and spirituous liquors and sugar, and two and a half per cent. from the nett quantity of such wines and molasses so imported, which shall be in lieu of all other allowances heretofore made by any of the revenue laws of this Province on account of leakage or wastage.

Allowance for leakage or wastage.

*And in order to prevent frauds from being committed on the Revenue of this Province, in certain of the outports, by masters and owners of vessels :*

XXIX. *Be it enacted*, That no ship or vessel entering the gut of Annapolis, shall pass the town plot of Digby to unload at Bear River or Moose River, or the creeks in the lower part of the township of Granville, or at any other place or places between the town plot of Digby aforesaid and the town plot of Annapolis, until the master, owner, or consignee of such vessel and cargo respectively, shall have made a report and entry with the Collector of Impost and Excise in the said town plot of Digby, of the whole of the dutiable articles on board such ship or vessel, and shall have secured the duties imposed thereon by this Act; nor shall any ship or vessel entering the gut of Annapolis aforesaid, pass the town plot of Annapolis to unload at any place or places further up the said river, or to the northward or eastward of the said town plot of Annapolis, until a report and entry shall have been made as aforesaid with the Collector of Impost and Excise in the town plot of Annapolis, of the whole of the dutiable articles on board such ship or vessel, and until all the duties imposed thereon shall have been secured according to the provisions of this Act, under the penalty of one hundred pounds for every such offence, to be recovered from the master, owner or consignee, of such ship or vessel.

Vessels entering the Gut of Annapolis laden with dutiable articles.

XXX. *And be it further enacted*, That all and every sum or sums of money arising from, or which shall be collected and paid under and by virtue of this Act, after deducting the expense of collecting the same, shall be paid into the hands of the Treasurer of the Province, quarterly, or oftener, if the same shall be by him demanded.

Revenue to be paid to Treasurer.

XXXI. *And be it further enacted*, That the Collector, Land-Waiver, Weigher, or Guager, or any one or more of them, shall and may, immediately, upon the arrival of any ship or vessel in any harbour, port, or creek, in this Province, either at or before her coming to anchor or wharf, enter on board the same, and have full power and authority to take custody of, and to seize, any ship, vessel, boat, cart, waggon, truck, sled, or horse, on board of or on which any of the above enumerated articles shall be laden or found contrary to the provisions of this Act, and to prosecute the same; and all and every person or persons offending against all or any of the rules, regulations and provisions thereof, to final condemnation, judgment and execution; and shall and may enter into any ships, vessels, boats, houses, shops or cellars, of all and any person or persons in which they or either of them shall have reasonable cause to suspect there is or are any article or articles herein enumerated for which the rates and duties herein mentioned have not been paid or secured, or which has or have been fraudulently reloaded within this Province. *Provided*, That every such Collector

Power of collector, &c.

lector, Land-Waiter, Guager and Weigher, shall, before they or either of them enter into any houses, shops, stores or cellars, on oath, inform some one of His Majesty's justices of the Peace for the county or town wherein such houses, shops, stores or cellars, are situate, that he has cause to suspect there is or are any of the article or articles herein above enumerated, and for which the rates and duties herein mentioned have not been paid or secured, or which has or have been relanded as aforesaid within this Province. And the said Justice is hereby authorised and directed, immediately on the information aforesaid, to attend and go with such Collector, Land-Waiter, Weigher or Guager, to the houses, stores, shops or cellars, aforesaid, and shall then and there require to be admitted into the same, either by personally demanding of some person in or belonging to such dwelling house, shop, store or cellar, or declaring the purpose for which he is about to enter into the same; after which demand or declaration made as aforesaid, in case the door or doors of such dwelling house, shop, store or cellar, shall not be opened, it shall and may be lawful for such Justice of the Peace to direct and order the said Collector, Land-Waiter, Guager or Weigher, forcibly to enter into such dwelling house, shop, store or cellar, as aforesaid, at any time between sun-rising and sun-setting, and to search for any articles herein enumerated, and to seize such of them whereon the said rates and duties shall not have been paid, secured, or permitted to be removed, agreeable to the provisions of this Act.

Penalties and forfeitures for violations of this Act.

XXXII. *And be it further enacted,* That the Collectors of Impost and Excise in their several districts, shall once in every three months, or oftener if they shall think proper, take an account of all the articles subject to duty by virtue of this Act, which shall be in the possession of any person dealing in the said articles within their respective districts, and for that purpose shall and may at any time between the rising and the setting of the sun, on any day, enter into any house, cellar, shop, or store house, of any person or persons dealing in the said articles: and if any person or persons so dealing in articles liable to duty as aforesaid, shall refuse to open the door of his, her, or their house, cellar, shop or store house, or shall prevent or obstruct such Collector from entering into such cellar, shop or store house, for the purpose aforesaid, such person or persons shall forfeit the sum of one hundred pounds, to be recovered by such Collector, by bill, plaint or information, in any of his Majesty's Courts of Record within this Province.

Oaths appointed by this Act — how administered.

XXXIII. *And be it further enacted,* That each and every Collector, shall and are hereby authorised to administer any and all the oaths by this Act appointed to be taken and made; and that if any such Collector shall omit to administer or shall dispense with any of the oaths by this Act required to be taken by the persons therein mentioned, such Collector shall forfeit and pay the sum of one hundred pounds for each and every neglect; and that in case any person or persons shall make oath to any false reports, or shall swear falsely to any other matter or thing hereby required to be verified on oath before such Collector, the person or persons so offending shall be deemed guilty of corrupt and wilful perjury.

Obstructing the collector, &c.

XXXIV. *And be it further enacted,* That if any person or persons shall obstruct or assault, with intent to obstruct any Collector or other officer of Excise, in the execution of the duties of their respective office or offices, such person or persons, so offending, shall forfeit and pay the sum of one hundred pounds: one half thereof to and for the use of his Majesty, his heirs, and successors, for the support of the Government of this Province; the other moiety to the use of any person or persons who shall sue for the same, by action of debt, bill, plaint or information, in his Majesty's Supreme Court.

Actions against collector, &c.

XXXV. *And be it further enacted,* That if any action or suit shall be commenced against any Collector,

Collector, or other officer or officers, by any person or persons, for any thing by him done in the execution of his office, by virtue or in pursuance of this Act, he or they shall or may plead to such action or suit the general issue, and give the special matter in evidence, at the trial to be had thereon; and if it shall appear to have been done in pursuance of, and under the authority of this Act, the jury shall find for the defendant or defendants, and such defendant or defendants shall recover his or their costs of suit.

XXXVI. *And be it further enacted,* That all fines, penalties and forfeitures, for any offence against this Act, shall be prosecuted, levied and recovered, by bill, plaint or information, in any of his Majesty's Courts of Record within this Province; and that one moiety of such fines, penalties and forfeitures, shall be to his Majesty, his heirs and successors, to be applied to the support of the Government of this Province; the other moiety to him or them who shall discover, inform or sue for the same, together with full costs of suit; and that on all prosecutions for any fines, penalties and forfeitures, for any offence against this Act, the prosecutor and defendant shall be entitled to demand a special jury for the trial thereof, and to take the depositions of witnesses, to be used in evidence at such trial, as is practised and authorised by the laws and usages of this Province in civil actions.

Recovery of penalties, &c.

XXXVII. *And be it further enacted,* That the monies which shall be paid into the Treasury by virtue of this Act, shall, from time to time, be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, by warrant under his hand and seal, pursuant to the instructions and directions of His Majesty, in payment and discharge of any monies appropriated or to be appropriated by any Act or Acts of the General Assembly, for the support of His Majesty's Government, and for other public uses of this Province.

Application of Revenue.

XXXVIII. *And be it further enacted,* That out of the monies which shall hereafter be secured, collected and paid in cash into the Treasury of the Province, by the Collector of Impost and Excise for the district of Halifax, by virtue of this Act, there shall be allowed and paid to the said Collector the sum of three pounds ten shillings for every hundred pounds so by him collected and paid into the Treasury.

Allowance to Collector of Halifax.

*Provided always,* That if the amount of the commission granted by this Act, or any other Act of the General Assembly, to the Collector of Impost and Excise, of the district of Halifax, shall exceed in the whole the sum of seven hundred pounds, for the year ending on the eighteenth day of March, one thousand eight hundred and sixteen, the surplus shall be accounted for, and paid by the said Collector, into the Treasury of the Province.

Proviso.

XXXIX. *And be it further enacted,* That this Act, and every matter, clause and thing, herein contained, shall be and remain in full force and virtue until the twenty-fourth day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and no longer.

Continuation of this Act.

### CAP. III.

An ACT to continue the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the thirty-second year of His present Majesty's reign, entitled, An Act for the further increase

ACTS,  
32d Geo. III.

create

48. h Geo. III. create of the Revenue, by raising a duty of Excise on all goods, wares and merchandise, imported into this Province; also, the Act, made in the forty-eighth year of His said Majesty's reign, for repealing so much of the aforesaid Act as exempts from such duty certain articles therein enumerated, and for declaring what goods, wares and merchandise, shall hereafter be exempt from such duty of Excise; and also the Act, made in the fifty-fourth year of His present Majesty's Reign, entitled, An Act to continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a duty of Excise on all goods, wares and merchandise, imported into this Province; and every matter, clause and thing, therein mentioned, be continued, and the same are hereby continued, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and sixteen, and no longer.

54th Geo. III.  
Continuation of Act.

## CAP. IV.

An ACT to repeal the first clause of an Act, made in the twenty-eighth year of his Majesty's reign, entitled, An Act in amendment of an Act, made in the twenty-first year of his Majesty's reign, entitled, An Act in addition to an Act, made in the tenth year of his present Majesty's reign, entitled, An Act for establishing the Toll to be taken at the several Grist Mills in this Province.

1st sec. 28th Geo. III. repealed.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the first clause or section of the aforesaid Act, made and passed in the twenty-eighth year of His Majesty's reign, and every matter and thing in the same contained, is hereby repealed; any thing in the said Act to the contrary notwithstanding.

## CAP. V.

An ACT in amendment of an Act, passed in the last Session of the General Assembly, entitled, An Act to enable the Proprietors to repair the Meeting-House at Truro; to enclose the Burying Place belonging to the same; and also to assess Monies for defraying the expences thereof.

Enclosing Burying-Place at Truro.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the expence which may be incurred by enclosing the Burying Place at Truro, shall be assessed, collected and levied, in the same manner, and by the same rules, as Poor Rates are assessed, collected and levied, on all the Inhabitants of Truro, who usually attend Divine Worship at the Meeting-house there, and claim privilege in the said Burying Place.

Right to Burying-Place.

II. *And be it further enacted*, That the said burying-place when so enclosed shall and be deemed the common burying-ground for all persons inhabiting or residing within the township of Truro.

CAP. VI.

An ACT to continue an Act, passed in the fifty-second year of His present Majesty's reign, entitled, An Act in further addition to the Act relating to Wills, Legacies, and Executors; and for the settlement and distribution of the Estates of Intestates.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the fifty-second year of His present Majesty's Reign, entitled, An Act in further addition to the Act relating to Wills, Legacies and Executors, and for the settlement and distribution of the estates of Intestates, be continued, and the same is hereby continued for the space of three years from the publication hereof, and from thence until the end of the next Session of the General Assembly.

Act 52d Geo. III. continued three years.

CAP. VII.

An ACT to revive and continue an Act, passed in the fifty-first year of His present Majesty's Reign, entitled, An Act for the more easy recovery of Debts against Co-Partners and Joint Debtors.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, the Act, passed in the fifty-first year of his present Majesty's reign, entitled, An Act for the more easy recovery of Debts against Co-Partners and Joint Debtors, be revived, and the same is hereby revived and continued in full force and virtue, for and during the space of three years from the publication hereof, and from thence to the end of the next Session of the General Assembly.

Act 51st Geo. III. continued three years.

CAP. VIII.

An ACT in addition to, and amendment of an Act, passed in the twenty-second year of His Majesty's Reign, entitled, An Act to restrain Hawkers and Pedlars, and Petty Chapmen, not duly licenced to trade, travelling to and fro through the Country.

**W**HEREAS, the monies arising from the duty or rates, fines and forfeitures, imposed by the Act, of which this is an amendment, are appropriated for the repair of Roads and Bridges throughout the Province, under the direction of the Governour, Lieutenant-Governor, or Commander in Chief, which is found inconvenient:

Preamble.

I Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That the monies arising by virtue of the said Act, shall be paid into the Treasury of the County or District in

All monies to be paid into County Treasury.

which

which the same is received, and shall be added to the fund raised in each County or District respectively, by the granting licences to retail spirituous liquors, and shall be disposed by the respective Grand Jurors, and Court of General Sessions accordingly.

### CAP. IX.

An ACT for Establishing a Bridewell, or House of Correction, for the County of Halifax, and for the better and more effectual administration of the Office of a Justice of the Peace in the Township of Halifax, and for providing a Police Office in said Town, with proper officers to attend the same.

Preamble.

**W**HEREAS, it is expedient for the suppression of vice, and the correction of disorderly persons within the township of Halifax, that a Bridewell, or House of Correction, should be established in the said township :

Bridewell, how provided.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Justices of the Peace for the County of Halifax, at their next or any other General Sessions of the Peace to be holden for the said County, after the passing of this Act, to build, buy, hire, or otherwise provide or agree for any house, building, lands, tenements, or hereditaments, within the said township of Halifax, which they the said Justices so assembled in General Sessions, shall adjudge necessary for the purposes of establishing a Bridewell, or House of Correction ; and the said Justices in Sessions may make such orders as may be necessary for the building, repairing, fitting and accommodating the same as a Bridewell, or House of Correction, at such price or prices as to the said Justices, so assembled, shall seem reasonable.

Keeper of Bridewell, how appointed, &c.

II. *And be it further enacted,* That in case the said Justices may deem it expedient to purchase a situation for the purposes aforesaid; upon payment of the price or prices so agreed or contracted for the purchase of any such house, building, lands, tenements or hereditaments, to the party or parties concerned respectively, such house, building, lands, tenements, or hereditaments shall, from thenceforth, by virtue of this Act, be used, employed, governed, and managed, as and for a Public Bridewell, or House of Correction ; and it shall and may be lawful for the said Justices in General or Special Sessions of the Peace, from time to time hereafter, to appoint a Keeper of the said Bridewell, or House of Correction, which Keeper shall have the powers and authorities, and be subject to the like regulations, as are given and provided for the Keeper of an House of Correction by virtue of an Act of the thirty-third year of His late Majesty, entitled, An Act for regulating and maintaining an House of Correction or Work-House within the town of Halifax, and for binding out Poor Children.

Overseers of Bridewell.

III. *And be it further enacted,* That the said Justices in their General Sessions of the Peace, shall and may from Session to Session, depute such and so many Justices as shall be found proper, to agree and contract with such keeper for the care of the said Bridewell or House of Correction, and for managing and directing the affairs of the same, in like manner as the Overseers of the Poor of the Town of Halifax are authorized and empowered by virtue of the first clause of the afore-recited Act, of the thirty-third year of his late Majesty.

Persons liable to be committed to Bridewell.

IV. *And be it further enacted,* That it shall and may be lawful for the Justices of the Peace for the County of Halifax, in their General Sessions, or for any one or more of the said Justices of the Peace, at any time, to commit to the said Bridewell or House of Correction, there

to be kept, governed and punished, according to the rules and orders thereof, and the provisions of the last mentioned Act of the thirty-third year of his late Majesty's reign, all disorderly and idle persons, and all persons who shall be found begging, or practising any unlawful game, or pretending to fortune-telling, common drunkards, persons of lewd behaviour, vagabonds, runaways, stubborn servants, apprentices and children, and all persons who notoriously mispend their time to the neglect and prejudice of their own or their family's support, upon due conviction of such person or persons of any of the said offences, or disorderly conduct.

V. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to appoint from amongst those who are or hereafter may be Justices of the Peace in and for the County of Halifax, three fit and proper persons, one of whom in his capacity as a Justice of the Peace for the said County, shall diligently attend daily, throughout the year during the hours mentioned and expressed in the appointment of such Justices, (public holy-days only excepted) at a public office to be for that purpose fixed and established by the authority aforesaid, within the Town of Halifax aforesaid; and such Justice, so duly attending, shall and may, by himself, or in conjunction with any other of his Majesty's said Justices of the Peace who may think proper to attend at said office, hear and determine all and every criminal offence or prosecution for any penalty or forfeiture now properly cognizable by a single Justice of the Peace, and shall and may do, perform and execute, each and every act, matter and thing, appertaining to the said office of a Justice of the Peace, necessary for the apprehension, committal, conviction, and punishment of criminal offenders, and for carrying into effect the Laws now in force for the preservation of peace and good order.

Appointment of  
Sitting Justices—their powers and duties.

And whereas, the law may require two or more Justices of the Peace to hear and determine any criminal offence:—It shall be lawful for the said Justice so attending at said office, to call to his assistance one or more of the said Police Justices, or any other of the Justices of the Peace for the said County, who shall and may attend and unite with said sitting Justice to hear and determine any offence made cognizable by two or more of his Majesty's Justices of the Peace. And it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice of His Majesty's Council, to remove all or any of said Justices after appointment as aforesaid, and to nominate another or others in his or their place or stead, and so from time to time upon any vacancy by death or otherwise, to appoint other fit and proper persons, being Justices of the Peace for the said County of Halifax, to execute the duties of said office in his or their place. *Provided always*, That nothing in this Act shall extend, or be construed to extend to prevent all or any of the other Justices of the Peace for the said County of Halifax, from executing as heretofore all the powers and authorities given to him and them in and by the Commission of the Peace for said County.

Assistance to  
Sitting Justices.

Removal of  
Sitting Justices.

Proviso.

VI. *And be it further enacted*, That the said Justices, when so appointed as aforesaid, shall have power to chuse and select a fit and proper person, who shall attend each and every day during the hours to be appointed as aforesaid, in the said office, and there officiate under the direction of the sitting Justice, as Clerk to the said Justices: and the person so to be appointed Clerk as aforesaid shall, previous to his taking upon himself the said office, be sworn to the due and faithful performance of his duty therein, and shall, in all respects, conduct himself in the office of Clerk aforesaid, under the direction of the said Justices; and shall faithfully account with the Justices in Sessions, quarterly, for all penalties and forfeitures levied, received

Clerk to Sitting Justices—how appointed, his duty, &c.



Constables to attend Sitting Justices.

Removal of Clerk and Constables.

Power of Constables and Peace Officers.

Assistance to Constables and Peace Officers.

Revenue of Market Houses, how applied.

Inhabitants of Halifax may be assessed, under certain circumstances.

received and paid, at said office; and shall pay over to the County Treasurer the proceeds thereof. And it shall also be lawful for the said Justices to nominate and appoint three fit and proper persons, who shall serve as Constables in and for the said Township of Halifax, who shall be respectively sworn to the faithful discharge of their duty, in the same manner, as Constables are now sworn: and one of such Constables shall daily attend upon the said Justices at said office, at such times and in such manner as may by them be required and directed; and the said Justices shall have power, when and so often as they shall think fit and proper, to remove the Clerk or Constables so by them chosen and appointed, and to appoint another or others in stead of the person so removed or discharged.

VII. *And be it further enacted*, That, from and after the passing of this Act, it shall and may be lawful for the Constables so to be appointed as aforesaid, and for all other Constables and Peace Officers, belonging to the said Township of Halifax, or any one of them, of his and their own authority, to apprehend, and immediately bring before the Justice of the Peace sitting at said office, or any other of His Majesty's Justices of the Peace for said County, all Breakers of the Peace, Idle or Disorderly Persons, Common Beggars, Sabbath Breakers, Gamblers, Fortune Tellers, Common Drunkards, Men and Women of Lewd Behaviour, Vagabonds and Runaways, or Men and Women found frequenting any Disorderly House or Houses of Ill Fame, so that such offenders may be dealt with according to law; and all persons, when called on by any one or more of said Constables, or Peace Officers, to aid and assist him or them in executing the duties aforesaid, such person or persons are bound immediately to give them aid and assistance so required; and if any person or persons when called on as aforesaid, shall neglect or refuse to give his or their aid and assistance to such Constable or Peace Officer as shall require the same, every person so refusing shall forfeit and pay for each and every offence, a fine or penalty not exceeding twenty shillings, nor under five shillings—the same to be recovered in the common form before any one of His Majesty's Justices of the Peace, for the said County of Halifax.

VIII. *And be it further enacted*, That after paying all debts, dues, and all the costs and charges of keeping in repair the County Court House, Market Houses, and buildings of every kind, appertaining to the said Town of Halifax, the surplus and remainder of the rents, issues and profits thereof; and all fines, forfeitures and penalties, of every kind, levied and recovered on behalf of the King in the Court of General Sessions of the Peace for said County, or before any one or more of the Justices of the Peace for said County, and such parts of the Licence Duties as are appropriated for that purpose, shall constitute and make a fund in the hands of the County Treasurer, to defray the expence and charge of executing this Act; and the Treasurer of the said County shall pay the same agreeably to the orders of Sessions from time to time made for that purpose; and shall deliver annually to His Majesty's Council an exact and correct account, audited and certified by the said Justices in Session, of all receipts, payments and expenditures, of monies received and paid by him on account of said buildings, markets, and public property, and for fines and forfeitures, licence duties, or other funds of any kind, raised for and chargeable with the expenditures under and by virtue of this Act.

IX. *And be it further enacted*, That all and every sum or sums of money that may be requisite and necessary, over and above the funds otherwise provided for paying and fully discharging all and every expence which may be incurred in the execution of this Act, shall and may be raised by Presentment of the Grand Jury of said County, at the next General Sessions of the Peace for the said County of Halifax, or at any future Sessions for the said County; and the sum or sums of money, so from time to time presented as aforesaid, when such Presentment

Presentment or Presentments shall have been confirmed and approved of by the Justices in their said Sessions, shall and may be assessed, levied and collected, upon and from the Inhabitants of the said County of Halifax, in the same manner, and by the same means as the other County Rates are now levied and collected; and, when collected, the same shall be paid agreeably to the orders and directions of the Justices for the said County assembled in General Sessions of the Peace as aforesaid.

X. *And be it further enacted*, That there shall be allowed and paid to such one of the Justices to be appointed as aforesaid, under and by virtue of this Act, who shall daily attend at such office as aforesaid, for each and every day of his attendance as aforesaid; the sum of eleven shillings and eight pence.

Allowance to sitting Justices.

XI. *And be it further enacted*, That the said Clerk, and the said Constables, shall be paid respectively such sum or sums of money for their daily attendance upon the duties to be performed under and by virtue of this Act, as the said Justices of the Peace, in their General Sessions for the County of Halifax, shall, by an annual table, regulate and appoint.

Allowance to Clerk and Constables.

XII. *And be it further enacted*. That this Act, and every matter, clause and thing, herein contained, shall be continued in force for three years from the publication thereof, and from thence to the end of the next Session of the General Assembly.

Continuation of Act.

## CAP. X.

An ACT in addition to, and amendment of, an Act, passed in the forty-eighth year of His present Majesty's reign, entitled, An Act to impose and appropriate an additional Duty on all Wine hereafter to be imported into this Province.

**W**HEREAS the Act, by the provisions and directions of which the additional duty imposed by the said Act hereby amended, was to be levied, collected and paid, hath been suffered to expire :

Preamble.

I. *Be it therefore enacted*, by the Lieutenant-Governor, Council and Assembly, That the additional duty of six pence per gallon imposed by the said Act hereby amended, on all Wine to be imported into this Province, shall be raised, levied, collected and paid, by the ways, means, methods, rules, provisions and directions, and under the same penalties, and by the Collectors prescribed, mentioned, named and expressed, in and by an Act, passed in the present Session of the General Assembly, entitled, An Act for granting to His Majesty certain Duties on Wine, Brandy, Gin, Rum and other Distilled Spirituous Liquors, Molasses, Coffee and Brown Sugar, for the support of his Majesty's Government, and for promoting the Agriculture, Commerce and Fisheries of this Province.

Additional duty on Wine.

## CAP. XI.

An ACT to extend to the Town of Pictou the several Acts for appointing Firewards.

**W**HEREAS the increase of the town of Pictou renders it necessary that Firewards should be appointed there, and proper precautions taken to preserve said Town from the danger of Fire :

Preamble.

Act 32d Geo.  
III. extended  
to Pictou.

I, *Be it enacted by the Lieutenant-Governor, Council and Assembly,* That from and after the publication hereof, the Act of the General Assembly, made in the thirty-second year of His Majesty's reign, entitled, An Act for appointing Firewards, ascertaining their duty, and for punishing Thefts and Disorders at the time of Fire; and all the several Acts which have been since made and passed in addition to, and amendment thereof: and all the several clauses, matters and things, contained therein, shall be, and the same are hereby extended to the Town of Pictou; and the Justices, in their Sessions for the District of Pictou, Justices of the Peace, and all other persons whatsoever, in and within the said Town of Pictou, are hereby bound strictly to conform to the said Acts, and to carry the same into execution within the said Town, in as full and ample a manner, to all intents and purposes, as if the said Town of Pictou had been originally named therein.

CAP. XII.

An ACT to repeal the several Acts of the General Assembly of this Province, herein after mentioned.

Act 52d Geo.  
III. repealed.

Act 53d Geo.  
III. repealed.

**B**E *it enacted, by the Lieutenant-Governor, Council and Assembly,* That an Act of the fifty-second year of His present Majesty, entitled, An Act for granting to His Majesty an additional Revenue to defray the Expence of the War, and to appoint Commissioners to borrow Money for the use of the Province; and also an Act, made in the fifty-third year of the reign of his said Majesty, in addition to the said Act, entitled, An Act in addition to an Act, passed in the fifty-second year of His present Majesty's reign, entitled, An Act for granting to His Majesty an additional Revenue, to defray the Expence of the War, and to appoint Commissioners to borrow Money for the use of the Province, be repealed, and the said Acts, and every clause, matter and thing, therein contained, are hereby repealed accordingly.

CAP. XIII.

An ACT to continue an Act to provide for the support of a Light House at the South End of Coffin's Island, on the Eastern side of the entrance of Liverpool Harbour.

Act 52d Geo.  
III. continued.

**B**E *it enacted, by the Lieutenant-Governor, Council and Assembly,* That an Act, passed in the fifty-second year of His present Majesty's reign, entitled, An Act to provide for the support of a Light-House on the South End of Coffin's Island, on the Eastern Side of the entrance of Liverpool Harbour, be continued, and the same is hereby continued, in full force and virtue, for the space of Three Years from the publication hereof, and from thence until the end of the next Session of the General Assembly.

## CAP. XIV.

## An ACT to provide an Easier Method than is now used for Barring Estates Tail in Lands.

**W**HEREAS the method now in use for Barring Estates Tail in Lands and Hereditaments by common Recovery covers suffered at common Law, is liable in this Province to many objections: Preamble.

I. *Be it therefore enacted by the Lieutenant-Governor, Council and Assembly,* That whenever, after the publication of this Act, any person, being the tenant in fee tail of any lands, tenements or hereditaments, within this Province, and of full age, and entitled, by virtue of the Laws now in force in England, if such Lands were situate in that Kingdom, to suffer a Common Recovery, of such Lands, shall be desirous of Barring the Estates Tail therein, such Tenant in Tail shall personally appear before the Justices of the Supreme Court of Judicature of this Province on some day in term time, in the County where the lands, tenements, or hereditaments, intended to be conveyed, be situate, and then and there shall cause the said Court to be moved for leave to acknowledge the execution of any Indentures of Lease and Release, whereby the lands, tenements and hereditaments, held in Fee Tail, shall be granted and conveyed to any person or persons capable by Law of holding lands in this Province, for any uses, intents and purposes, in such Indentures to be expressed; and also for a rule of the said Court that such Indentures be enrolled of record therein, for the purpose of Barring the Estates Tail in such lands; and shall also then and there exhibit to the said Justices the said Indentures, and prove the Deed or Instrument whereby such Estates Tail were created; and that, by force of such gift, he, the party applying as aforesaid, is Tenant in Tail, and entitled as aforesaid to suffer a Common Recovery of the Lands granted in the Indentures so intended to be acknowledged; whereupon the said Court shall take the acknowledgment by the said Tenant in Tail of the due and voluntary execution of the said Indentures, and cause an entry of such acknowledgment to be made by the proper officer: and shall make a Rule of the said Court, thereby ordering, that, unless good and sufficient cause to the contrary be shewn before the last day of the Term then next ensuing, the said Indentures, so acknowledged, shall be enrolled of Record of the said Court, for the purpose of Barring all Estates Tail in the lands and tenements in the said Indentures mentioned; and further, shall direct a copy of such Rule, and a Notice of the application for the same, and for all persons interested in the said lands held in Tail, to appear in the said Court, and to shew cause, if any they have against the said Rule, before the same shall expire, to be inserted in the Newspaper called the Royal Gazette, at Halifax, continually from the date of the said Rule until the time for shewing cause against it shall be elapsed.

Acknowledging Indentures of Lease and Release.

Record.

Rule of Supreme Court.

Notice of Rule.

II. *And be it further enacted,* That if sufficient cause against enrolling the said Indentures for the purpose of Barring such Estates Tail be not shewn to the said Court before the last day of the Term next ensuing that in which the Rule shall be granted, the same on that day, upon proof being given of the insertion of the notice aforesaid in the said Newspaper, shall be made absolute, and the same Indentures, and all the proceedings relating thereto, shall be enrolled of Record of the said Court, after a docquet of the judgment for such enrolment shall have been signed in the same manner as the docquets of other judgments of the said Court in civil cases.

If objection is Record.

Rule of Record made absolute.

III. *And be it further enacted,* That such Indentures so enrolled as aforesaid, shall, from the time

time of their enrolment, be sufficient and effectual in Law to Bar all Estates Tail in the lands, tenements and hereditaments, by the said Indentures granted and conveyed, with their appurtenances, and all right and title of the Tenant or Tenants in Tail, and of their Issue in Tail, and of all others claiming under and by force of the original gift or grant which created such Estates Tail in and to the same lands, tenements and hereditaments; and all reversions and remainders expectant upon the determination of such Estates Tail; and to pass and to vest the said lands, tenements and hereditaments, in such Indentures contained, with their appurtenances, to and for such estates, uses and purposes, as shall be limited, expressed and declared, therein, as fully and effectually as if the party by whom such Indenture shall be acknowledged were seized of an Estate in fee simple at the time of making such acknowledgment, or had suffered a common recovery in His Majesty's Court of Common Pleas at Westminster, in England, for the same lands within its jurisdiction. *Provided nevertheless*, That the same Indentures be also duly registered in the Registry of Deeds in the County or District wherein the lands thereby conveyed are situate.

Barring Estates Tail.

Proviso.

## CAP. XV.

An ACT to continue, alter and amend, the several Acts of the General Assembly of this Province, now in force, relating to a Militia.

Act 48th Geo. III.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the forty-eighth year of His Majesty's Reign, entitled, An Act to provide for the greater security of this Province by a better regulation of the Militia, and to repeal the Militia Laws now in force, and the several Acts of the General Assembly, to alter and amend the same, be, and they are, except so far as the same are hereby altered and amended, continued until the thirty-first day of March, which will be in the year of our Lord One Thousand Eight Hundred and Sixteen, and from thence to the end of the next Session of the General Assembly.

Continued to 31st March 1816.

*And whereas it is not expedient in a time of Peace to have Six Meetings of the Militia by Companies, and two by Battalions, in each Year :*

Annual number of Militia meetings.

II. *Be it therefore enacted*, That, instead of Six Meetings, by Companies, in each year, there shall be two Company Meetings, and two Battalion Meetings, in each and every year, and no more, any thing in the said recited Acts to the contrary notwithstanding.

Justices of the Peace exempted from Militia Duty.

III. *And be it further enacted*, That all and every of his Majesty's Justices of the Peace in this Province, not being Militia Officers, be exempted from the provisions of the several Acts of the General Assembly relating to the Militia, in the same manner as if they had been comprehended with the several persons excepted in the tenth section of the Act passed in the fifty-third year of his present Majesty's Reign, to alter, amend and continue the several Acts of the General Assembly of this Province, then in force, relating to a Militia.

## CAP. XVI.

An ACT to regulate Markets in the Town of Halifax; and also, to repeal an Act, passed in the thirty-ninth year of His present Majesty's reign, entitled, An Act for repairing, or rebuilding, the Market House, and regulating the several Markets in the Town of Halifax; and also to revive, alter, amend, and bring into one Act, the Act for preventing Fraud by Butchers and Fishmongers, and the Act made in the thirty-fourth year of His late Majesty's reign, for regulating and establishing a Public Market in the Town of Halifax.

**W**HEREAS the building, commonly called the Country Market House, in the Town of Halifax, was erected by Commissioners appointed under the above recited Act at the expence of the Province, upon a certain piece of ground granted in special trust to and for the use and benefit of the Inhabitants of the said Town of Halifax. And whereas, it is intended to relinquish all right which the Province has to the said Building as a Public Country Market, under and by virtue of the said Act, and to the rents, issues and profits; now due, or which may hereafter arise from the said Building, and also from the Fish Market and the Market Slip:

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That the said Act, passed in the thirty-ninth year of his present Majesty's reign, entitled, An Act for repairing or rebuilding the Market-House, and regulating the several Markets in the Town of Halifax; and also to revive, alter, amend and bring into one Act, the Act for preventing fraud by Butchers and Fishmongers; and the Act, made in the thirty-fourth year of his late Majesty's reign, for regulating and establishing a Public Market in the Town of Halifax; and every matter, clause and thing, therein contained, be, and the same are hereby, repealed.

Act 39th Geo. III. repealed.

II. *And be it further enacted,* That the Justices of the Peace for the County of Halifax, resident in the Town of Halifax, be, and they are hereby, empowered from time to time, at any General or Special Sessions of the Peace for the said County, to make bye-laws, rules and regulations, for renting, repairing and regulating, the said Markets and Market Slip, and to enforce such bye-laws, rules and regulations, by a penalty not exceeding five pounds for each offence.

Management of the Market-Houses, &amp;c.

III. *And be it further enacted,* That the monies arising from the rents of the said buildings, shall be collected by such person or persons as the said Justices in their Sessions may from time to time appoint to collect the same, and shall be paid into the hands of the Treasurer of the Town and County of Halifax, to be applied under their directions, for the repairs of the said buildings, and for the support of such Police Officer or Officers for the said Town of Halifax, as may be hereafter appointed.

Rents of Market Houses, &amp;c. how collected and applied.

IV. *And be it further enacted,* That the Keepers of the said Markets, who shall from time to time be appointed by the said Justices, and also the Clerks of the Market for the town of Halifax, at the time of their taking upon them such offices, shall be sworn faithfully to discharge the duties of their office, and shall use their utmost endeavours to carry into execution the bye laws, rules and regulations, made by the said Justices, by virtue of this Act.

Keepers of Market Houses, and Clerks of Market—their duty, &amp;c.

V. *And be it further enacted,* That all penalties and forfeitures incurred by virtue of this Act, shall be recovered, with costs, before any two Justices of the Peace for the said Coun.

Penalties—how recovered and applied.

ty; one half of such penalties and forfeitures shall be paid to the prosecutor, and the residue to the Treasurer of the County and Town of Halifax, to be applied in the same manner as the rents of the Market are herein before applied.

6371. Os 8d. appropriated for building a Bridewell.

VI. *And be it further enacted*, That the sum of five hundred and fourteen pounds twelve shillings and three pence, paid into the Treasury by the late Commissioner of the Markets, and the sum of one hundred and twenty-two pounds eight shillings and five pence, in the hands of the present Commissioner, making in the whole the sum of six hundred and thirty-seven pounds and eight pence, shall be appropriated and applied in aid of the inhabitants of the township of Halifax, towards the erection of a Bridewell or House of Correction in the said Township, and shall be paid into the hands of such person or persons as shall be appointed for that purpose.

## CAP. XVII.

An ACT to revive, alter and continue, the several Acts of the General Assembly, for raising a Revenue to repair the Roads throughout the Province, by laying a Duty on Persons hereafter to be licenced to keep Public Houses and Shops for the retail of Spirituous Liquors.

39th Geo. III.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the thirty-ninth year of His present Majesty's reign, entitled, An Act for raising a revenue to repair the Roads throughout the Province, by laying a duty on persons hereafter to be licenced to keep Public Houses or Shops for the retail of Spirituous Liquors, and for regulating such Public Houses and Shops; also, the several Acts, passed in the fortieth, forty-first and forty-sixth years of His Majesty's reign, for reviving, altering, continuing, amending, and adding to the said Act, and every matter, clause and thing, therein contained, except so much thereof as are hereby altered, and except the fourteenth section, or clause, of the said first mentioned Act, so passed in the thirty-ninth year of His present Majesty's reign, shall be, and the same are hereby revived and continued in force for one year from the publication hereof, and no longer.

40th Geo. III.  
41st Geo. III.  
46th Geo. III.  
Partly revived  
and continued

Licences may  
be granted.

II. *And be it further enacted*, That from and after the publication hereof, it shall and may be lawful for the Justices in their Sessions, in the several Counties and Districts in the Province, to grant Licences, agreeably to the provisions contained in the Acts hereby revived and continued, to such persons as they, the said Justices in Sessions, shall deem fit and proper, without any previous nomination or recommendation of the Grand Juries of the several Counties or Districts, any thing contained in the said Acts to the contrary notwithstanding.

Licences may  
be suspended.

III. *And be it further enacted*, That if complaint shall be made, on oath, to any two Justices of the Peace for the County of Halifax, that any person, licenced to sell spirituous liquors by retail, keeps a disorderly house, or hath, in any other respect, neglected or refused to conform to the rules and regulations of the Acts aforesaid, it shall be lawful for such Justices, if the complaint shall appear to them to be well founded, to suspend the licence of such person so complained against, and to direct notice of such suspension to be given to him by the Clerk of the Licences: and if, after such notice, the person, whose licence has been so  
suspended

suspended, shall presume to sell or retail any wine, ale, cyder or perry, or any rum or other distilled spirituous liquors, until such suspension shall be removed, such person shall suffer and pay the penalties and forfeitures imposed by the said Acts on persons convicted of selling spirituous liquors without licence. *Provided always*, That the person or persons whose licence hath been so suspended, may appeal from the order of said Justices to the next General Sessions of the Peace for the County of Halifax, and the complaint being removed into the said Court of Sessions, the Clerk of the Peace shall prepare and file an information accordingly, to which the Appellant shall plead without delay, and the cause shall be tried by a Jury, and if the Appellant is acquitted, such suspension shall forthwith be removed; but if he be convicted, his Licence shall be wholly taken away, and his Licence Bond shall be put in suit against him and his Sureties.

Suspension of Licences appealed against.

Licence Bonds prosecuted.

IV. *And be it further enacted*, That the Clerks of the Licence for the several Counties and Districts of this Province, shall, once in every quarter, render a just account, and pay into the hands of the respective Treasurers of such County or District, all monies and fines received by them by virtue of this Act, deducting therefrom seven and a half per cent. for their trouble.

Clerk of Licences to account quarterly. Allowance to Clerk of Licences.

V. *And be it further enacted*, That the Treasurer of the County of Halifax shall, once every quarter, pay to the Commissioners appointed for the repairing, paving, and keeping in repair, the Streets of Halifax, three-fifth parts of all monies received by him under and by virtue of the several Acts hereby revived and continued, to be, by the said Commissioners, expended in making and repairing the Roads, Streets and Lanes, within the Town of Halifax: and the said Commissioners shall account for the same in the same manner they are by Law required to account for the expenditure of all other monies. And the said Treasurer shall, from time to time, pay the remaining two-fifth parts of all monies so received by him, to such person or persons as the Justices, in their Sessions, shall order. *Provided*, The person or persons so appointed to receive the amount of such order or orders, shall have been appointed Police Officers under and by virtue of an Act, passed in the present Session of General Assembly, entitled, An Act for establishing of a Bridewell, or House of Correction, for the County of Halifax, and for the better and more effectual administration of the Office of a Justice of the Peace in the Township of Halifax, and for providing a Police Office in said Town, with proper Officers to attend the same.

Application of Licence Duty in Halifax.

Proviso.

VI. *And be it further enacted*, That all monies raised in the other Counties and Districts of this Province, shall be appropriated and applied by the Justices, in their Sessions, for the several Counties or Districts, to the making, opening and repairing, the Public Roads, making and repairing Bridges, or establishing Ferries, throughout the several Counties or Districts within which such Monies shall have been collected.

Application of Licence Duty in Counties and Districts.

## CAP. XVIII.

An ACT imposing a Duty on Articles to be imported from the United States of America, and for appropriating the same.

**B**E it enacted by the Lieutenant-Governor, Council and Assembly, That from and after the publication hereof, all Goods, Wares and Merchandise, which shall be imported from any

Duty on Articles imported from U. States.

Port



Port or Place within the United States of America, except the articles herein after enumerated, shall be liable to, and pay, a duty of ten per cent. *ad valorem*; to be levied and received in the current money of the Province by the Collectors of Impost and Excise; to be estimated according to the original invoice to be produced by the importer or importers thereof, on oath, before the landing of any such articles, except Wheat, Rice, Rye, Indian Corn, Flour, Seeds, Meal of any sort, Pitch, Tar, Turpentine, Rosin, White Oak Staves and Heading, and Goods condemned as prize.

Forfeitures by Importers.

II. *And be it further enacted*, That any importer or importers, owner or owners, who shall import and land any of the articles, except such as herein excepted, without paying the duty imposed thereon by this Act, shall, upon discovery thereof; forfeit such articles so imported and landed.

Forfeitures by Masters of Vessels.

III. *And be it further enacted*, That the Master of any Vessel employed in the importation of Goods as aforesaid, or any other person, who shall land, or attempt to land, any of the articles subject to duty by this Act, except as herein before excepted, before the duty imposed by this Act shall be paid, shall forfeit and pay the sum of fifty pounds.

Duties—how accounted for, and applied.

IV. *And be it further enacted*, That the Collectors or Receivers of the Duties for the time being, shall render a just account, and pay into the hands of the Treasurer of the Province, all such monies received by him, or them; for the Duties collected in pursuance of this Act, within thirty days after the receipt of the same, under the penalty of fifty pounds for his or their neglect, which duties shall be applied to the relief of the Poor of the County or Town where the same shall be collected.

Recovery and application of Forfeitures.

V. *And be it further enacted*, That all forfeitures and penalties incurred by this Act, shall be appropriated one half to the informer, and the other half to the use of the Poor of the County or Town wherein the same is collected or recovered; the forfeiture to be recovered on complaint or proof, before any one of His Majesty's Justices of the Peace, and the penalty by action of debt, bill, plaint, or information, in any Court of Record within this Province.

Allowance to Collectors.

VI. *And be it further enacted*, That no fee or per centage whatsoever shall be allowed to, or retained by, the Collector of Impost and Excise for the District of Halifax, for receiving, collecting and paying over, any monies to be raised under and by virtue of this Act; and the Collectors in all the other Districts and Ports of this Province respectively, shall be allowed and paid two pounds ten shillings on every hundred pounds which shall be collected and paid by them, under and by virtue of this Act, within their respective Districts, and no more; any thing in any former Act of the General Assembly to the contrary notwithstanding.

Drawback allowed.

VII. *And be it further enacted*, That if any articles imported from the said United States of America, and on which the duty imposed by this Act shall have been paid, shall be afterwards exported to any of His Majesty's Islands, Colonies or Plantations, or to any part of the United Kingdom, the person or persons so exporting such articles, shall be entitled to receive a return of drawback of the whole duty which shall have been paid on such articles. *Provided*, That before any such drawback shall be allowed or paid the person or persons so exporting such articles, shall conform in all respects to the rules, regulations, provisions and restrictions, and shall produce the proofs and certificates required by Law, from persons who export Rum, and other spirituous liquors, and wines.

Continuation of Act.

VIII. *And be it further enacted*, That this Act, and every matter, clause and thing, herein contained, shall be and remain in full force and virtue until the twenty-fourth day of March, which will be in the year one thousand eight hundred and sixteen, and no longer.

## CAP. XIX.

## An ACT to facilitate the passage across the Harbour of Halifax.

**W**HEREAS the using one or more Steam-Boats, for the purpose of conveying Passengers, Horses, Cattle and Goods, across the Harbour of Halifax, would greatly facilitate the communication of the settlements in the Eastern parts of the Province with the Town of Halifax; and Whereas Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs, and others, have proposed to raise, by private subscription, a sufficient Sum of Money for the purpose of procuring one or more Steam-Boats, to be employed in transporting Passengers, Horses, Cattle and Goods, across the said Harbour, provided the sole and exclusive right of using and employing the said Boats upon the said Harbour, shall be secured to the said Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs, and others, for the term of twenty-five years:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by Letters Patent, under the Great Seal of this Province, to incorporate the said Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs and others, and all and every other person or persons who, in their own right, or as Executors, Administrators or Assigns, of the original proprietors, at any time or times hereafter, shall have, and be entitled to, any part, share or interest, in the said Steam Boat or Boats, so long as they shall respectively have any such part, share or interest, therein, to be one Body, Politick and Corporate, in Deed and in Name, by the Name of the Halifax Steam Boat Company, and by that Name to have a succession; and to sue and be sued; to continue for the term of twenty-five years; and to have a Common Seal; with power from time to time to elect and choose a President, and other Officers, as shall be, by the said Letters Patent, directed.

Steam Boat Company.

II. *And be it further enacted, by the authority aforesaid,* That if the said Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs and others, shall, within Three Years from the time of passing this Act, furnish one good and sufficient Steam Boat, capable of containing and carrying at one time twenty passengers, and six horses, oxen or cows, and shall use and employ the said Boat at all convenient times for the purpose of transporting and carrying passengers, horses or cattle, across the said Harbour of Halifax, it shall not be lawful for any other person or persons to use or employ any Steam Boat in or upon the said Harbour, for the aforesaid purposes, during the aforesaid term of twenty-five years.

Exclusive privilege allowed to Steam Boat Company.

III. *And be it further enacted,* That the sole right of using Steam-Boats for the purposes aforesaid, hereby secured to the said Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs, and others, shall continue for the term of twenty-five years and no longer.

Term of exclusive privilege.

*Provided always,* That if the said Charles Morris, Michael Wallace, Lawrence Hartshorne, Thomas Boggs, and others, shall not procure, at least, one good and sufficient Steam-Boat of the above description within the time before limited, or if they shall discontinue the use of the said Boat, and not employ it for the beforementioned purposes for the space of three months, unless prevented by unavoidable accidents, that then the said sole right of using such Boats upon the Harbour of Halifax shall cease and determine. *And provided always,* That nothing herein contained shall prevent any person from keeping and using Ferry Boats, as now practiced.

Proviso.

Ferry Boats.

## CAP. XX.

An ACT to encourage the Fisheries of the Province, by granting a Bounty on the importation of Salt, and also for regulating and imposing a Duty on the exportation of the same article.

**Preamble.** WHEREAS, the want of a regular importation of Salt, frequently causes that article to become scarce and dear, and occasions an interruption to the fisheries, and at other times the market being overstocked, the importers suffer a loss, and are discouraged from continuing their importations; and it is expedient to regulate the exportation of Salt, and to impose a duty on such Salt as shall hereafter be sold or exported to Foreigners or to Foreign States:

**Bounty on Salt.** I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That whenever any Salt shall be imported into this Province after the first day of June, in the present year, from Europe, Africa, or the West-Indies, and the price on the sale thereof, at Auction, from the ship in manner herein after mentioned, shall not amount to the average sum of fifteen shillings, currency, per hoghead, of common fine salt, and twenty shillings, currency, per hoghead, of coarse grained fishery salt, the owner, importer or consignee, of such salt, shall be entitled to claim and receive such bounty thereon, as in addition to the average price for which such salt shall have been sold, shall amount to the aforesaid price per hoghead of fifteen shillings for fine and twenty shillings for coarse salt. *Provided always,* That no bounty so to be paid to any such owner, importer or consignee thereof, shall in any case exceed the rate of two shillings and six-pence per hogshead on common fine, or three shillings and six-pence per hogshead on coarse grained fishery salt.

**Proviso.** II. *And be it further enacted,* That when any ship or vessel, laden wholly or in part with salt, shall arrive in any port or place or discharge in this Province, and the owner, importer or consignee, shall be desirous to make sale thereof, and shall not be able to procure the prices herein before mentioned, for the same, and shall intend to claim the bounty granted by this Act, such owner, importer or consignee, shall forthwith advertise the whole of the said salt to be sold at public auction out of the ship, and shall sell the same in lots of not more than five hogsheads in a lot.

**Sale of Salt at Auction.** III. *And be it further enacted,* That no person shall be entitled to claim for any salt sold, or to be sold, pursuant to the directions of this Act, at any out-port in this Province, any greater or higher bounty than if the said salt had been sold at the port of Halifax; and all claims for any greater or higher bounty shall be reduced and computed according to the average sales of salt at the same time by auction at the port of Halifax; and if no such sale shall have taken place there at that time, then according to the average price of salt sold by auction at Halifax last before the date of the sale for which such bounty shall be claimed.

**Salt sold at out-ports of the Province.** IV. *And be it further enacted,* That before any bounty shall be paid on any salt so sold as aforesaid, the person entitled to claim such bounty, shall procure from the auctioneer by whom such salt shall have been sold, an account of sales, specifying the several lots and parcels, the names of the purchasers, the quality or kind, and the prices of salt of the respective quantities so sold, to which account the auctioneer shall annex and subscribe a certificate, under oath, that such sale was made by him, and was a true and fair sale of the quantities of salt, and for the prices in such account specified, and that the same were the highest prices which could be procured at such auction: and all salt so sold shall be measured out of the ship by a

**Certificate of Auctioneer.**

sworn

sworn measurer, whose certificates of such admeasurement to the respective purchasers thereof, shall also be annexed to the account of sales aforesaid; and the said vouchers shall be lodged in the office of the Secretary of the Province, to be produced thereafter to the General Assembly if required; and thereupon it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, to draw his warrant on the Treasurer of the Province in favor of the said owner, importer or consignee, of said salt, for the amount of the bounty he may be entitled to receive in manner herein before mentioned and limited.

Certificate of Measurer.

Certificates where lodged

Bounty—how paid.

V. *And be it further enacted*, That there shall be granted and paid to his Majesty, his heirs and successors, for all salt which shall hereafter be exported from this Province, and shall be entitled to, and shall have received the bounty hereby granted, the following rates and duties, that is to say:—For and upon every hogshead of coarse grained fishery salt, the sum of three shillings and six pence; and for and upon every hogshead of common fine salt, the sum of two shillings and six pence; to be paid to the Collector of Impost and Excise for the port or place from which such exportation shall be made, at the time of granting the permit herein after mentioned.

Exportation of Salt.

VI. *And be it further enacted*, That before any person or persons shall lade on board any ship, vessel or craft, any salt to the amount of twenty hogsheads, he or they shall apply for and obtain a permit for the lading such salt, from the Collector of Impost and Excise for such port or place where the same shall be so laden; and if such salt is intended for exportation, to any other port in this Province, or to any other British port or place, such person or persons so lading the same, shall also make the following oath, which the Collectors of Impost and Excise respectively are hereby authorized to administer, *to wit*:

Permission to lade Salt for exportation.

I, A. B. do swear, that the \_\_\_\_\_ about to be shipped by me on board the \_\_\_\_\_ whereof \_\_\_\_\_ is master, is really and truly intended for \_\_\_\_\_, and that the same is not intended to be, and shall not be, landed in any foreign port or place, or sold to any foreigner or foreigners.

And the said Collectors respectively may administer the said oath to any person or persons who may lade salt on board any vessel or boat intended for the use of the fisheries of the Province, if there is any suspicion of any fraudulent intent to dispose of the same to foreigners for exportation.

VII. *And be it further enacted*, That when the price of common fine salt shall exceed twenty shillings per hogshead, and of coarse grained fishery salt shall exceed thirty shillings per hogshead, it shall and may be lawful for the Lieutenant-Governor, or Commander in Chief for the time being, by and with the advice and consent of his Majesty's Council, to prohibit by proclamation the exportation of salt to any foreign port or place, or the sale thereof to any foreigner or foreigners for the purpose of being used in any foreign fishery.

Exportation of Salt prohibited.

VIII. *And be it further enacted*, That if any person or persons shall lade on board any ship, vessel, or boat, any salt, to the amount of twenty hogsheads, or upwards, without first obtaining a permit for the same, in manner aforesaid, and also taking the oath herein before mentioned, in such case wherein the same is directed to be taken as aforesaid, or if any person or persons shall so sell or lade for exportation any such salt, after proclamation as aforesaid, all such salt so sold or laden on board such ship, vessel, or boat, shall be seized and forfeited; and in case the same shall have been actually exported, or cannot be got at to be seized, the person or persons so exporting or selling the same, shall forfeit and pay the sum of thirty shillings for each and every hogshead of coarse grained fishery salt, and the sum of twenty shillings for each and every hogshead of common fine salt, so clandestinely sold or exported.

Lading Salt for exportation without permit.

IX. *And*

Penalties how  
recovered.

IX. *And be it further enacted*, That all penalties and forfeitures for any offence against this Act, shall be prosecuted, levied, recovered and applied, in the manner and according to the directions prescribed by the Act for Granting to his Majesty duties on wine, rum, and other distilled spirituous liquors, molasses, coffee and brown sugar.

Continuation of  
Act.

X. *And be it further enacted*, That this Act, and every matter, clause and thing, therein contained, shall be and continue in force until the first day of July, in the year of our Lord one thousand eight hundred and sixteen, and no longer.

## CAP. XXI.

Expired.

An ACT to continue in force the several Acts therein mentioned.

## CAP. XXII.

Executed.

An ACT for granting a Drawback on Wine, and distilled Spirituous Liquors.

## CAP. XXIII.

Expired.

An ACT to regulate the Trade of this Province in Plaster of Paris or Gypsum, and to prevent contraband Trade arising from the landing that article at or near the Boundary Line of the United States of America.

At the GENERAL ASSEMBLY of the Province of Nova-Scotia, begun and holden at Halifax, on Thursday the Sixth day of February, 1812, and continued by several Prorogations to Thursday the Eighth day of February, 1816, in the Fifty-Sixth year of the Reign of our Sovereign Lord GEORGE the Third, by the Grace of God, of the United Kingdom of Great-Britain and Ireland, KING, Defender of the Faith, &c. &c. &c. being the Sixth Session of the Tenth General Assembly, convened in the said Province.\*

\* In the time of Sir John Coape Sherbrooke, Knight Grand Cross of the Most Honourable Military Order of the Bath, Lieutenant-Governor; S. S. Blowers, Chief Justice and President of Council; Lewis M. Wilkins, Speaker of the Assembly; H. H. Cogswell, Acting-Secretary of the Council; and James B. Francklin, Clerk of Assembly.

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### CAP. I.

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

*May it please your Excellency,*

**WE** His Majesty's dutiful and loyal Subjects, the House of Assembly of His Majesty's Province of Nova-Scotia, towards appropriating the Supplies granted to His Majesty in this Session of the General Assembly, and for supplying the exigencies of His Majesty's Government, do humbly beseech that it may be enacted, and *Be it enacted, by the Lieutenant Governor, Council and Assembly,* That by or out of such Monies as now are, or from time to time shall be and remain in the Public Treasury of this Province, there shall be paid:

The sum of 200l. to the Speaker of the House of Assembly, for his services during the present Session.

200l. Speaker of Assembly.

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

100l. Solicitor General.

And a further sum of 500l. to the Treasurer of the Province, for his salary, and as Comptroller and Auditor of Public Accounts, and in lieu of office rent, clerks, and all other contingent expences for the present year.

500l. Treasurer

S s

And

- 116l. 13s. 4d. Agent of Province. And a further sum of 116l. 13s. 4d. to Scroop Barnard Morland, Esq. the Agent of the Province, for his services for the present year.
- 100l. Clerk of Council. And a further sum of 100l. to the Clerk of the Council in General Assembly, and as Clerk to His Majesty's Council, for his services for the same year.
- 30l. Expences of Council. And a further sum of 30l. for defraying the expences of the Council in General Assembly for the same year : the same to be paid on the certificate of the President of the Council, and not otherwise.
- 100l. Clerk of Assembly. And a further sum of 100l. to the Clerk of the House of Assembly, for his services for the present year.
- 175l. Howe and Son. And a further sum of 175l. to Messrs. Howe and Son, Printers, for printing for Government and the General Assembly for the same year.
- 50l. Keeper of Assembly. And a further sum of 50l. to the Keeper of the House of Assembly and the Council Chamber for the same year.
- 90l. Land Waiter. And a further sum of 90l. to be paid on the certificate of the Commissioners of the Revenue to the Land Waiter for the Port of Halifax, for his services for the same year.
- Pay of Extra Waiters, &c. And a further sum, to be paid on the certificate of the Commissioners of the Revenue, at the rate of seven shillings and six pence per day, to such person or persons as shall be employed during the year aforesaid by the Collector of Impost and Excise of the District of Halifax, as Extra Waiter or Waiters for the Port of Halifax ; and five shillings per day to such Extra Waiter or Waiters when unemployed ; and at the rate of five shillings per day to Temporary Waiters, together with ten per cent. to be paid out of the net proceeds of the Government part of such seizure or seizures as such Extra Waiter or Waiters, or Temporary Waiter or Waiters, may be instrumental in making.
- 200l. Guager and Weigher. And a further sum of 200l. to the Guager and Weigher for the Collector of Impost and Excise in the District of Halifax, for his services for the same year.
- 40l. Messenger to Council. And a further sum of 40l. to the Messenger to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, and His Majesty's Council, as well in their Legislative capacity as otherwise, for the present year.
- 900l. Contingent Expences of Assembly. And a further sum of 900l. to defray the contingent expences of the House of Assembly during

during the present Session, to be drawn for by the Governor, Lieutenant-Governor, or Commander in Chief, on the certificate of the Speaker of the House of Assembly, and not otherwise.

And a further sum of 25l. to the Reverend Robert Milne, for his services as acting Chaplain to His Majesty's Council and the House of Assembly, during the present Session. 25l. Rev. Robert Milne.

And a further sum of 25l. to Robert Angus, for his services as Sergeant at Arms to the House of Assembly during the present Session. 25l. Robert Angus.

And a further sum of 15l. to John Gibbs, for his services as Messenger to the House of Assembly, during the present Session. 15l. John Gibbs.

And a further sum of 30l. to the Secretary of the Province, to defray the expense of his Office Rent for the present year. 30l. Sec. of Province.

And a further sum of 30l. to the Surveyor-General of Lands, to defray the expense of his Office Rent for the same year. 30l. Surveyor General.

And a further sum of 30l. to the Clerk of the Commissioners of the Revenue for the same year. 30l. Revenue Clerk.

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

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

And a further sum of 50l. to James Ratchford and James Noble Shannon, for the encouragement of a Packet to run between Windsor and Patridge Island, under such regulations as may be made and ordered by the Justices in their Session for the County of Hants, for the present year. 50l. Ratchford and Shannon.

And a further sum of 50l. to the Adjutant-General of Militia, for the payment of his Clerk, Stationary and Postage, and all other contingent expenses for the present year. 50l. Adj. Gen. of Militia.

And a further sum of 50l. to the Quarter-Master-General of Militia, as aforesaid. 50l. Qr. Mr. Gen. of Militia.

And



- 223l. 4s. 5d. At-  
torney General. And a further sum of 222l. 4s. 5d. to the Attorney-General, for his services for the pre-  
sent year.
- 100l. Assistant  
Justices of Su-  
preme Court. And a further sum of 100l. to each of the Assistant Justices of the Supreme Court, in addi-  
tion to their salaries for the present year.
- 100l. Treasurer. And a further sum of 100l. to the Treasurer of the Province, in addition to his salary, for  
the present year.
- 250l. Contingencies. And a further sum of 250l. to defray such contingent expenses as may arise during the  
present year, to be drawn by warrant from the Lieutenant-Governor, or Commander in  
Chief for the time being.
- 10l. E. Wheaton. And a further sum of 10l. to Ebenezer Wheaton, towards his support for the present year,  
in consideration of his being deprived of the use of one of his arms, which disability happen-  
ed while he was employed in the embodied Militia at Halifax, in the year one thousand eight  
hundred and seven.
- 35l. Provincial  
Secretary. And a further sum of 35l. to the Provincial Secretary, for extra services in carrying into  
effect the Laws respecting Schools.
- 600l. Transient  
Poor. And a further sum of 600l. for the support of the Transient Poor for the present year, to  
be paid to the Commissioners of the Poor at Halifax.
- 500l. Treasurer. And a further sum of 500l. to the Treasurer of the Province, in full for his services in sign-  
ing and issuing Treasury Notes, and for receiving into the Treasury such Notes as are now in  
circulation.
- 500l. Emigrants. And a further sum of 500l. for the relief of distressed Emigrant Settlers at Pictou, to be  
disposed of under the direction of His Excellency the Lieutenant-Governor.
- 140l. Avon river. And a further sum of 140l. in aid of the subscription of the inhabitants of Windsor and  
Falmouth, for reducing the falls over the main branch of the river Avon; the said sum not  
to be drawn from the Treasury until the money subscribed shall be actually paid to the Com-  
missioner or Commissioners who shall be appointed to expend the same.
- 200l. Walter  
Bromley. And a further sum of 200l. to Walter Bromley, the Keeper of the Acadian School, as a  
compensation

compensation for his unwearied exertions in founding and effectually establishing that School in this Province.

And a further sum of 10l. 5s. to John Baker, for repairing the bridge over the Annapolis River, near Dodge's, in the year one thousand eight hundred and fifteen. 10l. 5s. John Baker.

And a further sum of 15l. 4s. 6d. to James N. Crane, for a drawback of the Excise Duty on a certain quantity of British Merchandise exported to Westmoreland, in New-Brunswick, in the schooner Brothers, George Wilkins, master, in December last. 15l. 4s. 6d. J. N. Crane.

And a further sum of 43l. 16s. 11½d. to John Owen, for a drawback of the duties on four hundred and ten gallons of Brandy exported to New-Brunswick in the sloop May-flower, in April, one thousand eight hundred and fourteen. 43l. 16s. 11½d. John Owen.

And a further sum of 40l. 10s. to John Black, on behalf of Baring, Brothers and Company, of London, being the amount of the Sunk Duty, on a certain Quantity of Coffee, landed at Halifax, from on board the brig William, a recapture, in December, one thousand eight hundred and fourteen, and afterwards shipped in the schooner Jannet, for Greenock; and there landed. 40l. 10s. John Black

And a further sum of 16l. 13s. 4d. to Samuel Pool, for his services as Master of the Grammar School, at Yarmouth, between the twenty-fifth of February and the twenty-fourth day of April, one thousand eight hundred and fifteen. 16l. 13s. 4d. Samuel Pool.

And a further sum of 9l. 16s. to John Hutchinson, for repairing bridges on the Chester road, between Windfor and Chester, and for providing gun-powder and tools for the said road, in the month of September last, per account. 9l. 16s. John Hutchinson.

And a further sum of 40l. to the person who has the care of the gun-powder, at Halifax, for his services for the present year. 40l. Keeper of Gunpowder.

And a further sum of 400l. to the Commissioner of the Island of Sable, for the support of that Establishment, for the present year; and for paying the balance now due to the said Commissioner, on account of the said Establishment. 400l. Isle of Sable.

And a further sum of 300l. to the Commissioners of the Poor, at Halifax, to make an addition to the Lunatic House, in Halifax. 300l. Commissioners of the Poor.

And

136l. 14s. 6d.  
W. B. Almon. And a further sum of 136l. 14s. 6d. to William Bruce Almon, in full for his attendance, and medicines administered to sick refugee Blacks, in the Poor House, between September, one thousand eight hundred and fourteen, and April last, per account.

630l. Post Com-  
munication. And a further sum of 630l. to keep up the communication by Post, as heretofore establish- ed ; and also to enable the Post Master at Halifax to extend the same communication to Liverpool, by the way of Lunenburg, and also to Antigonishe, in the County of Sydney.

200l. Halifax  
Light House. And a further sum of 200l. for erecting a Light-House at the entrance of the Harbour of Halifax.

400l. Annapo-  
lis Light House And a further sum of 400l. for rebuilding the Light-House at the entrance of the Gut of Annapolis, in aid of 100l. subscribed by the inhabitants of the County for that purpose.

750l. Surveys  
of Province. And a further sum of 750l. to enable his Excellency the Lieutenant-Governor, from time to time to remunerate the Honorable Charles Morris, the Surveyor-General, for any expense which he may be at in running the lines of the Counties and Townships within this Province, together with the Main Roads, and making a correct Plan of the same.

50l. Graham &  
Green. And a further sum of 50l. to John Graham and Henry Green, for opening and completely effecting a communication between Lake Porter and the Sea, through which vessels of fifty tons now pass into the Lake ; the said sum not to be paid until the above named John Graham should relinquish to the public all right, both in himself and his heirs, to shut up or obstruct, the communication.

400l. Govern-  
ment-House. And a further sum of 400l. for providing an Iron Railing for the east front of the Government House Lot, and for making such other repairs as may be necessary.

500l. Halifax  
Gaol. And a further sum of 500l. to be paid to such person or persons as shall be appointed to ex- pend the same by his Excellency the Lieutenant-Governor, in aid of the inhabitants of the County of Halifax in building a County Jail ; *provided*, a fit and proper part of such Jail be appropriated and applied to the reception of such persons as may be considered Provincial Prisoners, and not chargeable to any particular County in this Province ; and the money not to be drawn from the Treasury until it shall be certified, by the Custos Rotulorum, to his Excellency the Lieutenant-Governor, that the County of Halifax have provided a sum of money, which with the aforesaid sum will be sufficient to complete the building.

300l. Messrs.  
Cochranes. And a further sum of 300l. for the rent of the building hired of Messrs. Cochranes.

And a further sum of 200l. to Henry H. Cogswell, the Deputy Secretary of the Province, for his services since the year one thousand eight hundred and eleven, and including the year one thousand eight hundred and sixteen, in making out Road Commissions, Bonds, &c. and for making out Warrants for the above service.

200l. H. H. Cogswell.

And a further sum of 1500l. to be applied for the procuring and importing grain, and seeds of various kinds, to be distributed amongst indigent persons, in the several counties and districts in the Province, by Commissioners to be appointed by his Excellency the Lieutenant-Governor, for that purpose.

1500l. for purchasing Grain and Seeds.

And a further sum of 100l. to Isaiah Smith, to aid him in establishing the running of a Stage Coach from Halifax to Windsor; the money not to be drawn from the Treasury until sufficient security shall be given in double the sum, that the said Stage shall continue to run regularly for twelve months, from the time it commenced.

100l. Isaiah Smith.

And a further sum of 5000l. towards erecting the Province-House, to be drawn for by Warrant, from the Governor, Lieutenant-Governor or Commander in Chief, on the Treasury, and expended under the direction of the Commissioners appointed for the said Building.

5000l. Province House.

And a further sum of 1200l. to aid the Inhabitants of Halifax, in paving Water-Street, to be expended by the Commissioners of Highways, under the provisions of an Act passed this Session, entitled, An Act to enable the Inhabitants of the Town of Halifax, to pave Water-Street, in the same Town.

1200l. Inhabitants of Halifax

And a further sum of 100l. to his Excellency the Lieutenant-Governor, to be by his Excellency, distributed in Bounties, at the rate of twenty pounds to each of the first four Farmers or Carriers, who shall set up in any of the townships in the county of Hants, and constantly use the same, as may be required, in carrying loads from such township or townships on the main road from Halifax to Windsor, a Cart or Waggon, with the fellows of the wheels at least eight inches, with iron tire the same width, *provided*, the same shall pass the said road from the county of Hants, with a load, at least twelve times in the year to Halifax, or security given for that purpose. And twenty pounds to the first person who shall set up as aforesaid a Cart or Waggon of the above mentioned description, and use the same as aforesaid, on the road between Halifax and Truro, and shall pass the said road from Truro to Halifax, with a load at least nine times in the year, or give security as aforesaid.

100l. Bounty on broad wheel Waggons.

And a further sum of 111l. 2s. 2½d. to Nathaniel Atcheson, Esquire, for his services for the present year, in soliciting and obtaining on the part of the Province, many important commercial privileges.

111l. 2s. 2½d. N. Atcheson.

And a further sum of 50l. to Captain Kenah, for his exertions in bringing to the House of

50l. Capt. Kenah.

of Assembly, certain dispatches and communications from the Legislature of New-Brunswick.

- 400l. Arisag Pier. And a further sum of 400l. towards the completion of the Pier at Point Arisag, on the Gulf of St. Lawrence.
- 50l. School-master at Arisag. And a further sum of 50l. to Lewis M'Donald, John Grant, Donald M'Leod, John Gillis, and John M'Donald, Trustees of a School at Arisag, in the County of Sydney, to enable them to pay their Schoolmaster two years' arrears of pay, agreeable to an Act of the Legislature, which allowance has not been obtained for want of the proper certificate.
- 25l. School-master at Manchester. And a further sum of 25l. to the Trustees of a School on the Manchester Road, in the County of Sydney, to enable them to pay their Schoolmaster one year's pay as aforesaid.
- 11l. 13s. 4d. J. N. Shannon & Co. And a further sum of 11l. 13s. 4d. to James N. Shannon & Co. for a drawback of the duties on 350 gallons of Rum, part of their stock remaining on hand on the eleventh day of April last, per certificate.
- 93l. 2s. 3d. Davison & Corbett. And a further sum of 93l. 2s. 3d. to Thomas Davison and William Corbett, in full, for a bounty on a cargo of Salt imported from Liverpool in Great Britain, to the port of Piclou, and there sold on the twelfth day of June last, under the Act of the Province.
- 11l. 13s. 4d. R. Bolman. And a further sum of 11l. 13s. 4d. to Robert Bolman, for his services in prosecuting a criminal indicted for Murder, at the Court of Sessions at Liverpool, in the month of November last.
- 19l. 2s. La Liberte. And a further sum of 19l. 2s. to Raymond La Liberté, for a drawback of the Excise Duty on certain articles of Merchandise exported by him from Halifax to Baltimore in the schooner Alicia, in May last, and there landed.
- 7l. 2s. 7½d. J. & D. Howe. And a further sum of 7l. 2s. 7½d. to John & David Howe, for sundry articles of Stationary supplied for the use of the Commissioners appointed to negotiate a Loan for the Province, in the year one thousand eight hundred and twelve, per account.
- 500l. Browning Militia Arms. And a further sum of 500l. to be placed under the direction of His Excellency the Lieutenant-Governor, or Commander in Chief, to defray the expence of browning the Arms now in the possession of the Militia composing the different Battalions throughout the Province.

And a further sum of 5l. 16s. 8d. to John Boyd, Clerk of the Commissioners of the Poor, for sundry Returns of the Transient Poor, and Refugee Blacks, furnished to the House of Assembly in the last Sessions, pursuant to their order. 5l. 16s. 8d. J. Boyd.

And a further sum of 23l. 6s. 8d. to John Marshall, Esq. for his services in prosecuting two Criminals for Capital Offences, at the Court in Sydney, when the late Judge Hutchinson presided. 23l. 6s. 8d. J. Marshall.

And a further sum of 9l. 19s. 1d. to John Merrick, in full for sundry Glazing, for the use of the Building occupied by the Legislature, per account. 9l. 19s. 1d. John Merrick.

And a further sum of 10l. 10s. to the Clerk of the House of Assembly, to defray the expense of Fuel furnished for the use of the House of Assembly during the present Session. 10l. 10s. Clerk of Assembly.

And a further sum of 16l. 5s. 9d. to the Clerk of the House of Assembly, to defray the expense of Stationary, supplied for the use of His Majesty's Council, and the House of Assembly, during the present Session. 16l. 5s. 9d. Clerk of Assembly.

And a further sum of 10l. to the Clerk of the Council, to defray the expense of Fuel, furnished for the use of the Council, during the present Session. 10l. Clerk of Council.

And a further sum of 100l. to the Clerk of the House of Assembly to defray the expense of extra clerks, servants, and other incidental expenses during the present Session; and also for discharging sundry accounts for articles furnished, and services performed, for the House of Assembly. 100l. Clerk of Assembly.

And a further sum of 100l. to be distributed by his Excellency the Lieutenant-Governor, among the non-commissioners of Artillery, and others who have charge of the different Forts and Block-houses, in such proportions as His Excellency may think proper. 100l. Non-Commissioners of Artillery.

II. *And be further enacted*, That if any accident shall happen to any of the bridges on the main roads in the Province, or if any unforeseen obstruction to travelling shall arise from the fall of trees, or otherwise, it shall and may be lawful for his Excellency the Lieutenant-Governor or Commander in Chief, to order a Commissioner or Commissioners to re-build or repair such bridges, or remove such obstructions; and it shall be further lawful for the Lieutenant-Governor or Commander in Chief, from time to time to draw warrants on account and in favor of such Commissioner or Commissioners, *provided* the same shall not exceed the balance remaining in the Treasury of the sum granted last year for the said service. Road emergencies.

III. *And*

III. *And be it further enacted,* That there be granted and applied the sum of 1250l. for the main road between the Sackville Bridge and Pence's.

500l. to Ar-  
doise Hill.

And a further sum of 500l. from Pence's to the western end of Ardoise Hill.

250l. to Three  
Mile Plain.

And a further sum of 250l. from the western end of Ardoise Hill to the Three Mile Plain.

350l. to Avon  
Bridge.

And a further sum of 350l. from the Three Mile Plain to the northern end of Avon Bridge.

500l. from A-  
von Bridge.

And a further sum of 500l. from the northern end of Avon Bridge to Pineo's House at the Half-way River.

150l. to Bi-  
shop's Bridge.

And a further sum of 150l. from Pineo's House, at the Half-way River, to the north side of Bishop's bridge in Horton.

800l. to Fletch-  
er's Bridge.

And a further sum of 800l. from the Windfor road to Fletcher's Bridge; and also the whole sum remaining unexpended of the grant of the last year, for the Eastern Great Road.

1,100l. to Gay's  
River.

And a further sum of 1,100l. from Fletcher's Bridge to Gay's River.

1,100l. to  
M'Keen's.

And a further sum of 1,100l. from the South end of Gay's River Bridge to M'Keen's mill, in Truro. And the whole of the aforefaid sums to be expended by a Commissioner or Commissioners, to be appointed by his Excellency the Lieutenant-Governor, and under his Excellency's direction, or in such other manner as his Excellency may think best for the public good.

100l. to Lake  
Loon.

IV. *And be it further enacted,* That there be granted and applied the sum of 100l. for the road from Skerry's, in Dartmouth, to Lake Loon, and to rebuild the bridge and causeway across the arm of the Lake.

200l. to Mus-  
quodoboit.

And a further sum of 200l. for the road from Great Salmon River Bridge in Preston, over Lake Porter to the mill on Musquodoboit.

100l. to Gibralt-  
ar.

And a further sum of 100l. for the road from Gibraltar, on the Musquodoboit to the main road leading to Halifax, by way of Chizencook.

30l. to Law-  
rence Town.

And a further sum of 30l. for the road from Cole Harbour to Lawrence Town, in addition to the sum remaining undrawn from the Treasury.

And

- And a further sum of 150l. to rebuild the bridge, clear out the wind falls, and improve the road from Dean's in Upper Musquodoboit to the Forks of St. Mary's River. 150l. to St. Mary's River.
- And a further sum of 130l. for the road from Dartmouth to Sackville. 130l. to Sackville.
- And a further sum of 200l. for opening and improving the road from Allan's Tan-Yard to the Cobequid Road, east of Fletcher's Bridge. 200l. from Allan's Tan-yard.
- And a further sum of 200l. for the road from the mill, on Nine Mile River, to Marshall's Farm, at Hammond's Plain, leading to the head of Margaret's Bay, on the Chester road. 200l. to Hammond's Plain.
- And a further sum of 150l. to open the great leading road from Hammond Plain leading to Annapolis. 150l. from Hammond's Plain.
- And a further sum of 150l. to aid the inhabitants settled on the southerly side of the Musquodoboit River, to open and improve, and also erect two bridges on the road leading through their settlement. 150l. to Musquodoboit.
- And a further sum of 40l. for the road from the forks of the road near Collins's to Cole Harbour. 40l. to Cole Harbour.
- And a further sum of 50l. to open the road from Fultz's to Beaver Bank. 50l. to Beaver Bank.
- And a further sum of 50l. for the road from Beaver Bank Bridge towards Rawdon. 50l. from Beaver Bank.
- And a further sum of 27l. 10s. to improve the carrying place near the Falls, at the head of Musquodoboit River. 27l. 10s. to Musquodoboit.
- And a further sum of 50l. for the road from Horne's in the Eastern Passage, to Cow Bay. 50l. to Cow Bay.
- And a further sum of 40l. for the road from George Bisset's at Cole Harbour, to Munday's. 40l. to Cole Harbour.
- And a further sum of 25l. for the road through the Dutch Village. 25l. through Dutch Village.
- And a further sum of 50l. for the road leading from the Truro road, three miles beyond Hall's, and terminating at the Farm formerly Geddes's, near Meagher's Mill. 50l. from Truro Road.

And



- 367l. to Chiganoise. And a further sum of 367l. to build a bridge over the Chiganoise River in Onslow, on the new road to Cumberland, as altered by the Sessions, in addition to 100l. remaining from the Vote of last year, including Commissions.
- 50l. to Cumberland. And a further sum of 50l. for the road from Vance's in Londonderry, to the bounds of the County of Cumberland.
- 65l. Salmon River Bridge. And a further sum of 65l. for the repairs of the Salmon River Bridge in Truro, and to pay a sum remaining due for last year's repair.
- 40l. Bridge in Onslow. And a further sum of 40l. for the repair of the North River Bridge in Onslow, on the main road leading to Cumberland.
- 295l. to Pictou. And a further sum of 295l. for the road from Christie's in Truro, to the line of the district of Pictou.
- 73l. to Musquodoboit. And a further sum of 73l. for the road from Moore's at Gay's River, to Musquodoboit.
- 80l. to Upper Sewack. And a further sum of 80l. for the road from Dickie's on the Halifax road, to Upper Sewack.
- 40l. to Tatamagushé. And a further sum of 40l. for the road from Onslow to Tatamagushé.
- 40l. to Portipique. And a further sum of 40l. from Great Village in Londonderry, to the bridge over Portipique River, leading to Economy.
- 40l. to Economy. And a further sum of 40l. for the road from the Bridge at Portipique to Economy.
- 40l. from Economy. And a further sum of 40l. for the road from Economy River on the new road leading to Parrsborough Line.
- 25l. to Musquodoboit. And a further sum of 25l. for the road from Upper Sewack to Musquodoboit.
- 75l. to Sewack. And further sum of 75l. for the road from Cox's in Truro, to Sewack.
- 40l. from Sewack to Truro. And a further sum of 40l. for the road from Sewack to Truro, by Brookefield,
- 20l. from Fort Ellis to Polluck's. And a further sum of 20l. for the road from Norris's, at Fort Ellis, to Robert Polluck's.

- And a further sum of 20l. for the road from Dickie's to the Meeting House, on Shubenaccadie. 20l. to Shubenaccadie.
- And a further sum of 30l. for the road from Moore's at Gay's River, to Shubenaccadie Meeting House. 30l. from Gay's River.
- And a further sum of 25l. for the road from the Halifax Road to Musquodoboit, by Dewolf's. 25l. to Musquodoboit.
- And a further sum of 30l. for the road from the Old Barnes in Truro to Shubenaccadie. 30l. to Shubenaccadie.
- And a further sum of 25l. for the road from Sandison's in Truro, to Philipps's, on the Shubenaccadie. 25l. from Truro.
- And a further sum of 10l. for the road from Creelman's Mill to Dean's, in Musquodoboit. 10l. to Musquodoboit.
- And a further sum of 50l. for the road from Black Rock in Truro, to Polly's on the Halifax Road, by Burris's. 50l. from Truro.
- And a further sum of 15l. for the road from the settlement on the Onflow Mountain, to the cross road leading from Truro to Onflow by Blair's. 15l. from Onflow Mountain.
- And a further sum of 30l. for the road from the settlement at the head of North River, to David M'Callum's, junior. 30l. to M'Callum's.
- And a further sum of 20l. to enable the inhabitants of Onflow, to erect a bridge over the Chiganoife River, near the House of John Thomas. 20l. Onflow.
- And a further sum of 60l. for the road from Londonderry to Folly Lake, on the Reinshieg road. 60l. from Londonderry.
- And a further sum of 10l. for the road from the Settlement on the Onflow Mountain, to the Pictou road, near Christie's, in Truro. 10l. from Onflow Mountain.
- And a further sum of 30l. for the road from the District Line of Pictou to the Cumberland Line at Point Brulé. 30l. to Point Brulé.
- And a further sum of 10l. from Christie's Mill, in Truro, to Greenfield. 10l. to Greenfield.

- 25l. to Mus-  
quodoboit. And a further sum of 25l. for the road from the Halifax road to Musquodoboit, by Sibley's.
- 40l. from Up-  
per Sewack. And a further sum of 40l. for the road from Robert Logan's, in Upper Sewack, towards the middle river of Pictou, leading past Ellis's.
- 30l. Tatama-  
gushe. And a further sum of 30l. for the road from Tatamagushe road to Rood's, by James Linton's.
- 300l. to Gut  
Bridge. And a further sum of 300l. for the road and bridges from Pictou District Line to the Gut Bridge.
- 200l. to River  
John. And a further sum of 200l. for the road from Logan's, on the Pictou road, to the River John.
- 30l. from River  
John. And a further sum of 30l. for the road from the River John towards Tatamagushe.
- 50l. to Pictou. And a further sum of 50l. for the road from M'Connell's to the middle river of Pictou, at Marshall's.
- 100l. to Pictou. And a further sum of 100l. for the road from Marshall's, on the middle river, towards the east river of Pictou.
- 100l. to Pine  
Tree Gut. And a further sum of 100l. for the road from the east river bridge to the Pine Tree Gut, leading to Charles Brown's.
- 250l. to County  
of Sydney. And a further sum of 250l. for the road from the Pine Tree Gut to the Line of the County of Sydney.
- 50l. to Fisher's  
Grant. And a further sum of 50l. for the road from Charles Brown's to the road leading to Fisher's Grant.
- 100l. to New  
Glasgow. And a further sum of 100l. for the road from Carmichael's, on Fisher's Grant, towards New Glasgow.
- 50l. to Aber-  
crombie's Point. And a further sum of 50l. for the road from Abercrombie's Point, towards Marshall's, on the middle river of Pictou.
- 50l. to Pictou. And a further sum of 50l. for the road from Donald M'Kay's, senr. to James Cameron's, on the West Branch of the East River of Pictou.

- And a further sum of 80l. for the road from James Turnbull's on the lower Settlement, to Duncan Cameron's on the upper Settlement of the East River of Pictou. 80l. to Pictou.
- And a further sum of 30l. for the road from Blackie's to the widow M'Gill's, on the West River of Pictou. 30l. to Pictou.
- And a further sum of 30l. for the road from the East River Meeting House, towards St. Mary's. 30l. to St. Mary's.
- And a further sum of 30l. for the road from the Meeting House on the Middle River of Pictou, towards Sewack. 30l. to Sewack.
- And a further sum of 30l. for the road from David Marshall's to John Marshall's, on the middle River of Pictou. 30l. to Pictou.
- And a further sum of 30l. for the road from M'Cara's, towards the Saw Mill. 30l. to M'Cara's.
- And a further sum of 100l. for the road from boat harbour bridge to George Forbis's at Little Harbour. 100l. to Little Harbour.
- And a further sum of 30l. for the road from the main road to Carribou, by the way of the Scotch mill. 30l. Carribou.
- And a further sum of 100l. for the road from Andrew Marshall's on Green Hill, towards the upper Settlements of the east river, by the way of Alexander Frazer's, near the middle river of Pictou. 100l. from Green Hill.
- And a further sum of 20l. for the road from Donald M'Donald's on the Green Head, to Donald Frazer's on the west river of Pictou. 20l. from Green Head.
- And a further sum of 20l. for the road from Pictou to Carribou, by the Meadows. 20l. to Carribou.
- And a further sum of 20l. for the road from the cross roads leading to Mergomishe, to John Small's. 20l. to Mergomishe.
- And a further sum of 100l. for the main road from the line between the County of Sydney and the District line of Pictou, to Malignant Cove. 100l. to Malignant Cove.

And

- 450l. to Indian Gardens. And a further sum of 450l. for the road from Malignant Cove, to the Indian Gardens at Antigonishe.
- 300l. from Indian Gardens. And a further sum of 300l. from the Indian Gardens, to Daniel M'Pherson's, on the main road to Guyborough.
- 275l. to Guyborough. And a further sum of 275l. for the road from Daniel M'Pherson's, to the Church in Guyborough.
- 50l. to St. Mary's. And a further sum of 50l. for the road from Guyborough, to Abijah Scott's, on the main road to St. Mary's.
- 115l. to St. Mary's. And a further sum of 115l. for the road from Abijah Scott's, to the east branch of St. Mary's river.
- 70l. to St. Mary's. And a further sum of 70l. for the main road from the head of the tide at the St. Mary's river, to the bridge on the east branch of the said river.
- 20l. to Country Harbour. And a further sum of 20l. for the road from the old road from Guyborough, to Country Harbour, near where the same crosses Salmon River to Crow Harbour.
- 50l. to Canso. And a further sum of 50l. for the road from Crow Harbour to Canso.
- 90l. from Manchester. And a further sum of 90l. for the road from Manchester to the Gut of Canso.
- 80l. to Traccadie. And a further sum of 80l. for the road from the head of Milford Haven, to Traccadie.
- 100l. to Ohio. And a further sum of 100l. for the road from the harbour of Antigonishe, to the upper part of the Ohio Settlement, being part of the road to St. Mary's.
- 50l. from Ohio. And a further sum of 50l. for the road from the upper part of the Ohio Settlement on the west river of Antigonishe, to St. Mary's.
- 30l. to Antigonishe. And a further sum of 30l. for the road from Malignant Cove, to Antigonishe Harbour, by the way of the Lakes.
- 30l. to Country Harbour. And a further sum of 30l. for the road from Morris's mill in Country harbour, to the main road leading from Guyborough to St. Mary's.

- And a further sum of 40l. for the road from Traccadie to the harbour of Antigonishe. 40l. to Antigonishe.
- And a further sum of 100l. for the road from the Indian Gardens at Antigonishe, to Hattey's Mill at Mergomishe. 100l. to Mergomishe.
- And a further sum of 25l. for the road from Colin M'Nair's, at the Gut of Canfo, to Harbour Bushee. 25l. to Harbour Bushee.
- And a further sum of 35l. for the road from the main road from Antigonishe to Guysborough, near Roderick M'Donald's, to the Chapel in Pomquet. 35l. to Guysborough.
- And a further sum of 400l. for the road from the bounds of Londonderry to Alpheus Morfe's, in Amherst. 400l. to Amherst.
- And a further sum of 240l. for the road from Amherst to the boundary line of New-Brunswick. 240l. from Amherst.
- And a further sum of 200l. for the road from Robert Reed's, in Amherst, to the bounds of King's County, on the Partridge Island road. 200l. from Amherst.
- And a further sum of 20l. for the road from Macan River to the River Hebert, at Francklin Manor. 20l. to River Hebert.
- And a further sum of 60l. for the road from Barronsfield, towards Partridge Island. 60l. from Barronsfield.
- And a further sum of 60l. for the road from Macan Settlement to the River Philip. 60l. to River Philip.
- And a further sum of 25l. for the road from Macan Settlement towards the Five Islands. 25l. from Macan.
- And a further sum of 80l. for the road from the head of Amherst to Goose River, by the River Shimcas. 80l. to Goose River.
- And a further sum of 100l. for the road from Gabriel Purdy's to Remsheg Harbour. 100l. to Remsheg.
- And a further sum of 100l. for the road from the Settlement on Black River to the mouth of Remsheg River, by Richard Thomson's, on the River Philip. 100l. to Remsheg.

- 60l. to Tidnish River. And a further sum of 60l. for the road from Amherst to the Gulf of St. Lawrence, at Tidnish River, including the bridge on the said river.
- 60l. from Folly Lake. And a further sum of 50l. for the road from Miller's, at Folly Lake, to Daniel Tidd's, at Remsheg River.
- 45l. to Pugwash And a further sum of 45l. for the road from Daniel Tidd's to the harbour of Pugwash, by Andrew Fushner's.
- 30l. from Remsheg. And a further sum of 30l. for the road from John Rindress's at Remsheg, on the road to Curry's, at Tatamagushe.
- 20l. to Amherst And a further sum of 20l. for the road from the Town Plot in Remsheg, to John Tuttle's on the road to Amherst.
- 20l. from Fox Harbour. And a further sum of 20l. for the road from Fox Harbour Settlement, to the main road leading to Amherst.
- 20l. from Macan And a further sum of 20l. for the road from the Forks of Macan river, to the main road leading to Amherst.
- 30l. to River Philip. And a further sum of 30l. for the road from the Harbour of Pugwash, to Ripley's on the River Philip.
- 20l. to Economy. And a further sum of 20l. to open a road from Johnson's at the River Philip to Economy; the Inhabitants having subscribed the sum of 28l. towards the same.
- 25l. to Tatamagushe. And a further sum of 25l. to aid the Inhabitants of Remsheg and Tatamagushe in opening a road from Remsheg River, near Beebe's, to Tatamagushe, near Curry's.
- 15l. Scotch Settlement. And a further sum of 15l. to aid the Inhabitants of the Scotch Settlement on the Gulf of St. Lawrence, between Fox Harbour and Pugwash Harbour, near Edward Finley's, to improve the road from the said Settlement to the Cumberland road, near John Tuttle's.
- 100l. to Avon Bridge. And a further sum of 100l. for the road from the upper Gasperau Bridge, near New Caanan, to the main road leading towards Avon Bridge.
- 25l. to Horton. And a further sum of 25l. for the road from the upper Gasperau Bridge towards Joel English's, in Horton.

- And a further sum of 25l. for the road from Jeremiah Kennie's and Martin's Mill to Jedediah Jorden's dwelling house on the south side of Gasperau River. 25l. to Gasperau River.
- And a further sum of 25l. for the road from Jedediah Jorden's to Pittsburg in Horton. 25l. to Pittsburg.
- And a further sum of 25l. for the road from Benjamin's Bridge to the road leading towards New Canaan, near Nathan Davison's. 25l. to Benjamin's Bridge.
- And a further sum of 20l. for the road from Scovill's Bridge to the Upper Gasperau Bridge, near New Canaan. 20l. to Gasperau River.
- And a further sum of 15l. for the road from Ezra Reed's towards Foster Farm, by the house of William O'Leary. 15l. to Foster Farm.
- And a further sum of 20l. for the road from Elisha Bishop's to the road leading towards William Bishop's. 20l. to Bishop's.
- And a further sum of 15l. for the road from the Horton Court-House to the road leading towards New Canaan. 15l. to New Canaan.
- And a further sum of 20l. for the road from near the Five Islands towards the River Macan. 20l. to Macan.
- And a further sum of 15l. for the road from M'Cara's road, by Jesse Lewis's lands, to his dwelling house on the Cumberland road. 15l. from M'Cara's.
- And a further sum of 20l. for the road from near John Armstrong's, near Huntley's Creek to Fuller's Mill, south side of Gasperau river. 20l. to Gasperau River.
- And a further sum of 100l. for the road from Falmouth Line, near Mount Denson, to the Northern side of the lower Gasperau River. 100l. to Gasperau River.
- And a further sum of 80l. for the road from Gasperau lower Bridge, by Simon Fitch's, Junr. to the road near Stone Bridge, and from Bishop's Bridge to the Stone Bridge. 80l. to Stone Bridge.
- And a further sum of 100l. for the road from Partridge Island, to the North Bounds of King's County. 100l. from Partridge Island.
- And a further sum of 60l. for the road from Economy, to the road leading from Partridge Island towards Cumberland. And 60l. from Economy.



- 40l. from Fox River. And a further sum of 40l. for the road from Fox River by Lieutenant Frazer's, to Apple River in Parrsborough.
- 25l. from Advocate Harbour. And a further sum of 25l. for the road from David Knelton's, at Advocate Harbour, on the road towards Lieutenant Frazer's.
- 20l. to Fox River. And a further sum of 20l. for the road, from the road leading from Partridge Island, towards Cumberland to Fox River.
- 15l. to Falmouth. And a further sum of 15l. for the road from Fitch's bridge, on the road leading to Falmouth by Manning's Plain.
- 75l. from Bishop's Bridge. And a further sum of 75l. to improve the main road from Bishop's bridge, to the Stone bridge in Horton.
- 20l. to Benjamin's Bridge. And a further sum of 20l. for the road from Joseph Allan's, to Benjamin's Bridge, by Caleb Benjamin's.
- 20l. to Mill Creek. And a further sum of 20l. for the road at the Mill Creek on the main road near Horton Court House.
- 140l. to Bishop's Bridge. And a further sum of 140l. for the road from Pineo's, at the half-way river, to Bishop's bridge in Horton, in addition to the sum of 150l. granted for that service this session.
- 20l. to New-Canaan. And a further sum of 20l. for the road from near Daniel Caldwell's, on the Side of Gaspereau River to the road leading towards New Canaan, by Thomas Davison's.
- 50l. to Parrsborough. And a further sum of 50l. for the road near William Henry's towards the Cole Mines in Parrsborough.
- 100l. to Cornwallis. And a further sum of 100l. for the road from the West bounds of Horton past William Pineo's, to the West bounds of Cornwallis.
- 15l. to Aylesford. And a further sum of 15l. for the road from the West bounds of Cornwallis through Aylesford
- 20l. to Little Lake. And a further sum of 20l. for the main road through Cornwallis, from John H. Chipman's to Little Lake.

- And a further sum of 20l. for the road from Silas Rand's and Little Lake, to the West bounds of Cornwallis. 20l. from Little Lake.
- And a further sum of 20l. for the road from the West bounds of Cornwallis to Aylesford Church. 20l. to Aylesford Church.
- And a further sum of 20l. for the road leading to Aylesford Church, to Black Rock. 20l. to Black Rock.
- And a further sum of 20l. for the road from Condon's Mill, to the Annapolis road. 20l. from Condon's mill.
- And a further sum of 20l. for the road from Silas Wickwire's, by Huntley, to Minas Bafon, near White Water. 20l. to White Water.
- And a further sum of 20l. for the road from Scotch Bay to Cornwallis. 20l. to Scotch Bay.
- And a further sum of 35l. for the road from Eddy Newcomb's, to Hall's Harbour in Cornwallis. 35l. to Hall's Harbour.
- And a further sum of 20l. for the road near Randle Insley's, to the Bay of Fundy. 20l. to Insley's.
- And a further sum of 20l. for the road from Baxter's Harbour, to Sheffield's in Cornwallis. 20l. from Baxter's Harbour.
- And a further sum of 15l. for improving the three roads from Benjamin Foxe's, by Wilmot Osborne's, from Foot's by Luther Porter's, and for the road by James Kingsman, up the Mountain, all leading to the Hull Harbour road by Eddy Newcomb's. 15l. to Hull Harbour.
- And a further sum of 20l. for the road from the Black Rock road near Seth Burges's farm, to the road leading to Foot's. 20l. to Black Rock Road.
- And a further sum of 20l. for the road from Charles Finche's, westerly near William North's, to the road leading to Hall's Harbour. 20l. to Hall's Harbour.
- And a further sum of 20l. for the road leading from the road by little Lake, to Aylesford Church, by Benjamin Burges's over Bear Brook, to the Black Rock road. 20l. to Aylesford Church.
- And a further sum of 30l. for the road near Patrick Lyon's, under the Mountain, easterly by Cyrus Webster's, to Daniel Sanford's. 30l. to Sanford's.

- 30l. to Perro. And a further sum of 30l. for the road leading from the Perro road, over the Perro dyke, by Benjamin Weaver's, and the Settlement at Bass Creek, and extending westerly to the road leading to Perro.
- 25l. Cornwallis. And a further sum of 25l. for the road (by securing the Sea Bank) near James Allison's in Cornwallis.
- 20l. to New-Canaan Road. And a further sum of 20l. for opening and improving the road from near Joel English's southerly, to the New Canaan road.
- 40l. Cornwallis. And a further sum of 40l. for opening and improving the New Canaan road from the west bounds of Cornwallis, towards the New Canaan settlement.
- 20l. to Kinsman's. And a further sum of 20l. for the road near Thadeus Harris's, westerly, to Amos Kinsman's.
- 20l. Morden Road. And a further sum of 20l. for the Morden road from Francis Tupper's to the Bay of Fundy.
- 20l. to Randle's. And a further sum of 20l. for the road westerly from the Morden Road to the settlement near William Randle's.
- 20l. to Annapolis. And a further sum of 20l. for the road leading from the main road to Annapolis, past the School House, northerly, near William Randle's, to the Bay of Fundy.
- 20l. near Clermont. And a further sum of 20l. for the road northerly past Clermont to the Bay of Fundy.
- 20l. Ormsby Road. And a further sum of 20l. for the road called the Ormsby road, leading northerly on or near the line between William Parker's and John West's, junior.
- 20l. to New Canaan Road. And a further sum of 20l. for the road southerly from the Annapolis Road, by Ryarson's Mill, to the New Canaan road.
- 20l. to New Canaan Road. And a further sum of 20l. for the road near Samuel Parker's, southerly, to the New Canaan road.
- 100l. Liverpool Road. And a further sum of 100l. for the Liverpool road, from the Half-way Tree towards Nictaur.
- 25l. New Canaan Road. And a further sum of 25l. for the New Canaan road, from the east bounds of the County of Annapolis towards Nictaur. And

And a further sum of 35l. for the main road in Annapolis, from Shaftner's Farm to the lands late granted Jesse Hoyt. 35l. Annapolis.

And a further sum of 35l. to aid the Inhabitants of Annapolis to rebuild the bridge near Round Hill, on the Post road. 35l. Annapolis.

And a further sum of 100l. to repair the bridge over the Annapolis River, at Hicks' Ferry. 100l. Annapolis Bridge.

And a further sum of 200l. to repair the bridge over Allen's Creek, near Annapolis. 200l. Allen's Creek Bridge.

And a further sum of 80l. to improve the alteration made in the main road leading westward from Annapolis, by the way of the Hessian Line, from the General's bridge. 80l. to General's Bridge

And a further sum of 20l. for the main road in Granville, from the Battery at the Gut to Bray's bridge. 20l. to Granville.

And a further sum of 30l. to aid the Inhabitants of Granville to repair the Aboiteau, at Chesley's, and the Bridge at Bath's, on the main road. 30l. to Granville.

And a further sum of 25l. for completing the bridge over the Annapolis river, at Leonard's. 25l. Bridge at Leonard's.

And a further sum of 100l. for improving that part of the new projected road to Halifax from Annapolis, to the Liverpool road. 100l. to Liverpool Road.

And a further sum of 20l. to aid the Inhabitants of the upper part of Annapolis to improve the cross road from the main road, by Neiley's Farm, to the southward. 20l. Annapolis.

And a further sum of 25l. to aid the Inhabitants of Annapolis and Wilmot to repair the bridge at Lunn's Mill, over the Annapolis river. 25l. Bridge at Lunn's mill.

And a further sum of 35l. to aid the Inhabitants of Clements to improve the cross road beginning at Isaac Ditmas's, on the road leading through the Waldeck and Hessian Lines. 35l. through Waldeck.

And a further sum of 40l. to aid the Inhabitants at Parker's Cove, on the Bay of Fundy, to improve the road from the main road in Granville to the said Cove. 40l. from Parker's Cove.

And a further sum of 30l. (in addition to the sum of 35l. granted last year, and not expended) 30l. to Chute's Cove.

ed) for completing the opening, and improving, the road on the North Mountain, from the cross road to Young's Cove, to the cross road to Chute's Cove.

- 45l. Granville. And a further sum of 45l. to aid the Inhabitants of Granville to complete the opening of the road, by the Farm of I. Phinney, to the Bay of Fundy.
- 25l. from Chute's Cove. And a further sum of 25l. to aid the Inhabitants of Granville to improve the cross road from Chute's Cove to the main road near Captain Bath's, in Granville.
- 25l. Wilmot. And a further sum of 25l. to aid the Inhabitants of Wilmot to improve the road from Leonard's, on the main road, to the road under the Mountain.
- 25l. Hill at Slocomb's. And a further sum of 25l. to aid the Inhabitants of Wilmot to reduce the Hill at Slocomb's, and to improve the road under the North Mountain, from the Henley road to the eastward.
- 40l. from Woodberry's. And a further sum of 40l. for the road from Woodberry's to the Bay of Fundy,
- 35l. to Bay Shore. And a further sum of 35l. for the road from Andrew Marshall's, in Wilmot, to the Bay Shore, to commence at the said Shore.
- 35l. North Mountain. And a further sum of 35l. for the road on the Top of the North Mountain, from the Granville Line, to the Farm of Henry Delongs, on the said road.
- 40l. in Wilmot. And a further sum of 40l. for the main road in Wilmot, near the Farm of John Ruggles, to the Bay of Fundy.
- 30l. Wilmot. And a further sum of 30l. to aid the Inhabitants of Wilmot to open a road from the Stronach road, on the top of the Mountain, to the road leading to Judge Haliburton's Farm.
- 250l. to Shelburne. And a further sum of 250l. (in addition to a part of the grant of last year unexpended) for the Great Roads leading Westward, and from the bridge on Bear River, and at the Ferry at the mouth of the said River, to the junction of these roads at Lee's mills, inclusive of the bridges on Hollingshead Creek, and three miles contiguous of the Shelburne road.
- 160l. Bridge at Lee's mill, &c. And a further sum of 150l. for repairing the bridge at Lee's mill, and improving the great western road; one half to be expended between Lee's mill, and Velzer's Farm inclusive of the forking of the said road, which connects it with the road from the town plot of Digby The other half between Rowe's mill and Sciffabou bridge.

And a further sum of 175*l.* towards repairing the Post Road, from Montegan to Salmon River, and for building a bridge over the said river. 175*l.* to Montegan.

And a further sum of 150*l.* to improve the road between Digby and the Grand Passage, to say: 30*l.* to be expended between Digby and William's mill brook; 40*l.* between the said mill brook and William Johnson's House; and 80*l.* from said Johnson's House to Little River. 150*l.* between Digby and Grand Passage

And a further sum of 50*l.* to finish opening the road through Long Island, from the Petit Passage to the Grand Passage. 50*l.* to Grand Passage.

And a further sum of 125*l.* for improving the road leading from Digby to Gulliver's Hole, by the way of the Battery and the Light-House: of which sum, 60*l.* to be expended on the part between Digby and the Light-House at Rogers's Point, and 65*l.* from George Baine's, through the Scotch Settlement, to Gulliver's Hole. 125*l.* to Gulliver's Hole.

And a further sum of 100*l.* for the further improvement of the road leading from the termination of the Hessian Line through the south range of the Hatfield Grant to the Falls of Scissabou River. 100*l.* to Scissabou.

And a further sum of 50*l.* for opening the road from Tucker's, along the North range of the Hatfield Grant, to No. 23, at the Point where the parallel roads, leading through the said Grant are connected with the main road leading from Digby to Scissabou. 50*l.* from Tucker's.

And a further sum of 10*l.* for the road from Elder's, in Falmouth, to the old road leading to Horton, near Macan's. 10*l.* to Horton.

And a further sum of 28*l.* 6*s.* 8*d.* for the old road from Falmouth Ferry to the Half-Way River. 28*l.* 6*s.* 8*d.* from Falmouth.

And a further sum of 20*l.* for the road from the Newport Line to James Campbell's, in Douglafs. 20*l.* to Douglas.

And a further sum of 50*l.* to straiten and improve the road from Haine's Farm to Blois's, and to improve the road from thence to the bridge over the Kenetcook River, in Douglafs. 50*l.* to Kenetcook.

And a further sum of 20*l.* to open a road from the Kenetcook Bridge to the Noel Road in Douglafs, so as to avoid the steep Hills. 20*l.* to Noel.

- 100l. to Five Mile River. And a further sum of 100l. for the main road from Finley Murdock's to the Five Mile River, in Douglafs.
- 50l. to Nine Mile River. And a further sum of 50l. for the road from the Douglafs Church to the Nine Mile River Settlement, in addition to the sum undrawn from the Treasury.
- 50l. from Nine Mile River. And a further sum of 50l. for the road from the Nine Mile River Settlement in Douglafs, to the bridge at Hall's.
- 50l. to Shubenaccadie Bridge. And a further sum of 50l. for the road from Barwick's Brook to the new bridge over the Shubenaccadie.
- 50l. to Barwick's Brook. And a further sum of 50l. for the road from James Douglafs's to Barwick's Brook.
- 50l. to Douglass. And a further sum of 50l. for the road from Noel to the main road in Douglafs.
- 50l. to Beaver Bank. And a further sum of 50l. for the new road from the Noel Road to Beaver Bank, in aid of the Inhabitants.
- 40l. to the Gore. And a further sum of 40l. for the road from M'Lean's Farm, to the Gore Settlement in Douglafs.
- 25l. to Tagget's. And a further sum of 25l. for the road from Ellis's Mill, through the Nine Mile River Settlement, to Tagget's, in Douglafs.
- 30l. to Rawdon. And a further sum of 30l. for the main road from Douglafs to the Church in Rawdon.
- 100l. to Wier's Hill. And a further sum of 100l. for the new road from the Church in Newport, to the Halifax road at Wier's Hill.
- 125l. to Lockart's Hill. And a further sum of 125l. to alter and improve the road from the bridge at Lockart's, to avoid Lockart's Hill.
- 25l. from Wilcox's Ferry. And a further sum of 25l. for the road from Wilcox's Ferry, to the cross roads at Barron's.
- 25l. to Wier's. And a further sum of 25l. for the road from Hugh Smith's, to Archibald Wier's.

- And a further sum of 25l. for the road from Archibald Wier's, to Parker's Mill. 25l. to Parker's
- And a further sum of 30l. for the road from the Mill at Parker's, to Lawrence's. 30l. Lawrence's
- And a further sum of 50l. for the road from Petit to Salter's. 50l. to Salter's.
- And a further sum of 30l. for the road from Rine's Settlement on Cogmagun, to the road near Salter's. 30l. from Cogmagun.
- And a further sum of 16l. 13s. 4d. to Linnard Maxiner, being a balance due him for work done by him on the road over the Tanners Hill in Windsor, in the year one thousand eight hundred and three. 16l. 13s. 4d. L. Maxiner.
- And a further sum of 100l. to reduce the Tanners Hill in Windsor, on the main road to Halifax. 100l. Tanner's Hill.
- And a further sum of 100l. for the road from Long's to Chester line, and for opening a road on the upland so as to avoid the intervale above Long's. 100l. to Chester
- And a further sum of 25l. for the road from Stevens's to Fenton's, in Rawdon, and to pay for raising the road at each end of the Bridge over the River Hebert. 25l. in Rawdon
- And a further sum of 25l. for the road leading from Rawdon road by Haley's to James Harvie's in Newport. 25l. to Newport
- And a further sum of 50l. to alter and improve the main road from Haley's to Rawdon Church. 50l. to Rawdon
- And a further sum of 250l. to complete the alterations and improve the road from Haley's to Lawrence's. 250l. to Lawrence's.
- And a further sum of 25l. for the road by Landerkin's to the new settlement near Higgin's, in Rawdon. 25l. to Rawdon
- And a further sum of 50l. for the road from Barron's in Rawdon, to Taggart's on the Nine Mile River. 50l. to Nine Mile River.
- And a further sum of 60l. for the road from Shiverie Farm to Cambridge, thence to Fulton's, and from thence to Petit Bridge. 60l. to Cambridge, &c.

And



- 50l. to Noel,  
8c. And a further sum of 50l. for the road from Petit to Noel along the shore, and from Noel to Salter's Head.
- 10l. to Knowles' And a further sum of 10l. for the road leading from the old road in Falmouth to the road near Knowles's by way of Payzant's, in addition to the money undrawn from the Treafury for the same road.
- 40l. to Fal-  
mouth. And a further sum of 40l. for the road from Dickie's bridge near Mount Denfon to Loomer's, in Falmouth.
- 15l. to Song-  
ster's. And a further sum of 15l. for the road from the Bridge over the fourth branch of the River Avon to the Church near Songster's.
- 50l. to Mill  
Village. And a further sum of 50l. for the road from Dunlap's, on the road from Lunenburg County, to the Bridge over Portmetway River, to Mill Village.
- 150l. to Herring  
Cove. And a further sum of 150l. for the road from Mill Village to the Bridge at Herring Cove.
- 75l. to Liver-  
pool Falls. And a further sum of 75l. for the road from the Herring Cove Bridge to the Bridge at the Falls over Liverpool River.
- 250l. to Port  
Mutton. And a further sum of 250l. for the road from the main road leading through Liverpool to the bridge over Great River, at Port Mutton, on the main road to Shelburne.
- 50l. from Port  
Mutton. And a further sum of 50l. for the road from Port Mutton to the eastern bounds of Shelburne County.
- 350l. to Liver-  
pool. And a further sum of 350l. for the road from the north bounds of Queen's County, on the Nictaur Road, towards Liverpool.
- 200l. to Her-  
ring Cove. And a further sum of 200l. for the road from Port Metway to Herring Cove Bridge.
- 60l. to Claren-  
burg's Farm. And a further sum of 60l. for the road from the Grift Mill, at Beach Meadows, to Clarenburg's Farm.
- 50l. to Eagle  
Head. And a further sum of 50l. for the road from William Cahoon's, Junr. to Eagle Head.
- 150l. to Wes-  
ern Head. And a further sum of 150l. for the main road in Liverpool to the Western Head Settlement.  
And

- And a further sum of 25l. for the road from Munroe's to the main road leading through Queen's County. 25l. to Munroe's
- And a further sum of 50l. for the road from Hunt's Point Village to the main road leading to Shelburne. 50l. from Hunt's Point
- And a further sum of 40l. for the road from the main road leading to Shelburne, to Dogget's House, at White Point Settlement. 40l. to White Point.
- And a further sum of 100l. for the road from Ballast Cove to the main road leading from Liverpool to Shelburne. 100l. from Ballast Cove.
- And a further sum of 150l. to assist the Inhabitants at Port Mutton to build a Bridge over Port Mutton River. 150l. Port Mutton.
- And a further sum of 400l. for the main road from Chester to Hamond Plains. 400l. to Hamond Plains.
- And a further sum of 150l. for the main road from Chester to Lunenburg. 150l. to Lunenburg.
- And a further sum of 300l. for the main road from Lunenburg to Annapolis. 300l. to Annapolis.
- And a further sum of 50l. for the road from Lunenburg to Lahave River, on the main road to Liverpool. 50l. to Lahave.
- And a further sum of 300l. for the road from Petit River to the bounds of Lunenburg County, on the main road from Lunenburg to Liverpool. 300l. from Petit River.
- And a further sum of 50l. for the road from Lahave River to Petit Rivere, on the main road from Lunenburg to Liverpool. 50l. to Petit Rivere.
- And a further sum of 400l. for the main road from Chester to Windsor. 400l. to Windsor.
- And a further sum of 50l. for the road from Lahave to Brookfield, above Lahave Falls, near the Liverpool Line. 50l. to Brookfield.
- And a further sum of 250l. for the road from the bounds of Queen's County to the town of Shelburne. 250l. to Shelburne.
- And a further sum of 220l. for the road from Shelburne to Clyde River, and repairing the bridge over the River Roseway. 220l. to Clyde River.

- 99l. to Mill  
Brook. And a further sum of 90l. for the road from Clyde River to the bridge over the Mill Brook in Barrington.
- 490l. to Pubni-  
co. And a further sum of 400l. for the road from the bridge over the Mill Brook in Barrington to Owen's at Pubnico.
- 90l. from River  
Jordan. And a further sum of 90l. for the road from the bridge over the River Jordan to Ragged Islands, and from thence to Clyde River.
- 60l. to Telford's And a further sum of 60l. for the road from Salmon River in Yarmouth, to Jacob Telford's.
- 50l. from Tel-  
ford's. And a further sum of 150l. for the road from Jacob Telford's to the bounds of the County of Annapolis.
- 80l. to Yar-  
mouth. And a further sum of 80l. for the road from Robert Durkie's to the north line of the Township of Yarmouth, on the westerly side of Lake George.
- 50l. to Re-  
nard's Mill. And a further sum of 50l. for the road from Tuskit River Bridge to Renard's mill.
- 20l. Yarmouth  
Bridge. And a further sum of 20l. to aid the inhabitants of Yarmouth to repair the bridge over the River at the Narrows, near Doctor's Lake.
- 20l. to Yar-  
mouth. And a further sum of 20l. to aid the inhabitants to improve the road from Purdy's on Tusket River, to Joshua Terry's in Yarmouth.
- 20l. Yarmouth. And a further sum of 20l. to aid the inhabitants to improve the road from Thomas Brown's to William Stevens's near the high head in Yarmouth.
- 90l. to Scissa-  
bou Falls. And a further sum of 90l. to open and improve the road from the North Line of the Township of Yarmouth to the Upper Falls on the Sciffabou River.
- 60l. to Argyle. And a further sum of 60l. for the road from Owen's at Pubnico, to John Nickerson's in Argyle.
- 100l. to Yar-  
mouth. And a further sum of 100l. for the road from John Nickerson's to John Kenney's in Yarmouth.
- 1500l. Corn-  
wallis Bridge. And a further sum not exceeding 1500l. to enable the inhabitants of King's County to erect

erect a bridge over Cornwallis River, near William Campbell's, in aid of the sum of 1000l. already subscribed for the above purpose. *Provided*, that the said sum shall not be drawn from the Treasury until the Commissioner or Commissioners appointed for building the said bridge shall certify to his Excellency the Lieutenant Governor, that the sum of 1000l. subscribed for that service, hath been collected; nor until the Justices of the County of King's County, in their General or Special Sessions shall likewise certify, that a public highway is opened and established, without any expence to the Province, leading from the main road on each side of Cornwallis River, to the place where the bridge is to be erected.

And a further sum of 80l. for removing obstructions to the Navigation of rafts and boats in the River Musquodoboit. 80l. River Musquodoboit.

And a further sum of 250l. (in addition to 100l. granted this Session) to open a road from Hamond Plains leading to Annapolis. 250l. to Annapolis.

And a further sum of 400l. for the road from M<sup>r</sup>Alpin's towards Sackville Bridge, to be expended under the direction of the Commissioners of the Streets of Halifax. 400l. to Sackville.

And a further sum of 100l. to assist the inhabitants of Port Mutton in Queen's County, to build a bridge over a Creek in the centre of the said Settlement, and on a public road granted by the Sessions at Liverpool. 100l. Port Mutton.

And a further sum of 50l. to enable the inhabitants of Blandford to the westward of Ashmatogan, to communicate with the main road leading from Halifax, by the way of St. Margaret's Bay, to Chester, in the County of Lunenburg. 50l. Blandford

And a further sum of 30l. to the person or persons who shall be appointed by the Court of Sessions, in the County of Lunenburg, to keep a Ferry at Lahave River on the main road from Lunenburg to Liverpool, to enable such person to provide a good and sufficient Boat or Scow, for the purpose of carrying over the said River Horses and Carriages; to be drawn by Warrant by his Excellency the Lieutenant-Governor, upon the certificate of the Court of Sessions aforesaid, that such Boat or Scow is provided for the purpose aforesaid. 30l. Lahave Ferry.

V. *And be it further enacted*, That the Treasurer be, and he is hereby authorized, to pay to John Hutchinson, the Commissioner for the Road leading from Chester to Windsor, the sum of 50l. being the balance of 200l. granted for the said Road in the last year. 50l. John Hutchinson.

VI. *And be it further enacted*, That the sum of 20l. granted to Joseph Langley, in the year one thousand eight hundred and thirteen, on condition that he should remain on the road from Musquodoboit to Guyfborough, for the term of four years, and that he should find security to so remain on the said road, be paid him, without his being obliged to give such security, he having resided there three years. 20l. Joseph Langley.

VII. *And be it further enacted*, That the Collector of Impost and Excise for the County of Hants

Excise Duty  
remitted to  
Clarke Sand-  
ford, and En-  
comb Sandford.

Excise Duty  
remitted to  
William Pol-  
luck.

35l. John  
M'Keen.

Monies low  
drawn from the  
Treasury.

Sections of the  
Act 41st. Geo.  
III. continued.

Hants, be, and he is hereby authorized, to remit the amount of the Duty secured, by Clarke Sanford, and Encomb Sanford, junior, on a certain cargo of Plaister of Paris, shipped by them on board the schooner Sally & Ann, at Windsor for Passamaquoddie, and which Plaister of Paris was totally lost, together with the said vessel, at the entrance of the harbour of St. John, New-Brunswick, on the third day of December last.

VIII. *And be it further enacted*, That the Collector of Impost and Excise for the District of Colchester, be authorized to remit the Duty secured by William Polluck, on a certain quantity of Plaister of Paris shipped by him on the schooner Sukey, at the River Shubenaccadie, for Passamaquoddie, and which Plaister was totally lost, together with the said vessel, in the Bay of Passamaquoddie, about the first day of December last.

IX. *And be it further enacted*, That his Excellency the Lieutenant Governor, be, and he is hereby authorized to pay out of the Monies granted for the repairs of the great road leading to Truro, the sum of 35l. to John M'Keen, as a compensation for the Land occupied by the alteration of the great road through his improvements, which alteration was made under the direction of Robert Berry, when Supervisor for the road, *provided*, that the said M'Keen shall release to the public his right to the said Road.

X. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, to draw by Warrant on the Treasury from time to time for all such sums of money as may become due and payable by virtue of the several Laws now in force for the establishing of Schools in the Province.

XI. *And be it further enacted*, That the ninth, twelfth, fifteenth, sixteenth, eighteenth and nineteenth. sections or clauses of the Act made and passed in the forty-first year of His Majesty's Reign, entitled, "An Act for applying certain Monies therein mentioned for the service of the year of our Lord one thousand eight hundred and one, and for appropriating such part of the Supplies granted in this Session of the General Assembly, as are not already appropriated by the Laws or Acts of the Province," shall be and continue in full force and virtue, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, in as full and ample a manner as the same clauses would be, were the same again here repeated word for word.

## CAP. II.

### An ACT to alter and extend the times of holding the Supreme Court in the several Counties and Districts of this Province.

Preamble

**W**HEREAS it has been found necessary to extend the Circuits of the Supreme Court to the several Districts and Counties in this Province in which the Supreme Court does not now set; and whereas it is requisite to alter the times of holding the said Court in the several Counties and Districts in which it does now set, and also to increase the sittings of the said Court in some of them:

Supreme Court  
—when and  
where held.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That the said Supreme Court shall be hereafter held at Pictou, in the District of Pictou, on the last Tuesday of May; at Truro, in the District of Colchester, on the first Tuesday of June; at some suitable place near the bridge at Duncan's, on the River Philip, in the County of Cumberland, on the second Tuesday of June; at Lunenburg, in the County of Lunenburg, on the last Tuesday of June; at

at Liverpool, in the County of Queen's, on the first Tuesday of July ; and at Shelburne, in the County of Shelburne, on the second Tuesday of July ; and also at Windsor, in the County of Hants, on the last Tuesday in May ; at Horton, in the County of King's, on the first Tuesday in June ; and at Annapolis, in the County of Annapolis, on the second Tuesday of June ; and also at Antigonishe, in the County of Sydney, on the first Tuesday of September ; at Pictou, in the District of Pictou, on the second Tuesday of September ; and at Truro, in the District of Colchester, on the third Tuesday of September, and also at Annapolis, in the County of Annapolis, on the second Tuesday of September ; at Horton, in the County of King's, on the third Tuesday of September ; and at Windsor, in the County of Hants, on the fourth Tuesday of September.

II. *And be it further enacted*, That the said Court shall not set for more than five days at each and every of the beforementioned places, excepting at Antigonishe, in the County of Sydney, where the said Court shall not set for more than four days.

Length of sittings at each place.

III. *And be it further enacted*, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, for the time being, to appoint one fit and proper person who shall have been regularly sworn and admitted an Attorney of the said Court, ten years prior to such appointment, and shall have been in the practice of his profession as an Attorney and Counsel in the said Court at least five years next before the said appointment as an Associate Circuit Judge of the said Court, who, in the absence of the Chief Justice, shall be competent with any one of the Judges of the said Court, to hold the same in all and every the Counties and Districts aforesaid. *Provided always*, that it shall not be lawful for the person so appointed Circuit Judge of the said Court to practice, in any of the Courts of Law or Equity in this Province, nor to accept, receive or hold, together with his appointment under this Act, any office, place or situation, other than that of Master in Chancery, or a Member of His Majesty's Council, nor shall it be lawful for him to hold a seat in the House of Assembly in this Province.

Appointment of an Associate Judge, his duties, &c.

IV. *And be it further enacted*, That the person so appointed shall, when invested with the said Office, be competent to the exercise of all the duties of an Assistant Judge of the said Supreme Court, while engaged on the said Circuits, in the said Counties and Districts, and not otherwise. *Provided also*, That nothing herein contained shall be construed to empower the person so to be commissioned to perform any of the functions of a Judge or Assistant Justice of the Supreme Court at Halifax.

Power of Associate Judge.

V. *And be it further enacted*, That there shall be granted, established and paid, as the yearly salary of such Circuit Judge, the sum of four hundred pounds, in addition to the allowance of travel already provided for the Judges of the said Court.

Salary of Associate Judge.

VI. *And be it further enacted*, That the same proceedings shall be had in all causes already commenced in the said Courts, in the several Counties and Districts, as if the sitting of the said Courts had not been altered. *Provided*, the usual rules and notices shall be given to the Parties or their Attornies. *And provided also*, that four days notice of the sitting of the Court to which Process is returnable, shall be served on the parties.

Causes pending in any of the Circuit Courts.

VII. *And be it further enacted*, That all Sheriffs, Jurors, Constables, and other Officers, shall be bound to attend the said Courts at the times and places named in this Act.

Sheriffs, Jurors, &c.

VIII. *And provided also, and be it further enacted*, That if at any time after the Assistant Justices of the said Court, and the said Associate Judge shall have commenced any of the said Circuits, it shall happen that any one of the said Justices, or the said Associate Judge, by reason of sickness, or unavoidable accident, shall be prevented from attending at any of the

Sickness of a Judge going the Circuit.

said Courts on the days when the same are herein directed to be held; it shall and may be lawful for the other Justice or the said Associate Judge to hold the said Court, and to proceed in hearing and determining all matters therein depending; any thing herein contained to the contrary notwithstanding.

### CAP. III.

## An ACT to enable the Inhabitants of the Town of Halifax to Pave Water-street, in the same Town.

Preamble.

**W**HEREAS, the Inhabitants of the Town of Halifax, are desirous to pave Water-street, in the said Town; and to enable them to carry so desirable an object into effect:

Pavement commenced at Market Slip.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall and may be lawful for the Commissioners of Highways to cause the said street to be paved; and they shall commence the pavement thereof in front of the Market Slip, and proceed from thence both north and south, so that an equal space, as nearly as conveniently can, be paved in each direction from the said Slip.

Removal of obstructions.

II. *Be it further enacted, by the authority aforesaid,* That it shall and may be lawful for the said Commissioners, or any three of them, upon reasonable notice, to cause all sign-posts, show-glasses, show-boards, porches, steps, fences, cellar doors, and all and every other material, matter or thing, belonging to any house, warehouse, shop, cellar and building, or to any lot of ground or inclosure, which occasion any nuisance, encroachment or obstruction, to be immediately removed.

The erection of Porches, Sign-Posts, &c. not allowed.

III. *Be it further enacted,* That it shall not be lawful for any sign-post, show-glass, show-board, porch, step, fence, cellar door, or any other material, matter or thing, belonging to any house, warehouse, shop, cellar or building, or to any lot of ground or inclosure, hereafter to be raised, placed or put as aforesaid; and upon the same, or any of them, being at any time hereafter to raised or placed, the said Commissioners, or any three of them, shall immediately thereupon cause the same to be removed.

Water-Street--how to be paved.

IV. *And be it further enacted,* That the said street shall be paved in the middle; and the foot walks on each side shall be made either of brick or flag stone; and that, wherever the wideness of the street will admit, the paved part shall be forty feet wide, so that there may be sufficient room for the passing of horses and carriages; and the foot-way shall in every case be four feet wide.

Regulations for the preservation of the side walks.

V. *And be it further enacted,* That the Justices of the Peace, in any General or Special Sessions to be held at Halifax, shall make rules and regulations to prevent Truckmen, and other persons, from riding or driving over the foot-way, with horses or carriages, and to enforce the same.

The expence of the side walks --how defrayed.

VI. *And be it further enacted,* That the foot-way on each side of the said street shall be made at the expence of the Proprietors of the Lands it shall adjoin, and be in front of; and that the said Commissioners may sue for, and recover, the expence incurred in making the same, before the Justices of the Rotation Court, with costs, in the same manner that debts are sued for, and recovered. *Provided always,* That if the Proprietor of any Lands shall be disposed to make such foot-way himself, it shall be lawful for him to do it, under the direction of the said Commissioners, or of the Overseer appointed by them.

VII. *And*

VII. *And be it further enacted*, That when monies shall be wanted for the purposes of paving the said street, such money shall be raised by presentment of the Grand Jury, and assessed, levied and collected, in the same manner that other monies for County purposes are presented, assessed, levied and collected; *provided always*, before any such presentment shall be made, the Commissioners of Highways shall apply to the Justices of the Peace, in some General Sessions, and shall certify to the said Justices, that they have appropriated, and intend to expend a specific sum of money, for that purpose out of the licence fund, or other funds. *And provided always*, that no greater sum shall be raised by presentment, in any one year, than the sum so appropriated, out of the licence fund, or other funds.

The expence of paving Water-Street---how defrayed.

VIII. *And be it further enacted*, That the accounts of the said Commissioners of Highways shall, in future, be rendered to the Justices of the County of Halifax, in their December or March Sessions, and shall be examined, audited, and passed by them, unless the same shall be called for by any resolution of His Majesty's Council, or House of Assembly, when the same shall be laid before the Joint Committee of the Council and House, in such manner as any resolution of the Council or House of Assembly shall order and direct.

Accounts of the Commissioners of Halifax.

#### CAP. IV.

An ACT in addition to, and in amendment of, an Act, passed in the second year of his Majesty's reign, entitled, An Act for regulating the Exportation of Fish, and the Affize of Barrels, Staves, Hoops, Boards, and all other kind of Lumber, and for appointing Officers to Survey the same; and also of an Act, passed in the thirty-second year of his Majesty's reign, entitled, An Act to revive and amend an Act, for establishing the standard weight of Grain, and for appointing proper Officers for measuring Grain, Salt and Coals, and ascertaining the standard size of Bricks, and the quantity of Lime to be contained in a hoghead.

**W**HEREAS in and by the aforesaid Act, passed in the second year of His Majesty's reign, a discretionary power is given to Measurers of Cord Wood to make allowances for all Cord Wood not four feet in length, by which power, so vested as aforesaid, frequent acts of great injustice have been done to the Purchasers of that Article, and gross impositions practised: for remedy whereof,

Preamble--of Cord Wood.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly*, That that part of the clause of the said Act which authorize the measurers of cord wood to make an allowance for wants, be, and the same is hereby repealed.

Part of the Act of the 2d. Geo. III. repealed.

II. *And be it further enacted*, That the measurers of cord wood, shall, and they are hereby required, after the expiration of four months from the publication of this Act, under a penalty not less than ten nor more than twenty shillings, for every neglect to seize all sticks of cord wood offered or exposed for sale, which shall not measure four feet in length, accounting half the carf; which wood so seized as aforesaid shall be forfeited by the seller for the use of the Poor House of the Township in which the same shall have been seized.

Seizure of Cord Wood less than four feet long.

III. *And be it further enacted*, That from and after the first day of October next, all and every

every



Crooked and rotten wood low piled.

Seizure of crooked and rotten wood less than four feet long.

Preamble...of Coal, Salt, and Grain.

Forfeiture of Coal, Salt, or Grain, not duly measured.

Penalty to which a Measurer may subject himself.

Allowance to Surveyors and Measurers.

every person or persons bringing cord wood to market for sale, shall pile all crooked or rotten wood in distinct and separate piles from the sound wood, and upon neglect or refusal of the feller to pile the crooked and rotten wood, the same to be seized by the surveyor, and to be forfeited by the feller for the use aforesaid.

IV. *And be it further enacted*, That all crooked or rotten wood not measuring four feet in length, accounting half the carf, shall also be seized by the surveyors under the like penalty for neglect as imposed by the second section of this Act, and the wood to be forfeited for the use as aforesaid.

*And whereas great and serious evils have arisen, and great abuses have been practised, by means of the delivery of Coals, Salt and Grain, without having been previously surveyed by the proper Officer: for remedy whereof,*

V. *Be it further enacted*, That from and after the publication hereof, all coal, salt, and grain, delivered from any ship or vessel, to any truckman or any other person, without having been duly and regularly admeasured by the proper officer appointed by the Court of Sessions, to survey the same, shall be forfeited, or the value thereof, by the feller thereof, to and for the use of the poor of the Township.

VI. *And be it further enacted*, That each and every measurer of coal, salt, and grain, who shall undertake to attend the admeasurement of either, or any of the aforesaid articles, from more than one vessel at one and the same time, shall forfeit for each and every such offence, the sum of forty shillings, to be recovered before any one of His Majesty's Justices of the Peace, by warrant of distress, and to be applied for County purposes.

VII. *And be it further enacted*, That the surveyor of cord wood shall receive from the feller, for each survey and examination, four pence per cord; and the measurer of grain shall receive for all grain (oats excepted) at the rate of four shillings per hundred bushels; and for oats two shillings per hundred bushels; and the measurer of salt, for every hoghead of salt, two pence; and the measurer of coals, for every chaldron of coals, six pence, to be paid by the feller of the aforesaid articles.

## CAP. V.

### An ACT for the preservation of Snipes and Woodcocks.

**W**HEREAS, it is expedient to prevent the killing of Snipes and Woodcocks during the time of their Breeding:

Preamble.

Between March and September not lawful to kill Snipes and Woodcocks.

Penalty for violating this Act.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That it shall not hereafter be lawful to kill any Snipe or Woodcock within this Province, from the first day of March, until the first day of September in each and every year respectively.

II. *And be it further enacted*, That every person who shall take, kill, sell, expose to sale, buy, cause to be bought, or have in his or her possession, any Snipe or Woodcock, between the days herein before mentioned, shall, for each Snipe or Woodcock so taken, killed, sold, exposed to sale, bought, caused to be bought, or found in his or her possession, forfeit the sum of Ten Shillings, to be recovered and applied in like manner as the Penalty imposed by the Acts made for the preservation of Partridges and Bluewinged Ducks. *Provided always*, That this Act shall not extend to any Indian or Poor Settler, who shall kill any Snipes or Woodcocks for his own use and not for sale.

CAP. VI.

An ACT in addition to the Act for punishing Criminal Offenders.

WHEREAS, the punishment by imprisonment of Clergyable Felonies, Larcenies, and other lesser Criminal Offences, is often nugatory, and a useless expence to the Counties: Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Court before whom any person or persons shall be convicted of any Clergyable Felony, Larceny, of Receiving Stolen Goods knowing them to be Stolen, or other lesser Criminal Offence, to sentence the Offender to be put and kept to Hard Labour, in the House of Correction at Halifax, or elsewhere, or upon the Highways, or other Public Works, in the Province, for any term or time not exceeding seven years, on such terms and conditions as shall appear to be best calculated to promote the reformation of the Offender, a good example to others, and a just retribution to the Public for the injury done to it by such Offender.

Persons liable to be committed to Bridewell, &c.

II. And be it further enacted, That it shall and may be lawful for the Supreme Court, from time to time, to make, ordain and promulgate, rules and ordinances, general or special, for the discipline, management and government, of all and every person and persons sentenced to Hard Labour as aforesaid, and to prescribe such Corporal Punishment or Deprivation for the disobedient or refractory conduct of such Offenders as shall appear to the said Court to be fit and proper.

Regulations for Bridewell.

CAP. VII.

An ACT to explain the Acts, concerning Marriage and Divorce, passed in the thirty-second year of His late Majesty's Reign, and the first year of His present Majesty's Reign.

WHEREAS doubts have arisen relative to the construction of the Acts of the Province concerning Marriage and Divorce; for removing thereof: Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Court in which such Causes are tried, on the hearing of any suit of Marriage and Divorce for the cause of Adultery or Cruelty, to declare and decree, by definitive sentence or otherwise, the Marriage between the parties in such suit to be absolutely null and void, from and after the time when such Adultery or Cruelty shall be proved before the said Court to have been committed; or to separate the said parties from bed and board only, and to allow and order Alimony, and reasonable costs, to the Wife so separated, as shall appear to the said Court to be fit and proper, according the condition of the parties, and the rules and practice of the Ecclesiastical Courts in England, in such cases.

Divorce or Separation for Adultery or Cruelty.

Alimony to the Wife.

II. Provided always, that nothing herein contained shall be construed to allow any person or persons who may be divorced from Bed and Board only, to marry again, without incurring the crime of Bigamy.

Proviso.

## CAP. VIII.

An ACT to continue an Act, passed in the fifty-first year of the Reign of his present Majesty, intituled, An Act for encouraging the establishment of Schools throughout the Province.

Act continued.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the said Act entitled, An Act for encouraging the establishment of Schools throughout the Province be continued, and the same is hereby continued for the space of three years from the publication hereof, and from thence to the end of the next Session of the General Assembly.

## CAP. IX.

An ACT to extend the Provisions of an Act to give power to the Firewards of the Town of Halifax, to prevent dangerous Quantities of Gunpowder being kept within the said Town and Harbour thereof, to the Town of Windsor.

Act 54th Geo. III. extended to Windsor.

**B**E it enacted, That the Act, passed in the fifty-fourth year of His Majesty's reign, intituled, An Act to give power to the Firewards of the town of Halifax, to prevent dangerous Quantities of Gunpowder being kept within the said Town and Harbour, and all the provisions, and every matter and clause therein contained, be extended, and the same is hereby extended, to the Town Plot of Windsor, in the County of Hants, in the same manner as if the said Town of Windsor, was specially named in the said Act.

## CAP. X.

An ACT for the encouragement of the Trade of this Province, in Plaister of Paris, otherwise called Gypsum.

Plaister of Paris exported.

Where allowed to be landed.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the first day of May next, no Plaister of Paris, otherwise called Gypsum, which shall be laden or put on board any ship or vessel, at any port or place within the limits of this Province, to be transported from thence to any other port or place within or without the same limits, shall, directly or indirectly, be unladen or landed, or put on shore, at any other port or place within the limits of this Province, except the harbours of Annapolis Royal, of Digby, of Yarmouth, of Halifax, of Shelburne, and of Liverpool; nor at any port or place in the United States of America eastward of Boston, in the State of Massachusetts, except the port of St. John, in New Brunswick, nor unladen or put on board any American ship, vessel, boat or shallop, of any description, at any port or place eastward of Boston aforesaid, under the penalty of the forfeiture of every such ship or vessel, from which any such Plaister of Paris or Gypsum shall be unladen contrary to the provisions of this Act, together with her boats, tackle, apparel and furniture, to be seized and prosecuted in manner herein after mentioned.

II. And

II. *And be it further enacted*, That no Plaister of Paris or Gypsum, shall be laden on board any ship or vessel, at any port or place within the limits of this Province, to be transported from thence to any other port or place within or without the same limits, until Bond shall be given to his Majesty at the office of the Collector of Impost and Excise, at or nearest to the port or place where such Plaister shall be intended to be so laden, by the owner or master of such ship or vessel, with one sufficient surety, in a sum double the amount of the value of the Plaister so intended to be shipped, estimating each ton at twenty shillings, with a condition to render the same void, if the said Plaister or Gypsum so intended to be laden or put on board such ship or vessel shall not, directly or indirectly, be unladen or landed, or put on shore at any other port or place within the limits of this Province, except the harbours of Annapolis Royal, Digby, Yarmouth, Shelburne, Halifax, and Liverpool; nor at any port or place in the United States of America eastward of Boston, aforesaid, in the State of Massachusetts, nor unladen or put on board any ship, vessel, boat or shallop, of any description, at any port or place eastward of Boston, aforesaid, except the port of St. John, in New-Brunswick; and the said Collector of Impost and Excise shall forthwith, upon the execution of such bond, give to the master of such ship or vessel, a certificate that such bond as aforesaid, has been given; which certificate shall be kept by the said Master to be produced by him as occasion may afterwards require; and if such Plaister of Paris or Gypsum shall be laden, or put on board any ship or vessel, at any port or place, within the limits of this Province, to be transported from thence to any other port or place within or without the same limits, before such bond as aforesaid shall be given, every such ship or vessel, and the Plaister so laden before such bond given as aforesaid, together with her boats, tackle, apparel and furniture, shall be forfeited, and shall and may be seized and prosecuted in manner hereinafter mentioned.

Bond to be given by Persons exporting Plaister.

III. *And be it further enacted*, That if any ship or vessel, on board which any Plaister of Paris or Gypsum, shall be laden as aforesaid, at any port or place within the limits of this Province, shall be afterwards found in any other place, not having such certificate as aforesaid of such bond as aforesaid having been given, every such ship or vessel, and the said Plaister on board such ship or vessel, together with her boats, tackle, apparel and furniture, shall be forfeited, and shall and may be seized and prosecuted in manner hereinafter mentioned.

Vessels, &c. may be seized for violating this Act.

IV. *And be it further enacted*, That any bond given under and by virtue of this Act, shall and may be cancelled by the said Collector of Impost and Excise, at any time within six calendar months next after giving the same, upon the production of a certificate from the Collector of the Customs of the Port, or from any British Consul or Vice-Consul at or near such place, that such Plaister was actually unladen from such ship or vessel at such port, or at Boston, or at a place to the westward of Boston aforesaid; and if the Plaister mentioned in such bond shall have been unladen in either of the harbours of Annapolis Royal, Digby, Yarmouth, Shelburne, Halifax, Liverpool, or the Port of St. John, in New-Brunswick, then, and in such case, upon the production of a certificate from the Collector of Impost and Excise, or the Treasurer at St. John, in New-Brunswick, that such Plaister was actually unladen as last aforesaid. *Provided always*, That in case of the shipwreck, or loss at sea, proof of the same, to the satisfaction of the said Collector of Impost and Excise, shall be equivalent to any such certificate as aforesaid.

Export Bond how cancelled.

V. *And be it further enacted*, That for every bond and certificate herein before required to be given as aforesaid, the Collector of Impost and Excise shall be entitled to demand and receive the sum of five shillings, and no more.

Shipwreck, &c. of Vessels in which Plaister may be exported.

Allowance to Collectors.

VI. *And be it further enacted*, That it shall and may be lawful for the Collectors of Impost and

and

Duty of Col-  
lectors.

and Excise within this Province, or either of them, and they are hereby authorized and required, to seize, and take, any ship, vessel, boat or shallop, and the Plaister on board, which shall be liable to forfeiture under this Act, and to detain and prosecute the same to final judgment.

Fraud-- how  
punished.

VII. *And be it further enacted*, That any person or persons producing, or attempting to produce, or having at any time produced, any false or fraudulent certificate, paper or papers, voucher or vouchers, in order to cancel any bond required by this Act, or in any manner to evade the true intent and meaning of this Act, such offender or offenders, shall each and every one of them forfeit and pay the sum of one hundred pounds.

Recovery and  
application of  
Penalties, &c.

VIII. *And be it further enacted*, That all fines, penalties and forfeitures, for any offence against this Act, shall be prosecuted, levied and recovered, by bill, plaint or information, in His Majesty's Supreme Court of this Province: and one moiety of such fines, penalties and forfeitures, shall be to His Majesty, to be applied to the support of the Government of this Province; the other moiety to him or them who shall discover, inform, or sue for the same, together with full costs of suit; and that on all prosecutions for any fines, penalties and forfeitures, for any offence against this Act, the prosecutor and defendant shall be entitled to demand a Special Jury for the trial thereof, and to take depositions of witnesses, to be used in evidence at such trial, as is practiced and authorized by the laws and usages of this Province in civil actions.

Cases of hard-  
ship--how re-  
lieved.

IX. *And be it further enacted*, That in all cases of hardship which may arise in the continuation of, and in carrying into execution, the provisions of this Act, relief may be had by applying to the Governor, Lieutenant-Governor, or Commander in Chief for the time being, who is hereby authorized, with the advice of His Majesty's Council, to direct the release of any seizure made, or to discontinue or stay any prosecutions for penalties which may have been, or may be intended to be, instituted, upon such terms as he may deem equitable.

Carriage of  
Plaster of Paris  
within the ri-  
vers of the  
Province, in  
boats, &c.

X. *And be it further enacted*, That nothing in this Act shall be construed to extend to the carriage of Plaster of Paris or Gypsum, in any boat, lighter, drogher, or other vessel, employed within any river of this Province, and not without the same, in transporting Plaster of Paris or Gypsum from the shores of such river to vessels lading at the mouth thereof, or from the shores of such river to any wharf or place of landing within such river.

Act--when put  
in force.

XI. *And be it further enacted*, That this Act shall not be in force until an Act, passed in the Province of New-Brunswick, on the Eleventh day of March, in the Year of Our Lord One Thousand Eight Hundred and Sixteen, intituled, "An Act for the Encouragement of the Trade of that Province, in Plaster of Paris, otherwise called Gypsum," shall be published, and made known, by Proclamation, from the Governor, Lieutenant-Governor, or Commander in Chief, of that Province, for the time being, agreeably to the Ninth Section of the said Act.

Continuance of  
Act.

XII. *And be it further enacted*, That this Act shall continue and be in force five years, and thence to the end of the next Session of the General Assembly, and no longer.

His Majesty's  
approbation of  
this Act neces-  
sary

XIII. *And be it further enacted*, That this Act shall not be in force until His Majesty's Royal Approbation be thereunto had and declared.

## CAP. XI.

An ACT to continue the several Acts of the General Assembly, for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province:

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, made in the thirty-second year of his present Majesty's reign, entitled, An Act for the further increase of the Revenue, by raising a Duty of Excise on all Goods, Wares and Merchandise, imported into this Province; also, the Act, made in the forty-eighth year of his said Majesty's reign, for repealing so much of the aforesaid Act as exempts from such duty certain articles therein enumerated, and for declaring what goods, wares and merchandise, shall hereafter be exempt from such duty of Excise. And, also, the Act, made in the fifty-fourth year of His present Majesty's reign, entitled, An Act to continue the several Acts of the General Assembly for the further increase of the Revenue, by raising a Duty of Excise on all goods, wares and merchandise, imported into this Province; and every matter, clause and thing, therein mentioned, be continued, and the same are hereby continued, until the Eighteenth Day of March, which will be in the year of our Lord One Thousand Eight Hundred and Seventeen and no longer.

Act 32d Geo. III.

Act 48th Geo. III.

Act 54th Geo. III.

Continued to 18th March, 1817.

## CAP. XII.

An ACT to alter and continue an Act for granting to his Majesty certain duties on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of His Majesty's Government, and for promoting the Agriculture, Commerce, and Fisheries of this Province.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, passed in the fifty-fifth year of his Majesty's reign, entitled, An Act for granting to his Majesty certain duties on Wine, Brandy, Gin, Rum, and other Distilled Spirituous Liquors, Molasses, Coffee, and Brown Sugar, for the support of his Majesty's Government, and for promoting the Agriculture, Commerce, and Fisheries of the Province, except so far as the same is herein altered, be continued, and the same is hereby continued until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, and no longer.

Act 55th Geo. III.

Continued to 18th March, 1817.

II. *And be it further enacted,* That from and after the eighteenth day of March in this present year, there shall be paid a duty of nine pence for every gallon of Rum, distilled within this Province, and no more, any thing in the said Act contained, to the contrary notwithstanding.

Duty on Rum distilled in Province.

## CAP. XIII.

## An ACT to authorise the appointing Commissioners for Light-Houses.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the publication of this Act, it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief, by and with the advice of His Majesty's Council of this Province, to appoint Three Commissioners for the taking charge of, and superintending, the several Light Houses now erected, or which may hereafter be erected, on the Coasts of this Province: which Commissioners shall have power to purchase Oil, Candles, Wick, Casks, and all other such materials and utensils as may be necessary for the Lighting the said Light Houses, in the most beneficial manner, and to contract for the necessary repair of the Light Houses, and Lanterns, and for keeping them at all times in good repair, and sufficiently supplied.

Appointment of three Commissioners of Light-Houses.

Power of Commissioners.

Appointment of Keepers of Light-Houses.

Report of the state of Light-Houses.

II. *And be it further enacted*, That the said Commissioners shall have power to appoint, and also at their pleasure to remove, the Keepers of the said Light Houses; and also to lay down rules for the orderly Lighting and Keeping the same. *Provided always*, That the said Commissioners shall, as often as may be required by the Governor, Lieutenant-Governor or Commander in Chief, report to such Governor, Lieutenant-Governor or Commander in Chief, upon the state of the Light Houses, which report shall contain the names and ages of the several Keepers of the Light Houses, the amount of their Salaries, and also an account of the stores and materials belonging to the several Light Houses, which at the time of such report shall be on hand.

Light-Houses, how supported.

III. *And be it further enacted*, That it shall be lawful for the Governor, Lieutenant-Governor or Commander in Chief for the time being, to draw by warrant from the Treasury such sum or sums of money, out of the light duties, as may be necessary for the Repairing, Lighting, and supplying the said Light Houses, and for paying the Keepers of the same.

Allowance to Commissioners

IV. *And be it further enacted*, That the said Commissioners shall be entitled to receive a commission of five per cent. on all monies by them expended under the provisions of this Act.

Commissioner to account.

V. *And be it further enacted*, That the said Commissioners shall render an accurate account of the receipt and expenditure of all such money expended by them, to the Auditor of Accounts, to be by him audited, and laid before the joint committee of the Council and House of Assembly.

## CAP. XIV.

## An Act to continue the several Acts of the General Assembly of this Province now in force relating to a Militia.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the forty-eighth year of his Majesty's reign, entitled, An Act to provide for the greater security of the Province, by a better regulation of the Militia, and to repeal the Militia Laws now in force; and also the several Acts made in the forty-ninth, fifty-third, fifty-fourth and fifty-fifth

Militia Acts continued to 18th March, 1817.

fifty-fifth years of his Majesty's reign, for altering, continuing and amending, the said Act, be continued, and the same are hereby continued, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, and no longer.

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CAP. XV.

An ACT to continue an Act imposing a Duty on articles to be imported from the United States of America, and for appropriating the same.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act, passed in the fifty-fifth year of his Majesty's reign, entitled, An Act imposing a duty on articles to be imported from the United States of America, and for appropriating the same, be continued, and the same is hereby continued, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, and no longer.

Act 55th Geo. III. continued to 18th March, 1817.

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CAP. XVI.

An ACT in amendment of an Act, passed in the fifty-first year of His present Majesty's Reign, entitled, An Act for the encouragement of Inland Navigation.

**W**HEREAS, the Directors of the Yarmouth Lock and Canal Proprietors are prevented from carrying in to effect the good purposes for which said Proprietors were incorporated, by the reason of the absence of so many of the said Proprietors, who neglect to provide proxies, that two-thirds of the said Proprietors cannot be got together in person or by proxy, as, by the fourth Section of the Act of which this Act is an amendment, is required: for remedy whereof:

Preamble.

I. Be it enacted, by the Lieutenant-Governor, Council and Assembly, That in all future meetings of the proprietors of the said Company, the vote of two thirds of such Proprietors as shall be present in person or by proxy at such meetings, not being less than fifteen in number, shall bind all the Proprietors. *Provided*, that in addition to the notice now required by Law to be given of such meeting, one month previous notice of such meeting shall also be advertised in the Royal Gazette of this Province.

All Canal Proprietors bound by the vote of two-thirds at any Meeting. Notice of Meeting.

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CAP. XVII.

An ACT providing an Annual Pension for Judge MONK, on his retiring from office.

**W**HEREAS, George Henry Monk, Esq. on account of his declining health, has obtained permission from His Excellency the Lieutenant-Governor, to resign his Commission as an Assistant Justice of His Majesty's Supreme Court. And whereas, in consideration of the many services performed by the said George Henry

Preamble.

Henry



1816. Anno quinquagesimo sexto GEORGE III. C. XVIII-XIX-XX.

*Henry Monk, for this Province, during a long course of years, in various public employments, it is reasonable that provision should be made for his future honorable support :*

**PENSION.**  
I. *BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That there shall be paid to the said George Henry Monk, Esq. yearly and every year, during his natural life, the annual or yearly sum of four hundred pounds, currency ; which sum shall be drawn from time to time, out of the monies in the Treasury of this Province, by Warrant of the Governor, Lieutenant-Governor, or Commander in Chief of this Province, for the time being.

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CAP. XVIII.

An ACT for altering the time of holding the Inferior Court of Common Pleas, and General Sessions of the Peace, at Digby, in the County of Annapolis.

**Inferior Court, &c. when held at Digby.**  
**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Court of General Sessions of the Peace and Inferior Court of Common Pleas, shall hereafter be held at Digby, in the County of Annapolis, on the first Tuesday of July, in each and every year, instead of the second Tuesday of June, as heretofore accustomed, any law or usage to the contrary notwithstanding.

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CAP. XIX.

An ACT to revive and continue an Act respecting Aliens coming into this Province, or residing therein.

**Act 38th Geo. III. revived.**  
**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That the Act of the General Assembly, passed in the thirty-eighth year of his present Majesty's reign, entitled, An Act respecting Aliens coming into this Province, or residing therein, and every matter, clause, and thing therein contained, be revived, and the same is hereby revived.

**Continued to 18th March, 1817.**  
II. *And be it further enacted,* That the said Act hereby revived, be, and the same is hereby continued in force, until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, and from thence to the end of the next Session of the General Assembly.

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CAP. XX.

An ACT in addition to, and amendment of, an Act, passed in the fifty-fifth year of his Majesty's reign, entitled, An Act to facilitate the passage across the Harbour of Halifax.

**Preamble.**  
**W**HEREAS, the provisions of the beforementioned Act, relate to Steam Boats only ; and whereas, it is yet uncertain whether Steam Boats will be more useful than Boats, whose machinery is moved by a different power:  
I. *Be*

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly,* That it shall be lawful for the said Steam Boat Company, under and subject to the same conditions, provisions and limitations, as in the same Act are contained, with respect to the Steam Boat therein mentioned, to furnish, and substitute if they shall deem it expedient in the lieu, and stead of the said Steam Boat, any other Boat of a sufficient size and capacity, constructed so as to acquire and receive its motion through the water by the force of horses, or any other cattle, or of any other power whatsoever, applied to its wheels, and other machinery; and also to use and employ the last mentioned kind of Boat during the whole or any part of the term of twenty-five years in the said Act mentioned.

Substitute for  
Steam-Boat.

II. *And be it further enacted,* That it shall not be lawful for any person or persons, other than the said Company, to use or employ any Boat of the kind and construction last mentioned, in the transportation of Passengers, Cattle or Goods, in or upon the Waters of the said Harbour of Halifax, during the said term of twenty-five years, unless the said Company shall within the time limited in the said Act, for so doing, neglect to provide either a Steam Boat, or other Boat of the kind above specified, or discontinue to use either of the said kinds of Boats during three months at any one time, for any other cause than unavoidable accidents.

Exclusive privilege allowed  
conditionally.

## CAP. XXI.

An ACT in addition to, and amendment of an Act, entitled, An Act to revive and amend an Act for Establishing the Standard Weight of Grain, and for appointing proper Officers for measuring Grain, Salt and Coals, and ascertaining the Standard Size of Bricks, and the quantity of Lime to be contained in a Hoghead.

**W**HEREAS it is found requisite to give efficacy to the Act hereby amended, and enlarged, to impose a penalty upon the breach of the provisions of the said Act, which regulate the size of Bricks, and the contents of a Hoghead of Lime; and it is expedient to increase the price paid for the inspection and measurement of those Articles. And whereas, the present size of Bricks is found to be disadvantageous in building, and inconveniences arise from the want of a Standard Size of Bricks of larger dimensions than those in common use, to conform to the size of Bricks imported from Great-Britain:

Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That all bricks made in this Province, for sale or sold therein, from and after the first day of May next, shall be of the sizes and dimensions following, that is to say: those of the larger size shall be nine inches in length, four inches and three eighths of an inch in width, and two inches and one half of an inch in thickness; and those of the smaller size shall be eight inches and one quarter of an inch in length, four inches in width, and two inches in thickness.

Size of Bricks  
established.

II. *And be it further enacted;* That all Bricks sold, or offered for sale, as aforesaid, shall be inspected by the Officer or Officers, or one of them, appointed for that purpose, and all such Bricks of any other or different dimensions than is herein provided, shall be seized by the said Inspector, unless their actual size and dimensions shall have been declared by the owner or seller thereof at the time the same were sold, or offered for sale, and so sold, or offered for sale, as and for Bricks of such their actual size and dimensions. And all Bricks, inspected as aforesaid,

Inspection of  
Bricks.

Seizure of  
Bricks.

said, that shall not be well burnt, or otherwise be good and merchantable, shall be seized as aforesaid, unless the same shall have been sold, or offered for sale, as inferior or refuse Bricks.

Inspection of  
Lime.

Seizure of Lime.

Size of Lime  
Hogsheads.

Allowance to  
Inspectors of  
Bricks & Lime.

III. *And be it further enacted*, That all Lime sold or offered for sale, from and after the first day of May aforesaid, shall be measured and inspected, by the officer or officers, or one of them appointed for that purpose, and all Lime not sufficiently burnt, or otherwise of good and merchantable quality, shall be seized by the said inspector, and every person offering for sale, or selling by the hoghead, any Lime in hogheads, that shall not contain at the least eight Winchester bushels heaped, or ninety-six gallons, shall forfeit for every bushel of which every and each hoghead shall be deficient, the sum of ten shillings, and so in proportion for every part of a bushel, together with the hoghead or cask in which such lime shall be contained, which shall be seized by the said inspector and destroyed.

IV. *And be it further enacted*, That for every Thousand of Bricks actually inspected, the person who shall inspect the same shall receive from the seller thereof Nine Pence, and so in proportion for any smaller number; and for every Hoghead of Lime actually inspected and measured, the person who shall inspect and measure the same shall receive from the seller thereof Six Pence, and so in proportion for any less quantity.

Penalties and  
forfeitures under  
this Act—  
how determined,  
recovered  
and applied.

V. *And be it further enacted*, That if the said Bricks and Lime, so seized as aforesaid, shall not exceed Two Thousand Bricks, or Thirty-two Bushels of Lime respectively; and if the deficiency of Lime sold, or offered for sale, in Hogheads as aforesaid, shall not exceed Twenty Bushels, then, upon conviction upon the oath of one or more witnesses or witnesses, before one Justice of the Peace of the County where the offence shall happen; and if the said Bricks or Lime shall exceed Two Thousand Bricks, or Thirty-two Bushels of Lime respectively; and if the deficiency of Lime as aforesaid shall exceed Twenty Bushels, then, upon conviction as aforesaid in any of His Majesty's Courts of Record in the County where the offence shall happen, the said Bricks and Lime respectively, so seized as aforesaid, shall be adjudged forfeited; and the person who sold, or offered the same for sale as aforesaid, shall be adjudged to pay the costs of prosecution, and the person or persons who sold or offered for sale as aforesaid Lime in hogheads deficient as aforesaid, shall be adjudged to pay the penalty herein before declared thereof, together with the costs of condemnation: of all which penalties and forfeitures, one half part shall go to the inspector or inspectors, in each case respectively employed, for his and their trouble and expence of storage and prosecution, the remainder to the use of the poor of the County where such conviction or convictions shall happen.

Repeal of part  
of the Act hereby  
amended.

VI. *And be it further enacted*, That every thing in the Act hereby amended contained, which relates to the size of Bricks, and the price of the inspection of Lime and Bricks, be repealed from and after the first day of May next.

*And whereas it is proper that Officers should be appointed to measure and inspect Free-Stone used in Building:*

Free Stone to  
be inspected.  
Allowance to  
Inspectors of  
Free Stone.

VII. *Be it therefore enacted*, That all Free-Stone sold, or offered for sale, from and after the first day of May aforesaid, shall be inspected and measured by the Officer or Officers appointed for the inspection and measurement of Bricks and Lime, and who shall receive from the owner or seller of such Free-Stone for his services at the following rates, that is to say: for the inspection and measurement of all Free Stone, of the description called flag stones, nine pence per ton; and of all other six pence per ton, and so in proportion for any less quantity.

CAP. XXII:

An Act for the better regulating the manner of holding the Inferior Court of Common Pleas, and General Sessions of the Peace, in the County of Sydney.

**W**HEREAS from the extent of the County of Sydney, it is found inconvenient for the Inhabitants of the western part of the said County to attend at the times and place, when and where the Inferior Court of Common Pleas, and General Sessions of the Peace, are now held for the said County: for remedy whereof, Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly, That,* from and after the publication hereof, the Inferior Court of Common Pleas, and General Sessions of the Peace, for the said County, shall be held twice in each and every year at the times now appointed by law for holding the same, but instead of being held twice in each year at the Court-House in Guysborough, shall be held only once at the said Court-House annually, to wit, on the second Tuesday of December; and once at Dorchester Village, annually, to wit, on the first Tuesday of July. Times and places of holding Inferior Court, &c. in the County of Sydney.

II. *And be it further enacted,* That it shall and may be lawful for the Justices of the said Court of Common Pleas, and Sessions of the Peace, to excuse the Inhabitants of the Eastern part of said County, from being drawn as Petit Jurors to serve at the said Court to be held at Dorchester Village as aforesaid; and so in like manner to excuse the Inhabitants in the Western part of said County, from being drawn as Petit Jurors to serve at the Courts to be held at the Court-House at Guysborough as aforesaid. Petit Jurors.

III. *And be it further enacted,* That the Presentations of Money hereafter to be assessed or appropriated within the said County, by the Grand Jury thereof; as also the Presentation and Appointment of County and Town Officers, shall continue to be made at the General Sessions of the Peace held annually in December at the Court-House in Guysborough, and not otherwise. Presentment of monies for County purposes, and appointment of officers.

CAP. XXIII.

An ACT to alter the time of sitting of the Inferior Court of Common Pleas, and General Sessions of the Peace, for the County of Shelburne, and to enable the Justices of the said County to hold Special Sessions.

**W**HEREAS, the times of holding the Inferior Court of Common Pleas, and General Sessions of the Peace, has been found inconvenient; for remedy whereof: Preamble.

I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That the Inferior Court of Common Pleas and General Sessions of the Peace for the County of Shelburne, shall, for the future, be held at Shelburne, in the said County, on the first Tuesday of October and first Tuesday of April, annually; any law, usage or custom, to the contrary notwithstanding. Times of holding Inferior Court, &c. at Shelburne.

II. *And be it further enacted,* That it shall and may be lawful for the Justices of the Peace for

Special Sessions may be held at Shelburne to hear appeals against assessments.

for the said County, or any three of them, to hold Courts of Special Sessions, at Shelburne aforesaid, on the second Tuesday of November, and second Tuesday of May, in every year; at which Courts any person who may think himself overrated in the assessments made for the support of the Poor, County Rates, or other Rates or Taxes, may appeal for redress; and the said Justices are hereby empowered to examine, hear and determine, every such appeal or complaint, and to give redress as they, in their judgment, shall think equitable; and such judgment shall be final in the said Court. *Provided always*, That nothing in this Act shall extend, or be construed to extend, to that part of the County of Shelburne which is comprised within the District of Yarmouth, in the said County.

### CAP. XXIV.

An Act in amendment of an Act, passed in the first year of His present Majesty's Reign, entitled, An Act for repairing and mending Highways, Roads, Bridges and Streets, and for appointing Surveyors of Highways within the several Townships in this Province, and also of an Act, passed in the fifth year of His said Majesty's Reign, in addition to and amendment thereof.

Preamble.

**W**HEREAS, it is expedient to reduce the number of days' labour required by the said Acts to be performed upon the Highways, so far as the same affects hired Servants and Minors; and also to increase the amount of the Penalties imposed on persons who neglect to send their Teams, and to perform the labour required of them upon the Highways, Roads, Bridges and Streets:

Labour to be performed by servants, minors, &c.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly*, That all hired Servants, Minors, Apprentices, Journeymen, and Day Labourers, shall perform two days' labour on the Highways, Roads, Bridges and Streets, instead of six days, according to the provisions of the said Acts.

Carts, trucks, &c.

II. *And be it further enacted*, That each and every person liable to labour, or to send a Team, Cart or Truck, to work upon the Highways, Roads, Streets or Bridges, in this Province, shall, for each and every day's neglect, forfeit and pay, for a Cart, Team or Truck, twelve shillings and six-pence, instead of ten shillings; and for personal labour five shillings, instead of three shillings, any thing in the said Acts contained to the contrary notwithstanding.

Surveyors of Highways to account to the General Sessions of the Peace.

III. *And be it further enacted*, That the Surveyors of Highways in the several Townships and Districts of this Province, who shall fail to account to the General Sessions of the Peace, for the expenditure of the labour, and for the fines and forfeitures by them respectively received, shall be liable to a penalty not exceeding ten pounds, to be recovered by Bill, Plaint, or Information, in any of His Majesty's Courts of Record in this Province; one moiety whereof shall be paid to the informer who shall sue and prosecute for the same, and the other half part thereof to be applied towards the repair of Roads and Bridges in the Townships or Districts in which the Surveyor resided.

## CAP. XXV.

## An ACT to continue in force the several Acts therein mentioned.

**W**HEREAS it is expedient that the several Acts herein mentioned be further continued :

I. BE it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, made in the thirty-third year of his Majesty's reign, entitled, An Act to provide for the trial of Issues by Justices of *Nisi Prius*, in the Counties of Sydney, Lunenburg and Shelburne; also, an Act passed in the thirty-eighth year of his Majesty's reign, entitled, An Act for regulating the exportation of red or smoked Herrings; and in amendment of an Act passed in the second year of his Majesty's reign, entitled, An Act for regulating the exportation of Fish, and the assize of Barrels, Hoops, Boards, and all other kind of Lumber, and for appointing officers to survey the same; also, an Act, passed in the forty-first year of his Majesty's reign, entitled, An Act for the security of Navigation, and for preserving all Ships, Vessels and Goods, which may be found on shore, wrecked or stranded, upon the coasts of this Province, and for punishing persons who shall steal shipwrecked Goods, and for the relief of persons suffering loss thereby, except the tenth and eleventh sections of the said Act; also, an Act passed in the forty-eighth year of his Majesty's reign, entitled, An Act for the Summary trial of Actions; also, an Act passed in the same year, entitled, An Act to provide for the accommodation and billeting of his Majesty's Troops, or of the Militia, when on their march from one part of the Province to another; and the several Acts passed in the fifty-first and fifty-third years of his Majesty's reign, in amendment of the said Act; also, an Act, passed in the fiftieth year of his Majesty's reign, entitled, An Act in addition to an Act, passed in the thirty-third year of his late Majesty King George the second, entitled, An Act for regulating the rates and prices of carriage; also, an Act, passed in the same year, entitled, An Act in addition to and amendment of an Act, passed in the forty-first year of his Majesty's reign, entitled, An Act for repairing, cleansing, and paving the Streets in the Town and Peninsula of Halifax, and for removing obstructions therein; also, an Act passed in the fifty-first year of his Majesty's reign, entitled, An Act to revive and continue an Act, made and passed in the thirty-eighth year of his present Majesty's reign, entitled, an Act to amend and render more effectual an Act, passed in the eighteenth year of his present Majesty's reign, entitled, An Act to prevent the forestalling, regrating and monopolizing of Cord Wood, in the Town of Halifax; also, an Act, passed in the fifty-second year of his Majesty's reign, entitled, An Act to regulate the expenditure of Monies, hereafter to be appropriated for the service of roads and bridges; also, an Act, passed in the fifty-fourth year of his Majesty's reign, entitled, An Act to revive and continue the several Acts for regulating the Summary Trial of Actions, before his Majesty's Justices of the Peace in the Town and Peninsula of Halifax—and every matter, clause and thing, contained in all and every of the above Acts, and also in such Acts as may have been made in addition to, in explanation, amendment or alteration, of any or either of the said Acts, or for the purpose of reviving the same, shall be continued in force until the eighteenth day of March, which will be in the year of our Lord one thousand eight hundred and seventeen, and from thence to the end of the next Session of the General Assembly.

Preamble.

Act 33d Geo.  
III.Act 38th Geo.  
III.Act 41st Geo.  
I. I.Act 48th Geo.  
III.Act 48th Geo.  
III.Act 51st Geo.  
III.Act 53d Geo.  
III.Act 50th Geo.  
III.Act 51st Geo.  
III.Act 52d Geo.  
III.Act 54th Geo.  
III.Continued to  
18th March,  
1817.

## CAP. XXVI.

An ACT to regulate the Transportation of Gun-Powder, from place to place within this Province.

- Preamble.** **W**HEREAS, the present manner of conveying Gunpowder from place to place within this Province, may endanger the lives of many of His Majesty's Subjects ; for remedy whereof :
- Transportation of Gunpowder by land.** I. *Be it enacted, by the Lieutenant-Governor, Council and Assembly,* That, from and after the publication of this Act, it shall not be lawful for any person or persons within this Province to transport or convey from place to place therein, by land, any quantity of Gunpowder exceeding One Thousand Pounds Weight.
- In carts.** II. *And be it further enacted,* That there shall not be loaded, or carried from place to place, upon or in any one cart as aforesaid, at one time, more than Fifty Pounds of Gunpowder, unless the same shall be completely covered with hair cloth, or woolen, exclusive of the cask or keg which contains the same, and the covering of the cart or carriage.
- Stoppage of carts.** III. *And be it further enacted,* That it shall not be lawful for any cart or carriage, with Gunpowder as aforesaid, upon its passage from one place to another, within this Province, to be stopt or left less than twenty rods off any Inn or Dwelling House.
- Articles not to be conveyed on the same cart with Gun-powder. Powder to be contained in barrels, &c.** IV. *And be it further enacted,* That it shall not be lawful to load, or carry, upon any cart or carriage as aforesaid, together with any quantity of Gunpowder exceeding Fifty Pounds, any manufactured or unmanufactured Iron, Steel, or any other metallic substance whatsoever ; and that no Gunpowder, exceeding Fifty Pounds, shall be loaded or carried in any cart or carriage as aforesaid, but in barrels, half barrels, or quarter barrels, tight, and well hooped with wood or copper hoops.
- Carriage of more than 25lbs. Gun-powder.** V. *And be it further enacted,* That it shall not be lawful to carry or convey from place to place, within this Province, any quantity of Gunpowder more than twenty-five pounds weight unless the cask or package in which the same shall be contained, shall be hooped, and well and sufficiently wrapped with woolen or hair cloth.
- Violations of this Act.** VI. *And be it further enacted,* that if any person or persons shall offend against this Act, he shall forfeit and pay for each and every offence, a sum not exceeding twenty pounds, nor less than forty shillings, to be recovered by bill, plaint or information, in any of his Majesty's Courts of Record, within this Province, one half thereof, to him, her or them, who shall sue for the same ; the other half to be paid into the public Treasury for the use of his Majesty's Government.
- Proviso.** VII. *Provided always, and be it further enacted,* That nothing in this Act contained, shall be construed to extend to prevent the carriage of Gun-Powder for his Majesty's service in the usual manner.

## CAP. XXVII.

## An ACT to prevent unlawful Combinations of Master Tradesmen, and also of their Workmen and Journeymen.

**W**HEREAS, great numbers of Master Tradesmen, Journeymen and Workmen, in the Town of Halifax, and other parts of the Province, have, by unlawful Meetings and Combinations, endeavoured to regulate the rate of wages, and to effectuate other illegal purposes, for remedy whereof:

Preamble.

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That, from and after the passing of this Act, all contracts, covenants and agreements whatsoever, in writing or not in writing, at any time or times heretofore made or entered into, by or between any journeymen, manufacturers, or other workmen, or other persons within this Province, for obtaining an advance of wages of them, or any of them, or any other journeymen, manufacturers or workmen, or other persons in any manufacture, trade or business, or for lessening or altering their, or any of their, usual hours or time of working, or for decreasing the quantity of work, or for preventing or hindering any person or persons, from employing whomsoever he, she, or they shall think proper to employ, in his, her, or their manufacture, trade or business, or for controuling, or any way affecting any person or persons carrying on any manufacture, trade or business, in the conduct or management thereof, shall be, and the same are hereby declared to be illegal, null, and void, to all intents and purposes whatsoever.*

Combinations of Journeymen illegal.

II. *And be it further enacted, That no journeyman, workman, or other persons, shall at any time, after the passing of this Act, make or enter into, or be concerned in the making of, or entering into any such contract, covenant or agreement, in writing or not in writing, as is herein before declared to be an illegal covenant, contract or agreement, and every journeyman, workman or other person, who, after the passing of this Act, shall be guilty of any of the said offences, being thereof lawfully convicted, upon his own confession, or the oath or oaths of one or more credible witness or witnesses, before any two or more Justices of the Peace for the county, town or place, where such offence shall be committed, which oath any of the said Justices are hereby authorised and empowered to administer, in such case, and in all other cases where an oath is to be taken before any Justice or Justices of the Peace, in pursuance of this Act, within three calendar months next after the offence shall have been committed, shall, by order of such Justices, be committed to, and confined in the common Jail, within their jurisdiction, for any time, not exceeding three months, or at the discretion of such Justices, shall be committed to some House of Correction within the same jurisdiction, there to remain and be kept to hard labour, for any time not exceeding two months.*

Future combinations prevented.

III. *And be it further enacted, That every journeyman, workman, or other person, who shall at any time, after the passing of this Act, enter into any combination, to obtain an advance of wages, or to lessen or alter the hours or duration of the time of working, or to decrease the quantity of work, or for any other purpose contrary to this Act, or who shall, by giving money, or by persuasion, solicitation or intimidation, or any other means, directly or indirectly, endeavour to prevent any unhired or unemployed journeyman or workman, or other person, in any manufacture, trade or business, or any other person wanting employment in such manufacture, trade or business, from hiring himself to any manufacturer, or tradesman, or person conducting any manufacture, trade or business, or who shall, for the purpose of obtaining an advance of wages, or for any other purpose contrary to the provisions of this Act,*

Journey men violating this Act.

by



Journeyman in-  
timidated from  
taking employ.

by any means whatsoever, directly or indirectly, decoy, persuade, solicit, intimidate, influence or prevail, or attempt or endeavour to prevail, on any journeyman or workman, or person hired or employed, or to be hired or employed in any such manufacture, trade or business, to quit or leave his work, service or employment, or who shall hinder or prevent, or attempt to hinder or prevent, any manufacturer or tradesman, or other person, from employing, in his or her manufacture, trade or business, such journeyman, workman and other persons, as he or she shall think proper, or who, being hired or employed, shall refuse to work with any other journeyman or workman, employed or hired to work therein, and who shall be lawfully convicted of any of the said offences, upon his own confession, or the oath or oaths of one or more credible witnesses or witnessess, before any two or more Justices of the Peace for the county, town or place, where such offence shall be committed, within three calendar months next after the offence shall have been committed, shall, by order of such Justices, be committed to and confined in the common Jail, within his or their jurisdiction, for any time not exceeding three months, or otherwise be committed to some House of Correction, within the same jurisdiction, there to remain and be kept to hard labour, for any time not exceeding two months.

Combinations  
of Master  
Tradesmen.

IV. *And be it further enacted*, That all contracts, associations, agreements, covenants and engagements, whether in writing or not, entered into between master tradesmen or manufacturers, or any other person or persons, for the purpose of regulating the wages of workmen, or for adding to or altering the usual hours of work, or for increasing the quantity of work, or for regulating or fixing the price to be paid for any work done, or article made or manufactured, by such master tradesmen or manufacturers, or other persons, whereby their customers or others who may deal with them may be affected, shall be illegal and void: and every master tradesman, manufacturer or other person being thereof convicted, by the oath of one witness, before two Justices, within twelve calendar months, shall forfeit and pay for each and every offence twenty pounds, one half to the informer, and the other half to the poor; and if the same is not immediately paid with costs of prosecution, such Justices shall levy the same by warrant of distress, with the costs attending the distress and sale, and for want of sufficient distress, such Justices shall commit the offender or offenders to the common Jail or House of Correction, for any time not exceeding three, or less than two, calendar months.

Persons com-  
bining to raise  
the price of  
labour, goods,  
&c.

V. *And be it further enacted*, That nothing in this Act contained, shall prevent, or be construed to prevent, any person or persons, combining or confederating together, to raise the price of labour, or to raise the price of provisions or victuals of any kind, or to raise the price of goods, wares or merchandize, of any kind or sect, from being indicted, prosecuted, or punished, as for a conspiracy, or unlawful combination.

### CAP. XXVIII.

An ACT to enable certain persons therein named, to erect a Draw-Bridge across the Liverpool River, in the Town of Liverpool.

Preamble.

WHEREAS, the Erecting a Bridge over the Liverpool River, in the Town of Liverpool, will be of great advantage to the Public; and whereas, Joseph Freeman, Joseph Barss, Smoiv Parker, John Barss, Nathan

*Nathan Tupper, Hallet Collins, James Gorham and others, have proposed to erect at their own proper cost and charges, a good and sufficient Draw Bridge over the said River, and to attend and maintain the same, provided the said persons shall be allowed to take and receive such rate or toll for passing the said Bridge as shall be allowed and fixed from year to year by the Court of General Sessions of the Peace, and the Grand Jury for the time being, for the County of Queen's County :*

I. *Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor, or Commander in Chief for the time being, by Letters Patent, under the Great Seal of this Province, to incorporate the said Joseph Freeman, Joseph Barfs, Snow Parker, John Barfs, Nathan Tupper, Hallet Collins, James Gorham and others, and all and every other person or persons who, in their own right, or as Executors, Administrators or Assigns, of the Original Proprietors, at any time or times hereafter, shall have, and be entitled to, any part, share or interest, in the said Bridge, so long as they shall respectively have any such share, part or interest, therein, to be one Body, Politick and Corporate, in Deed and in Name, by the Name of the Liverpool Bridge Company, and, by that Name, to have a Succession, and to sue and be sued, and to have a Common Seal, with Power, from time to time, to elect and choose a President, and other officers, as shall be, by the said Letters Patent, directed.*

Incorporation  
of Liverpool  
Bridge Com-  
pany.

II. *And be it further enacted, by the authority aforesaid, That the Proprietors of the said Bridge shall be authorized to receive and take from all and every person or persons passing the said Bridge (except His Majesty's Troops or Embodied Militia, with their Munitions of War and Baggage, on their march) such toll or fare, from time to time, as shall be fixed and allowed by the Court of General Sessions of the Peace and the Grand Jury for the County of Queen's County, annually, and no other toll or fare, there shall be so fixed and allowed as aforesaid.*

Bridge Toll.

III. *And be it further enacted, That the said Bridge shall be erected over the said River, at such place, as shall be appointed by the said Court of General Sessions, upon the presentment of the Grand Jury, for the said County of Queen's County.*

Bridge—where  
erected.

IV. *Provided always, That the said Bridge shall be a Draw-Bridge, of sufficient width to allow a passage for vessels and boats, up and down the said River, and that a fit and proper person shall attend, at the expence of the Proprietors, to draw the same Bridge, at all times, when thereto required, to allow of such passage, and that no fee or reward shall be exacted or taken, for drawing the said Bridge for the purposes aforesaid. And provided also, That the said Bridge be erected and completed, within three years from the passing of this Act, and kept and maintained in good and sufficient repair, at all time and times, during the continuance of the toll.*

Draw Bridge.

Passage of ves-  
sels.  
Keeper of  
Bridge.  
Time allowed  
for erection and  
completion of  
Bridge.

V. *And be it further enacted, That this Act shall commence and be in force, for the term of Fifty years, from the passing thereof, and no longer.*

Continuance of  
Act.

## CAP. XXIX.

An ACT for founding, establishing and maintaining, an Academy  
at Pictou, in this Province.

WHEREAS *Edward Mortimer, Duncan Ross, Thomas McCulloch, John Patterson, Thomas Davison, George Smith, John McLean, Junior, Alexander Grant, Robert Lowden, and James McGrigor, and others,*

Preamble.

others, have agreed to pay and contribute divers sums of money for the purpose of founding, establishing and maintaining, an Academy in the District of Pictou.

And Whereas the said Edward Mortimer, Duncan Ross, Thomas M'Culloch, John Patterson, Thomas Davison, George Smith, John M'Lean, Junior, Alexander Grant, Robert Lowden, and James M'Grigor, and the other persons who have agreed to pay and contribute divers sums of money for the purpose aforesaid, are Presbyterians, and a great majority of the Inhabitants of the District of Pictou, are either Emigrants from Scotland, or are the Descendants of Emigrants from Scotland, where the Presbyterian Religion prevails; and the said Inhabitants of the District of Pictou, or a great majority of them, do now profess the Presbyterian Religion, and are desirous of educating their children therein:

Incorporation  
of the Trustees  
of the Pictou  
Academy.

I. Be it therefore enacted, by the Lieutenant-Governor, Council and Assembly, That it shall and may be lawful for the Governor, Lieutenant-Governor or Commander in Chief, for the time being, by letters Patent under the Great Seal of this Province, to incorporate Edward Mortimer, Duncan Ross, Thomas M'Culloch, Thomas Davison, George Smith, Robert Lowden, William Patrick, and James M'Grigor, of Pictou, aforesaid, and also, Archibald Gray and James Robson, Ministers of the Presbyterian Congregations at Halifax, and Samuel George William Archibald, of Truro, in the District of Colchester, and James Foreman, of Halifax, in this Province, to be one Body, Politick and Corporate, in deed, and in name, and have succession for ever in manner as shall be herein after mentioned and provided for, by the name of the *Trustees of the Pictou Academy*, and that by the same name they shall have perpetual succession, and a common Seal, to be appointed by themselves, and also, to sue and be sued, implead and be impleaded, in all Courts and Places within the Province of Nova-Scotia, and they, or the major part of them, shall have power from time to time, to choose from among themselves their President, Vice-President, and other Officers, as by said Letters Patent shall be directed, and to make bye laws and ordinances for the regulation and general management of the said Academy, and to assemble together within the said District of Pictou, when and where and as often, and upon such notice as to them shall seem meet, for the execution of their trust, and shall also have full power and capacity to purchase, receive, take, hold, and enjoy for the use and benefit of the said Academy, as well legacies, goods and chattles, as lands, tenements, hereditaments, notwithstanding any statute or statutes of mortmain. *Provided always*, that the lands and tenements so to be purchased, received, taken, held and enjoyed as aforesaid, are situated within the said District of Pictou, and do not exceed the yearly value of two thousand pounds sterling.

Declaration of  
the Religion  
professed by  
the Trustees.

II. And be it further enacted, That the said Edward Mortimer, Duncan Ross, Thomas M'Culloch, Thomas Davison, George Smith, Robert Lowden, William Patrick, James M'Gregor, Archibald Gray, Samuel George William Archibald, and James Foreman, shall present themselves at the Supreme Court, which shall be held at Halifax, or Colchester, or before one of the Judges of the said Court, after the said Letters Patent shall have passed the Great Seal of this Province, and each of them, shall, before the said Court, or any one of the Judges thereof, declare that he is a member of the Church of England, as by Law Established, or make and subscribe the following declaration:

Declaration.

I, A. B. appointed one of the Trustees of the Pictou Academy, do declare that I do profess the Presbyterian Religion, as the same is declared in the Westminster Confession of Faith.

III. And

III. *And be it further enacted,* That the said Edward Mortimer, Duncan Ross, Thomas M'Culloch, Thomas Davison, George Smith, Robert Lowden, William Patrick, James M'Gregor, Archibald Gray, James Robson, Samuel George William Archibald, and James Foreman, from and after the time of Receiving the Letters Patent, and making the declaration aforesaid, and not before, shall be, and shall continue to be, Trustees of the said Pictou Academy, so long as they shall profess the Religion of the Church of England, as by Law Established, or the Presbyterian Religion, and no longer; and that each and every of the said Trustees, shall repeat and subscribe the declaration herein before recited, in the Supreme Court, or before one of the Judges of the said Court, once at the least in every three years.

Continuance in Office of the present Trustees.

IV. *And be it further enacted,* In case any of the said Trustees shall die, or shall fail to make the said declaration, once in three years, that from and after the time of the death of any one of the said Trustees, from and after the time when any of the said Trustees shall have neglected for three years to make the said declaration, it shall and may be lawful for any three or more of the said Trustees to call a Meeting of the said Trustees, at Pictou, in the said District, and if the said Meeting shall be attended by seven of the said Trustees, then the said Trustees, or the major part of them so assembled, may proceed to elect such person or persons of the religion of the Church of England, or the Presbyterian Religion, as they may think fit and proper to be a Trustee, or Trustees, and in the place of the person or persons who have died, or have failed to make the said Declaration, &c. and the said Trustees shall forthwith transmit to the Governor, or Commander in Chief, a certificate, signed by the major part of the Trustees present, at the said Meeting, in the words following:

Death, &c. of any of the Trustees—vacancy how filled up.

We, A. B. do certify, that a Meeting of the Trustees of the Pictou Academy was held at Pictou aforesaid, on the            day of            and the following Members were present at the said Meeting, viz. A. B. C. D. &c.

And we do further certify, That at the said Meeting            of            was duly elected a Trustee of the said Pictou Academy, in the place of C. D. deceased or removed, or of C. D. who has failed to make the Declaration, &c.

And we do further certify, That the said A. B. professes the Religion of the Church of England, or the Presbyterian Religion, and that he is a person of good moral conduct, and is well affected towards His Majesty's Person and Government; and if the Governor, Lieutenant-Governor, or Commander in Chief for the time being, shall approve of the election of the person named in the said certificate, he shall endorse his approbation thereon, and return the same to the said Trustees; and the person or persons so elected shall, on receiving the said certificate and on making the declaration prescribed and directed by this Act in the Supreme Court, and not before, be qualified to act as a Trustee or Trustees of the Pictou Academy; but if the Governor, or Commander in Chief shall not approve of the person so elected, then the said Trustees shall proceed to elect some other person or persons in manner aforesaid, and so continue to do until they shall elect such person or persons as the Governor, or Commander in Chief, may and shall approve of.

V. *And be it further enacted,* If it shall so happen in consequence of the death or absence of the said Trustees, that seven of the said Trustees cannot be assembled to make such election, it shall and may be lawful for the Governor, or Commander in Chief, upon the application of the remaining Trustees, to nominate and appoint such person or persons of the Religion of the Church of England or the Presbyterian Religion, as he may think proper to be a Trustee or Trustees of the said Pictou Academy in the place of the person or persons who may have died or removed, or neglected to make the said declaration.

The Governor may appoint a Trustee.

VI. *And*

Masters or  
Teachers.

VI. *And be it further enacted,* That all and every person or persons, who shall be appointed a Master or Teacher, or Masters or Teachers, in the said Academy, or who shall hold any Office under the said Trustees, shall make and subscribe the Declaration in the Supreme Court here-in before directed to be made and subscribed by the Trustees of the said Academy, and shall repeat the same at the Supreme Court as often as the Trustees are herein directed, and to repeat the said Declaration. *Provided always,* That nothing herein contained shall be construed to extend to the Scholars or Pupils who may be placed at, or sent to, the said Academy, to be educated therein.

Bye Laws.

VII. *And be it further enacted,* That the Trustees of the said Academy shall transmit a copy of all Bye Laws, which shall or may be enacted by them, or the major part of them, to the Governor, or Commander in Chief, within one month after the making or enacting the same, and if the Governor, or Commander in Chief, shall express his dissent to the said Bye Laws at any time within twelve months after the same shall have been transmitted to him, then the said Bye Law shall be deemed and considered as totally abrogated and repealed.

Lands and Te-  
nements.

VIII. *And be it further enacted,* That it shall not be lawful for the Trustees of the said Academy, to purchase, receive, take, hold or enjoy, any lands or tenements, that do not lie within the said District of Pictou; and that it shall not be lawful for them to purchase, receive, take, hold or enjoy, any lands or tenements within the said District, beyond the yearly value of Two Thousand Pounds, Sterling.

His Majesty's  
Assent neces-  
sary to this Act  
Time allowed  
for Establish-  
ment of the  
Academy.

IX. *And be it further enacted,* That nothing herein contained, shall be of any force or effect, until his Majesty's pleasure is known herein; nor unless the said Academy shall be opened and Established for the education of youth, within ten years after his Majesty shall have approved thereof.

### CAP. XXX.

An ACT to continue the several Acts of the General Assembly for raising a revenue to repair the roads throughout the Province, by laying a Duty on Persons hereafter to be licenced to keep Public Houses and Shops for the retail of Spirituous Liquors.

Acts 39th, 40th  
41st, 46th, and  
55th Geo. III.  
continued to  
18th March  
1817.

**B**E it enacted, by the Lieutenant-Governor, Council and Assembly, That an Act, passed in the thirty-ninth year of his present Majesty's reign, entitled, An Act for raising a revenue to repair the roads throughout the Province, by laying a duty on persons hereafter to be licenced to keep public houses or shops for the retail of spirituous liquors, and for regulating such public houses and shops; also, the several Acts passed in the fortieth, forty-first, forty-sixth and fifty-fifth years of his Majesty's reign, for reviving, altering, continuing, amending and adding to, the said Act, and every matter, clause and thing therein contained, be continued, and the same are hereby continued until the eighteenth day of March, which will be in the year of Our Lord one thousand eight hundred and seventeen, and no longer.